


North West Community Council
September 27, 2012

REVISED

TO: Chair and Members of North West Community Council

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

DATE: September 5, 2012

SUBJECT: **Case #17424: Land Use By-law Amendments to the Bedford West Business Campus Zone, Bedford**

ORIGIN

North West Planning Advisory Committee Meeting – September 5, 2012.

RECOMMENDATION

It is recommended that North West Community Council:

1. Give First Reading to consider the proposed amendments to the Bedford Land Use Bylaw as set out in Attachment A of the staff report dated July 17, 2012 and schedule a public hearing; and
2. Approve the proposed amendments to the Bedford Land Use By-law as set out in Attachment A of the staff report dated July 17, 2012.

BACKGROUND/DISCUSSION

At its meeting of August 1, 2012 the Committee deferred this report to be reviewed and its next meeting. On September 5, 2012 the Committee reviewed and discussed the proposal to amendment as set out in Attachment A of the staff report dated July 17, 2012.

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 February 1, 2012.

ALTERNATIVES

1. Community Council may choose to proceed with the proposed land use by-law amendments described as items 1, 2 and 3 in the Discussion section of this report and contained within Attachment A of the staff report dated July 17, 2012. This is the staff recommendation for the reasons outlined in this report.
2. Community Council may choose to proceed with alternate amendments. If this option is chosen, staff would recommend that alternatives be developed in consultation with staff to achieve solutions that are acceptable to both the municipality and the applicant by means of a Supplementary Report.
3. Community Council may choose to refuse the proposed land use by-law amendments, and in doing so, must provide reasons based on conflict with Bedford MPS or BWSPS in accordance with the provisions of the *Halifax Regional Municipality Charter*.
4. Community Council may choose to proceed with amendments to allow service stations within the "B" Area. If this option is chosen, Community Council should direct staff to prepare a report to Regional Council to initiate the necessary MPS amendments.

ATTACHMENTS

Staff report dated July 17, 2012

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.

North West Planning Advisory Committee
August 1, 2012

TO: Chair and Members of North West Planning Advisory Committee



SUBMITTED BY:

Brad Anguish, Director of Community and Recreation Services

DATE: July 17, 2012

SUBJECT: **Case #17424: Land Use By-law Amendments to the Bedford West Business Campus Zone, Bedford**

ORIGIN

Application by West Bedford Holdings Limited.

RECOMMENDATION

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

1. Give First Reading to consider the proposed amendments to the Bedford Land Use By-law as set out in Attachment A of this report and schedule a public hearing; and
2. Approve the proposed amendments to the Bedford Land Use By-law as set out in Attachment A of this report.

EXECUTIVE SUMMARY

West Bedford Holdings Limited has submitted an application to amend the provisions of the Bedford Land Use By-law (LUB), specifically the Bedford West Business Campus (BWBC) Zone. The proposed amendments are to:

- Reduce the minimum required lot area from 4,047 m² (1 acre) to 2,023 m² (0.5 acre);
- Reduce the front yard setback from 15.2 m (50 ft.) to 6.1 m (20 ft.);
- Allow for the linear subdivision of multiple tenant commercial buildings; and
- Permit service station uses within the “B” Area.

It is the opinion of staff the proposed amendments to reduce the required lot area; reduce the front and flankage yard setback; and allow for the linear subdivision of a multiple tenant commercial buildings can be supported as they directly relate to the objectives and policies of the Bedford Municipal Planning Strategy and Land Use By-law (Attachments C&D). However, the remaining request to permit service station uses within the “B” Area cannot be supported as it conflicts with the intent of these objectives and policies.

A Public Information Meeting (PIM) was held on January 23, 2012. The main questions and concerns from residents related to parking and environmental protection (Attachment F). This application was also reviewed by the Bedford Watershed Advisory Board which included a site visit on March 2, 2012 to examine a water feature originally thought to be a watercourse but since determined to be a wetland.

BACKGROUND***Bedford West Secondary Planning Strategy***

In early 2006, Regional Council approved the Bedford West Secondary Planning Strategy (BWSPS). The BWSPS provides guidance for the development of a 1,052 hectare (2,600 acres) planned community on the west side of the Bicentennial Highway in the vicinity of the Hammonds Plains Road and Kearney Lake Road. The BWSPS includes a community concept plan referred to as Schedule BW-7 (Map 1) which illustrates the following land use designations: Residential Neighbourhoods, Community Commercial Centre, Institutional/Residential, Park and Open Space, and Mixed Use Business Campus.

The Mixed Use Business Campus designation is located immediately to the south of the Hammonds Plains Road and extends from the Bicentennial Highway to the Atlantic Acres Business Park (Map 1). These lands, plus an area designated Institutional/Residential (known as Northwood Continuing Care Centre) and a strip of land designated Park and Open Space (containing a Nova Scotia Power easement), comprise the Bedford West Business Campus (BWBC) Zone. The proposed amendments apply to the BWBC Zone.

The Bedford West Business Campus (BWBC) Zone

The subject area is comprised of the lands zoned BWBC (described above) which is approximately 67 hectares (165 acres) in area and is serviced with municipal water and sewer. This area is partially developed with Research in Motion (RIM), the BMO multi-pad arena, Northwood Continuing Care Centre, and the new Bedford High School which is under

construction and proposed to open for the 2013/14 school year. Approximately 26 hectares (64 acres) of the subject area is undeveloped at this time (Map 3).

The BWBC Zone is administratively split into two (2) areas: the “A” Area which permits a variety of business and office uses and the “B” Area which permits all the “A” Area uses as well as some limited retail uses. A full list of permitted uses is provided in Attachment C and the delineation of the “A” and “B” areas is found in Attachment C and on Map 3. The BWBC Zone contains provisions related to lot size, setbacks, building height, impervious surface coverage, architectural requirements, landscaping, accessory uses/storage, access, parking, loading, signage, and identification & direction signs. Development within the BWBC Zone is also subject to a site plan approval¹ process (Attachment C).

The Proposed Land Use By-law Amendments

West Bedford Holdings Limited (the applicant) is the primary landowner of the undeveloped land in the subject area and is seeking the following four amendments to the BWBC Zone:

1. Reduce the minimum required lot area from 4,047 m² (1 acre) to 2,023 m² (0.5 acre);
2. Reduce the front yard setback from 15.2 m (50 ft.) to 6.1 m (20 ft.);
3. Allow for the linear subdivision of multiple tenant commercial buildings; and
4. Permit service station uses within the “B” Area.

The applicants “Letter of Intent” can be found within Attachment B of this report. The applicant has advised the proposed amendments to the BWBC Zone are necessary to allow them to better market their properties. There is no specific development proposal related to this application, therefore, any amendments to the BWBC Zone would apply to all lands zoned BWBC, both developed and undeveloped.

The Original Application

The original application included four additional amendments which were withdrawn by the applicant. A request to redefine the “A” and “B” Areas of the BWBC Zone became no longer necessary as West Bedford Holdings Limited has made a development agreement application (Case 17847) to develop six multiple unit dwellings on the area of land they were seeking to redefine. A request to reduce watercourse setbacks for commercial uses was also not necessary as the water feature in the subject area was determined to be classified as a wetland and as such no setback is required. Two additional requests, to reduce the required landscaping between buildings and the street and to allow parking within required yards were also withdrawn as they were not supported by plan policy.

Bedford Watershed Advisory Board

This application was reviewed by the Bedford Watershed Advisory Board (BWAB). The review included the original request to reduce the watercourse setback for commercial uses, as well as Request #4: to include service station uses within the “B” Area. The BWAB report to North West Community Council dated March 26, 2012 is provided under separate cover.

¹ Site plan approval is a development control tool available through Sections 246 – 249 & 275 of the *Halifax Regional Municipality Charter* which enables the Development Officer to negotiate certain site specific items with a Developer as a condition of receiving a development permit and which is subject to notification and appeal to Council by property owners within 30m of the site.

The application was presented to the Board on February 15, 2012. They deferred their recommendation to their March 15, 2012 meeting to allow for a site visit to be performed. The site visit was conducted on March 2, 2012.

During the course of this application, the request to reduce the watercourse setback for commercial uses was withdrawn by the applicant as it was determined by the applicant's environmental consultant that the water feature within the subject area meets Nova Scotia Environment's wetland criteria and, therefore, the amendment request was no longer relevant as the setback does not apply to wetlands. The BWAB did not raise any specific concerns or issues with the request to enable service stations within the "B" Area of the BWBC Zone.

DISCUSSION

Plan Policy – Bedford West Business Campus

The Bedford West Secondary Planning Strategy (BWSPS) recognizes that the subject area is strategically located for businesses that produce goods and services and employment opportunities for the region. The Mixed Use Business Campus designation is meant to support these business uses, recreational uses, hotels, institutional facilities, park and ride facilities, and limited retail uses. As described in the policy objectives and Policy BW-36, the vision of this designation is to have a campus style environment where employment centres are integrated with public facilities and spaces. The campus style environment is implemented through the objectives of the Mixed Use Business Campus designation "to create a setting where buildings and transportation systems networks are attractively integrated with the natural environment" and the LUB through the requirements for landscaping, setbacks, and pedestrian connectivity (Attachments C and D).

Community Council may approve amendments to the BWBC Zone which are consistent with the objectives of the designation and applicable policies such as Policy BW-36 and which further the intent of the site plan approval criteria.

The Proposed Amendments

As there is no specific development proposal related to this application, the evaluation of the proposed amendments is conceptual. Only one of these requests (Request #4 to include service stations as a permitted use) can be evaluated independently. The other requests are interconnected as they all relate to site design and a change in one of the requirements may have implications on another requirement or on the overall area being able to meet policy objectives.

The following is an evaluation and recommendation of each proposed amendment to the BWBC Zone:

1. Reduction in Minimum Lot Area Requirement

Request: The BWBC Zone requires a minimum lot area of 4,047 m² (1 acre). The requested amendment is to reduce the minimum lot area to 2,023 m² (0.5 acres). The rationale provided by the applicant for this request is to better provide future landowners with the

ability to share parking areas as well as landscaping and maintenance services with neighbouring properties (Attachment B).

Evaluation and Recommendation: The implications of reducing the minimum lot area is the lot yield potentially doubling. However, provided adequate separations, setbacks (see Request #2) and buffers are maintained to control the bulk and scale of any proposed development, staff support this request. Further, the Mixed Use Business Campus designation includes the objectives to “adopt a flexible regulatory environment” and “encourage innovative subdivision design” and a reduction in the minimum required lot area may further these objectives. It should also be noted that the requested amendment has no impact on the overall population density assigned to the Bedford West Business Campus area. Density is calculated based on acreage, rather than building floor area, and the acreage within the Campus area remains unchanged. Staff recommend the BWBC Zone be amended to reduce the minimum lot area from 4,047 m² (1 acre) to 2,023 m² (0.5 acres) as described in Attachment A.

2. Reduction in Front and Flankage Yard Setback Requirement

Request: The BWBC Zone requires a minimum front and flankage yard setback of 15.2 m (50 ft.). The applicant is requesting the requirement be reduced to 6.1 m (20 ft.) to give future landowners the flexibility of situating buildings closer to the street.

Evaluation and Recommendation: Section 4.c) of the BWBC Zone requires a 4.6 m (15 ft.) strip of landscaping along all property lines fronting on a street. A setback of 6.1 m (20ft) would leave no ability to situate parking areas in the front of a building. This amendment presents an opportunity for the area between the building and the street to be fully landscaped which would further the objective of the Business Campus designation to “create a setting where buildings and transportation systems networks are attractively integrated with the natural environment”. Locating buildings closer to the street would encourage a more walkable environment where pedestrians-vehicle conflict is minimized. A reduction in the front and flankage yard setback requirement also strengthens the site plan approval criteria that states “walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and; unless otherwise not possible, shall not cross any driveways or parking areas”.

However, the implications of reducing a front yard setback without also examining the permitted height in the zone can have consequences for the perceived bulk and scale of a proposed building at the street. Within the BWBC Zone, the maximum permitted building height is 15.8 m (52 ft.) which may be increased to 36.6 m (120 ft.) for hotel, motel and office uses within the “A” Area provided a separation distance equal to the height of the building is maintained from any residentially zoned property. It is staff’s opinion, a reduction in the front and flankage yard setback is reasonable provided the existing relationship between the front and flankage yard setback and building height is maintained. The existing relationship is that the front and flankage yard setback is to equal the maximum height of the building. Therefore, to maintain this relationship, staff recommends the BWBC Zone be amended to allow the reduction in the front and flankage yard setback to 6.1m (20ft)

or a distance equal to height of the building to a maximum of 15.8m (52ft) whichever is greater, as described in Attachment A.

3. Linear subdivision of multiple tenant commercial buildings

Request: The BWBC Zone does not allow for the linear subdivision of a multiple tenant commercial building. In the same way townhouses and semi-detached dwellings can be subdivided to allow free-hold ownership of individual units, the applicant has requested an amendment to the BWBC Zone to allow the same linear subdivision abilities for commercial buildings.

Evaluation and Recommendation: This request deals more with ownership than form. The applicant has demonstrated on Attachment E that a multi-tenant commercial building can be constructed to meet the BWBC Zone requirements even if a linear subdivision has occurred. This amendment will further the plan objectives of “adopting a flexible regulatory environment” and “encouraging innovative subdivision design”. Therefore, staff recommends the BWBC Zone be amended to eliminate the side yard setback from common shared walls as described in Attachment A. For clarification, in situations where the BWBC Zone provisions could not be achieved or the requirements of the National Building Code could not be met, subdivision approval would not be possible.

4. Service Stations be permitted in the “B” Area

Request: The applicant is seeking an amendment to the list of permitted uses within the “B” Area to include service stations. Currently, neither the “A” nor “B” Areas of the BWBC Zone permits service stations (Map 3). Automotive service and supplies centres are listed as a permitted use within the “B” Area but those uses do not permit the retail sale of lubricating oils and gasolines. The applicant has indicated that “Bedford West does not have the ability to provide automotive service to the residents and a similar use is not located in the vicinity”.

Evaluation and Recommendation: Within the BWSPS, the General Commercial Centre designation (Map 1) lists, as its first objective, “to provide for general and highway commercial uses” and within the Bedford MPS and LUB service stations are limited to highway commercial areas. This General Commercial Centre designation has been applied to the lands near the Larry Uteck Interchange and the Bicentennial Highway and the approved development agreements for this area permit both gas bars and service stations.

The intent of the Mixed Use Business Campus designation is to locate businesses that produce goods and services and employment opportunities for the region in a campus style environment and not “to provide for general and highway commercial uses”. Staff feel the inclusion of service station uses within the Mixed Use Business Campus designation and BWBC Zone is contrary to the intent of the policy as this area of the Hammonds Plains Road is not within a general or highway commercial area. For these reasons, staff does not support the request to permit service stations in the “B” Area of the BWBC Zone and this amendment request has not been included in Attachment A. It is the opinion of staff that the consideration of a service station in the “B” Area of the BWBC Zone requires an amendment

to the BWSPS and cannot be considered by Community Council through the current application.

Housekeeping Amendment

During the review of this application, it was discovered that the BWBC Zone was not listed on the zone classification list in Part 3, Section 1 of the LUB. However, the BWBC Zone appears with the industrial zones in the Table of Contents. It is the opinion of staff the intention is for the BWBC Zone to be an industrial zone and as a means of correcting this oversight staff is recommending a housekeeping amendment to include the BWBC Zone in the list of Industrial Zones on Part 3, Section 1 of the LUB, as shown in Attachment A.

Summary

In summary, staff is satisfied requests 1, 2 and 3 are consistent with the intent of the BWSPS and are recommending approval of the proposed amendments to the BWBC Zone of the Bedford Land Use By-law as set out in Attachment A. It is the opinion of staff that request 4 conflicts with the intent of the BWSPS for the reasons set out in this report and as such have not included this proposed amendment within Attachment A.

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2012/13 operating budget for C310 Planning & Applications.

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

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 (PIM) held on January 23, 2012. Notices of the Public Information Meeting were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment F contains a copy of the minutes from the meeting.

A public hearing has to be held by Council before they can consider approval of any amendments to the LUB. 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 shown on Map 2 will be notified of the hearing by regular mail.

The proposed rezoning will potentially impact the following stakeholders: local businesses, property owners.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant, environmental policies contained in the Bedford MPS and LUB. Please refer to the Discussion section and Attachment D of this report for further information.

ALTERNATIVES

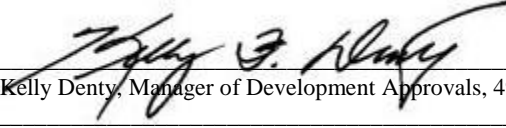
1. Community Council may choose to proceed with the proposed land use by-law amendments described as items 1, 2 and 3 in the Discussion section of this report and contained within Attachment A. This is the staff recommendation for the reasons outlined in this report.
2. Community Council may choose to proceed with alternate amendments. If this option is chosen, staff would recommend that alternatives be developed in consultation with staff to achieve solutions that are acceptable to both the municipality and the applicant by means of a Supplementary Report.
3. Community Council may choose to refuse the proposed land use by-law amendments, and in doing so, must provide reasons based on conflict with Bedford MPS or BWSPS in accordance with the provisions of the *Halifax Regional Municipality Charter*.
4. Community Council may choose to proceed with amendments to allow service stations within the “B” Area. If this option is chosen, Community Council should direct staff to prepare a report to Regional Council to initiate the necessary MPS amendments.

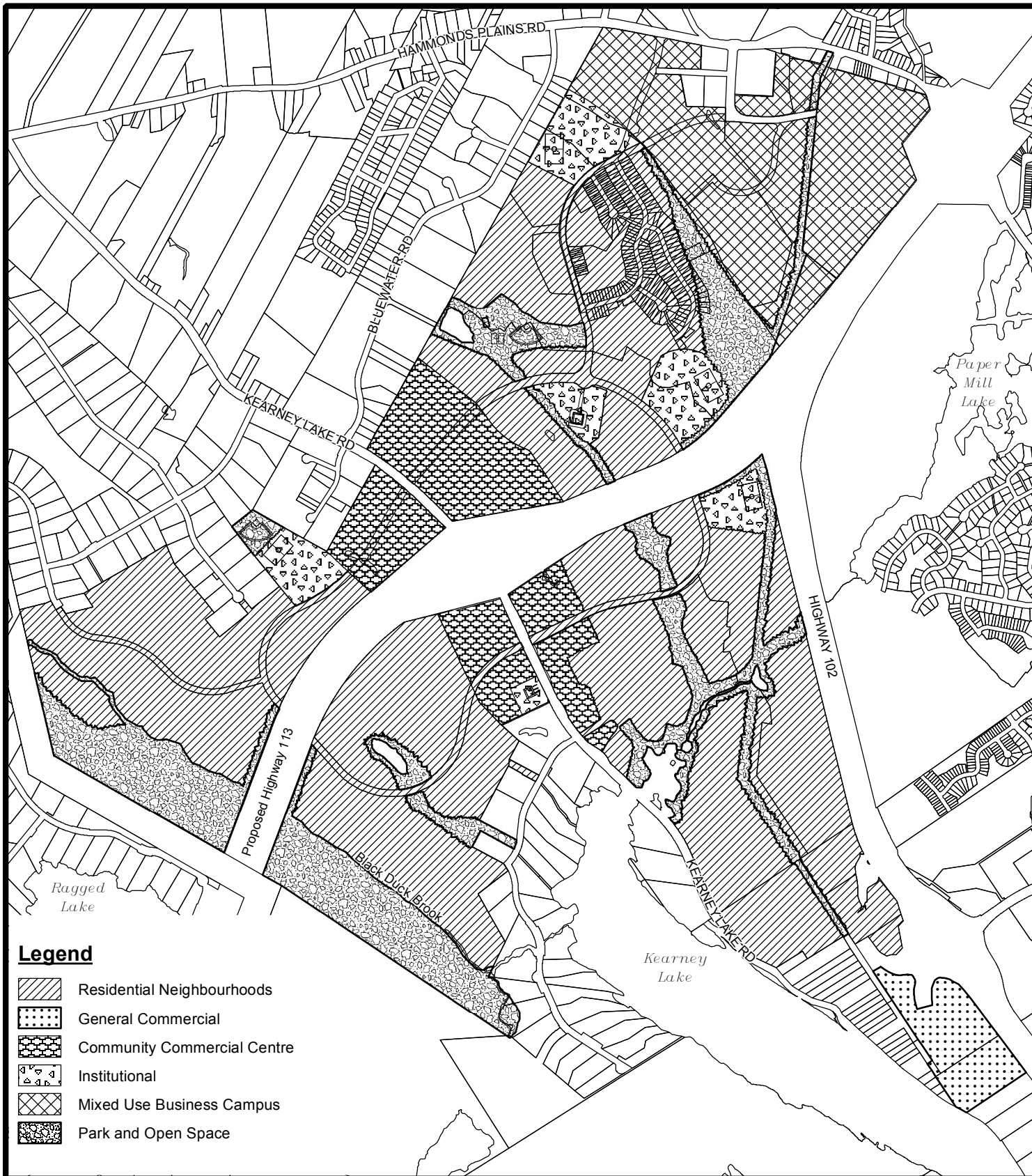
ATTACHMENTS

Map 1	Schedule BW-7 Bedford West Community Concept Plan
Map 2	Zoning Map
Map 3	Bedford West Business Campus Lands
Attachment A	Proposed Amendments to the Bedford Land Use By-law
Attachment B	Letter of Intent
Attachment C	Excerpts from the Bedford Land-Use By-law
Attachment D	Excerpts from the Bedford Municipal Planning Strategy and Policy Review
Attachment E	Conceptual Plan – Linear Subdivision of Multi-tenant Commercial Buildings
Attachment F	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 : Jacqueline Bélisle, Planner 1, 869-4262

Report Approved by: 
Kelly Denty, Manager of Development Approvals, 490-4800

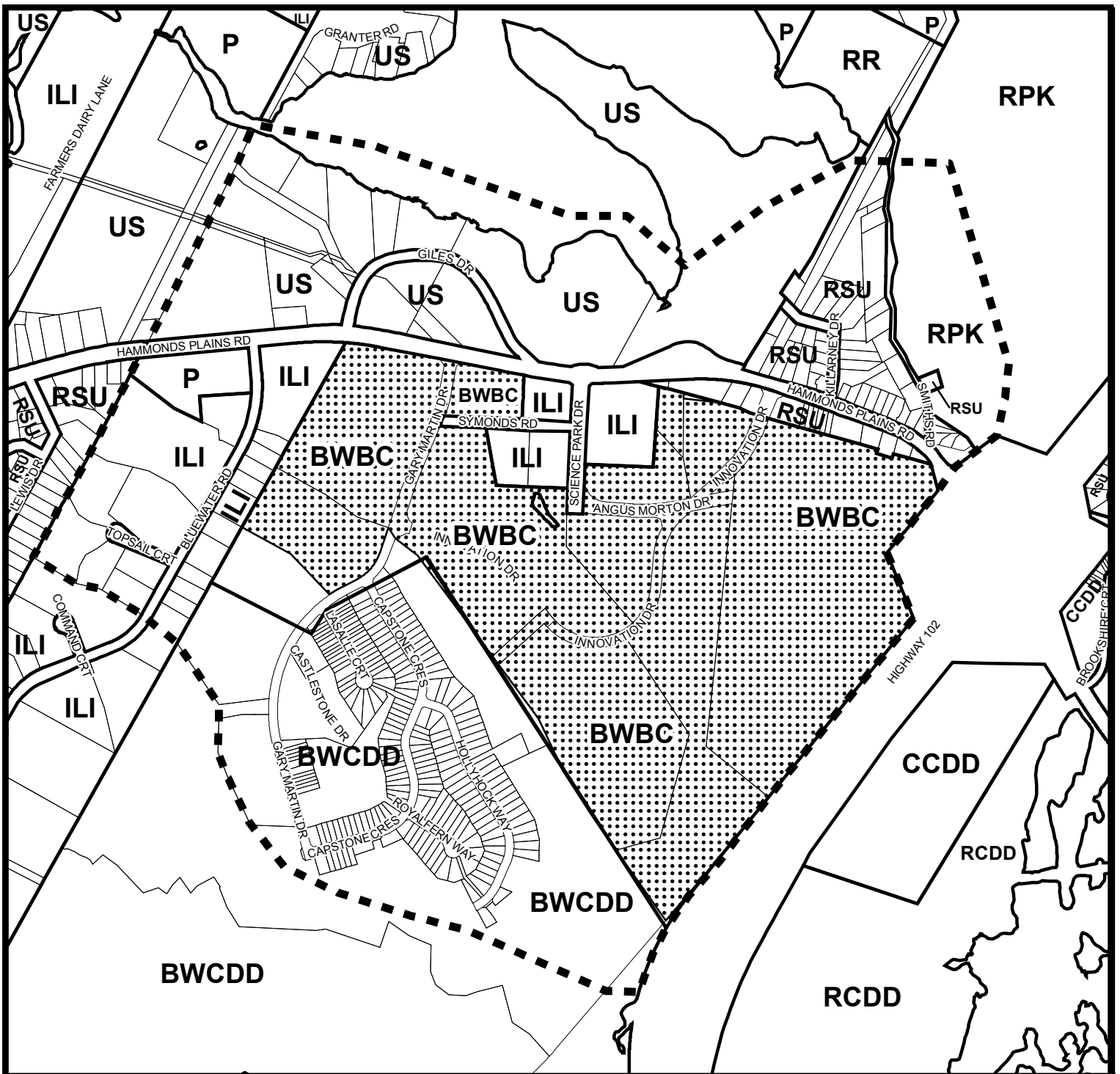


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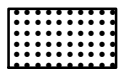
-  Residential Neighbourhoods
-  General Commercial
-  Community Commercial Centre
-  Institutional
-  Mixed Use Business Campus
-  Park and Open Space

Map 1
 Schedule BW-7
 Bedford West Community Concept Plan





**Map 2
Zoning**



Subject Area

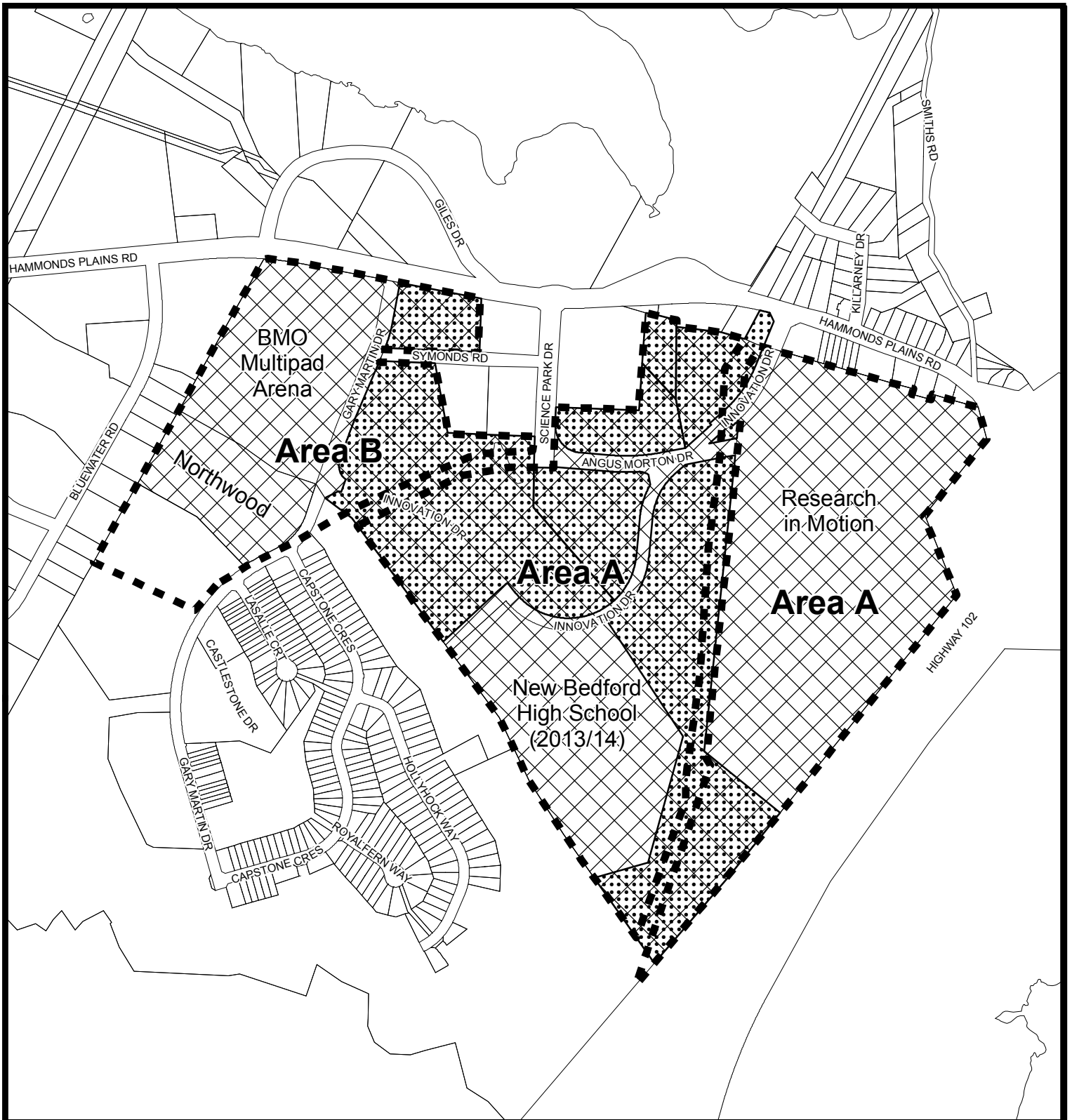
Notification Area



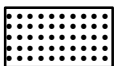
- RSU Single Dwelling Unit Zone
- RR Residential Reserve Zone
- US Urban Settlement Zone
- P Park Zone
- RPK Regional Park Zone

- ILI Light Industrial Zone
- CCDD Commercial Comprehensive Development District
- RCDD Residential Comprehensive Development District
- BWBC Bedford West Business Campus Zone
- BWCDD Bedford West Comprehensive Development District





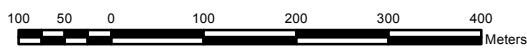
Map 3
Bedford West Business Campus Lands



Undeveloped Lands



Subject Area



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 Land Use By-law for Bedford as adopted by the Bedford Town Council on the 26th day of March, 1996 and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [insert date of hearing] is hereby amended as follows:

1. Replace the text “**ITR Information, Technology, and Research Zone**” of Part 3 Section 1. Zones and Zoning Map with the following text “**BWBC – Bedford West Business Campus Zone**”
2. Replace the text “**Minimum Lot Area43,560 sq. ft. (1 acre)**” of the Subdivision and Building Requirements under Part 19A with the following text: “**Minimum Lot Area 2,023 m² (0.5 acre or 21,780 sq. ft.)**”
3. Replace the text “**Minimum Front Yard or Flankage Yard.....50 ft.**” of the Subdivision and Building Requirements under Part 19A with the following text: “**Minimum Front Yard or Flankage Yard.....6 m (20 ft.) or a distance which is equal to the height of the building to a maximum of 15.8 m (52 ft.) whichever is greater**”
4. Insert the text “**Minimum Common Side Yard for Multi-Commercial Buildings.....N/A**” into the Subdivision and Building Requirements under Part 19A after the text: “**Minimum Side Yard.....6 m (20 ft.)**” and before the text: “**Minimum Height of Building.....15.8 m (52 ft.)**”

I HEREBY CERTIFY that the amendments to the Bedford Land Use By-law, as set out above, were duly passed by a majority vote of the North West Community Council at a meeting held on the day of , 2012.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2012.

Municipal Clerk

June 20, 2012

Jacqueline Belisle, MPlan
Planner – Central Region
Halifax Regional Municipality



WEST BEDFORD HOLDINGS LIMITED
CLAYTON PROFESSIONAL CENTRE
255 LACEWOOD DRIVE, SUITE 100 C
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WWW.THEPARKSOFWESTBEDFORD.CA

Dear Jacqueline:

RE: Case # 17424 – Revised LUB amendments

Further to our recent discussions, we are now requesting the following amendments to the Bedford West Business Campus zone of the Bedford Land Use By-law:

1. Reduce the minimum required lot size from 1 acre to 0.5 acres.
Under the ‘Subdivision and Building Requirements’, the minimum lot area is specified as 1 acre. We would like to be able to provide our clients with the flexibility of working with neighbouring properties, sharing parking, landscaping services and maintenance services; while still owning their own smaller lot. This request would be reflected in the LUB as a text change to the “Minimum Lot Area”, 21,780 sq.ft. (0.5 acre).
2. Reduce the front yard / flank yard setback to 20 feet from 50 feet.
 - Having the front yard / flank yard setback reduced to 20 feet will give our customers the flexibility of pulling the buildings closer to the street, having the parking located in the rear.
3. Allow for multiple tenant ownership by subdividing linear buildings.
 - An example of this would be when a drugstore is attached to a retail plaza. It would be beneficial to allow the drugstore to be subdivided out creating an opportunity for separate ownership.
4. Under the allowable uses within Area ‘B’, we would like to include “gas bar”.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Kevin Neatt', with a stylized flourish at the end.

Kevin Neatt

West Bedford Holdings Ltd.

Attachment C
Excerpts from the Bedford Land Use By-Law

PART 2 DEFINITIONS

For the purpose of this By-law all words shall carry their customary meaning except for those defined hereinafter.

Automobile Service Station or Service Station - means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than auto body repairs or an automobile sales establishment.

Lot Area - means the horizontal area within the lot lines of a lot.

Setback - means the distance between the street line (front property line) and the nearest wall of any building or structure and extending the full width or length of the lot.

PART 3 ZONES AND ZONING MAP

1. Zones

Industrial Zones

<u>Symbol</u>	<u>Description</u>
ILI	Light Industrial Zone
IHO	Harbour Oriented Industrial Zone
IHI	Heavy Industrial Zone
ITR	Information, Technology, and Research Zone

PART 5 GENERAL PROVISIONS FOR ALL ZONES

GENERAL PROVISIONS: LOTS AND YARDS AND OTHER STANDARDS

14. Frontage On A Street

Except as provided for within the Bedford West Business Campus (BWBC) Zone, no building, structure or use shall be permitted unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street; except for alterations, renovations and additions to existing structures located on private streets or for construction of dwellings on existing, vacant lots as per Policy R-28. (NWCC-Sep 28/06;E-Oct 14/06)

GENERAL PROVISIONS: PARKING AND LOADING FACILITIES

37E. Appendix D - Wetlands Map

Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands identified on Appendix D attached to this by-law, within and adjacent to the lot. Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within any such wetland. (RC-Jun 27/06;E-Aug 26/06)

PART 19A BEDFORD WEST BUSINESS CAMPUS (BWBC) ZONE

No development permit shall be issued on lands within the “A” Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) Educational, research and development, and design facilities, excluding public schools;
- b) Laboratories and accessory research and processing facilities;
- c) Offices
- d) Data processing and computer centres, including service and maintenance of electronic data processing equipment;
- e) Legal, medical, veterinarian, engineering, surveying, accounting, architectural, scientific and similar professional offices;
- f) Radio and television broadcasting stations as well as activities related to telecommunications research and development;
- g) Assembly, warehousing and distribution operations;
- h) Utility and public service facilities and uses needed to service the immediate vicinity;
- i) Recreational facilities;
- j) Hotels and motels;
- k) Day care facilities (RC-Mar 3/09;E-Mar 21/09);
- l) Special Care Facilities;
- m) Park and ride facilities;
- n) Restaurant Full-Service, Restaurant Take-Out, and retail uses in association with any other permitted uses;
- o) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.

No development permit shall be issued on lands within the “B” Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) all uses permitted within the “A” Area;
- b) retail stores;
- c) food stores not exceeding 5,000 square feet of gross floor area per business;

- d) personal and household service shops
- e) medical, veterinary and health service clinics; (NWCC-Nov 25/10;E-Dec 11/10)
- f) banks and financial institutions;
- g) dry cleaning depots;
- h) automotive service and supplies centre/outlet;
- i) welding, plumbing and heating, electrical and other trade contracting or sales and Service shops
- j) outdoor display and sales, excluding automobile sales;
- k) funeral homes;
- l) amusement centres;
- m) garden markets;
- n) billiards and snooker clubs;
- o) full service, take out and drive through restaurants;
- p) commercial recreation uses such as fitness clubs and other similar recreation uses.

SUBDIVISION AND BUILDING REQUIREMENTS

In any Bedford West Business Campus (BWBC) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	43,560 sq. ft. (1 acre)
Maximum Lot Area for Area "B"2 Hectares (5 Acres)
Minimum Front Yard or Flankage Yard.....	50 ft.
Minimum Rear Yard	20 ft.
Minimum Side Yard	20 ft.
Maximum Height of Building.....	52 ft.
Maximum Impervious Surface Coverage.....	75%

Where the "A" uses are permitted within the "B" area, the Maximum Lot Area requirements of this section shall not apply. (NWCC-Sep 28/06;E-Oct 14/06)

SPECIAL REQUIREMENTS

1. Restaurants and Retail Uses

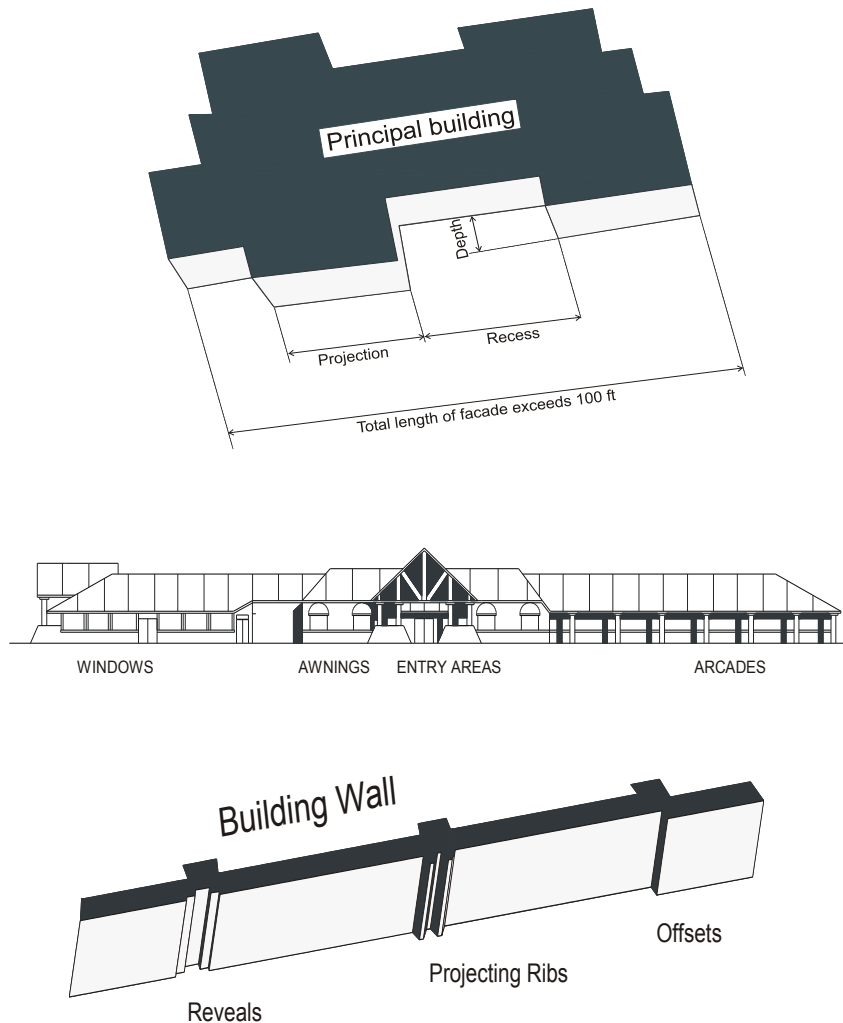
Within the "A" Area, no restaurant or retail use shall occupy more than ten percent (10%) of the gross floor area of a building except that a restaurant in association with a hotel or motel may occupy a maximum of twenty percent (20%) of the gross floor area of a building

2. Height

Notwithstanding the Maximum Height of Building Requirements in the Subdivision and Building Requirements section, within the "A" area the maximum height for a hotel, motel or office may be increased to 120 ft. where the separation distance of at least the height of the building is maintained from any residentially zoned property line. (NWCC-Sep 28/06;E-Oct 14/06)

3. Architectural Requirements

- a) A combination of arcades, display windows, entry areas, awnings or other such features shall be incorporated into all building facades along not less than 60% of their horizontal length facing a public street.



- b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the facade. This clause shall not apply to office buildings *that are over three storeys or 35' in height.* (NWCC-Sep28/06;E-Oct14/06)
- c) One clearly defined, visible entrance way shall be provided on the facade oriented to the public street shall be provided. The entrance way and front facade shall include no less than three of the following elements:

- i canopies or porticos
 - ii overhangs
 - iii recesses/projections
 - iv arcades
 - v raised corniced parapets over the door
 - vi peaked roof forms
 - vii display windows
 - viii architectural details such as tile work, and moldings which are integrated into the building
 - ix integral planters or wing walls that incorporate landscaped areas and sitting places; and
 - x or any other similar architectural treatment deemed to be an acceptable equivalent;
- d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

4. Landscaping

- a) A minimum of 25% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation.
- b) At least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted.
- c) A 15 foot landscape strip shall be installed along all street property lines, exclusive of driveways, walks and railroads rights-of-way. When the 15 foot landscape strip occurs between a parking area or vehicle manoeuvring area, loading area and the street, a landscape shrub screen of at least 50% opaqueness and a minimum of four feet in height within one year after installation is required. Mature trees at a maximum spacing of twenty feet may be substituted for or combined with a scrub screen. The landscaping may be calculated as part of the 25% landscaping requirement in (a) above.
- d) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minimum of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix A shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.
- e) Existing trees and shrubs may be incorporated into the 6.1 metres (15 foot) landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement specified under clause d).

5. Accessory Uses/Storage

- a) All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets.
- b) External fuel storage tanks utilized as part of the heating equipment of an establishment or bulk storage of any materials used in any production or assembly shall be screened from view from all adjacent properties and public streets.
- c) All refuse shall be collected and stored in containers which shall be screened from view from all adjacent properties and public streets.
- d) Utility and public service facilities and uses need to service the immediate vicinity shall be screened from view from all adjacent properties and public streets.

6. Driveway Access

No use located within the "B" Area shall be permitted to have driveway access to the Hammonds Plains Road as illustrated on Schedule I. (NWCC-Feb 28/08;E-Mar 15/08)

7. Parking

No parking spaces may be located within required yards, except that an area equivalent to not more than 50% of the total area of all required parking spaces may be located within a required yard for use as parking space for visitors, selected personnel and minor deliveries.

8. Loading

Notwithstanding the general loading space regulations in Part 5, Section 37, (General Provisions), the following shall apply:

- a) All loading must be on site and no on-street loading is permitted.
- b) Truck loading facilities shall be at the rear or side of the building and shall be screened from view from any adjacent residential property.
- c) Loading space areas, including driveways leading to such area, shall be paved with a dust free all-weather surface, be well drained and be of a strength adequate for the truck traffic expected.

9. Signage

Notwithstanding the general signage regulations in Part 5, Section 38, (General Provisions), the following shall apply:

- a) No more than two signs per business shall be permitted.
- b) Signs shall be restricted to advertising only the person, firm, company, or corporation

- operating the use conducted on the site or products sold therein.
- c) Signs shall have an area not to exceed one (1) square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed one hundred (100) square feet per face.
 - d) No more than one free-standing or ground mounted sign may be permitted per lot.
 - e) Ground signs shall not exceed eight (16) feet above grade in vertical height and shall be setback a minimal of 10 feet from any street line.
 - f) Businesses located in multiple tenant buildings may have a maximum of two (2) signs with a maximum of one (1) sign for each facade. Each sign shall not exceed an area equal to ten (10) percent of the business face upon which it is located. However, no sign shall exceed thirty-five (35) square feet in area.
 - g) Directory listing signs: Detailed signs for multi-tenant buildings may list building tenants. The portion of the sign area devoted to such a listing shall be limited to 60% of the total permitted sign area, and the tenant listing shall be uniform in size, type, and lettering. It is understood, however, that tenant "logos" are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering. Each sign shall not exceed twenty (20) feet in height.
 - h) One temporary announcement/construction sign per lot is permitted during active construction of building. Announcement/construction signage shall not exceed 200 square feet in area per face.
 - i) No signs shall be located on the roof of a building and billboards shall be prohibited.

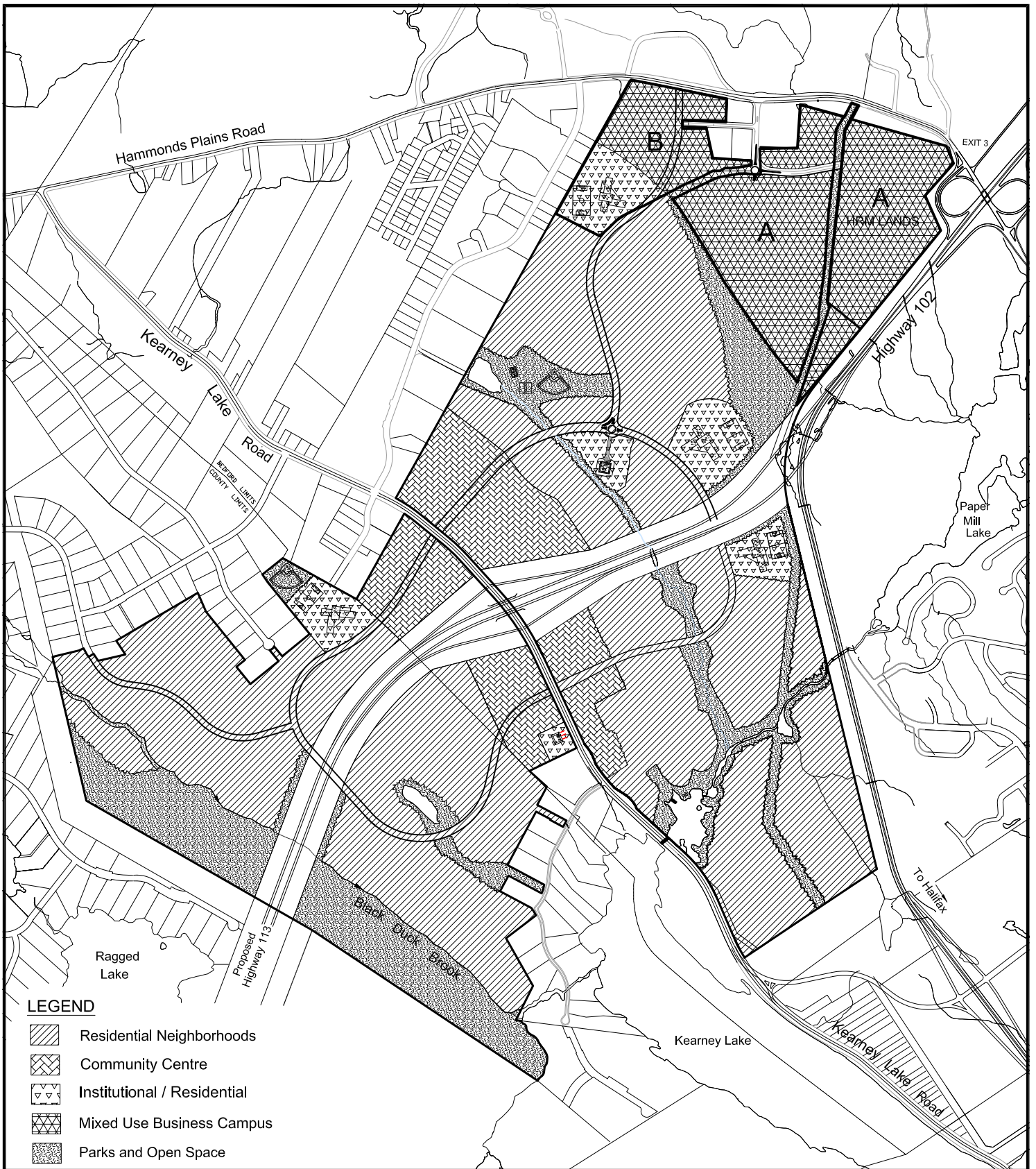
Business Park Identification and Directory Signs

- j) Identification Sign: One identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract shall be permitted. The maximum area of each sign face shall be one hundred and fifty (150) square feet.
- k) Directory Signs: Signs identifying companies in the research and development park shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign(s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.
- l) A map locator directory sign identifying companies in a research and development park shall be permitted. A maximum of two (2) such signs shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign (s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.
- m) Spaces on such directory signs allocated for company identification shall be of equal area, and letters and typeface must be of equal value and uniform throughout the sign.
- n) There shall be a maximum of two (2) directory signs.

10. Site Plan Approval

Site plan approval shall be required for any new development, excluding internal renovation or change in occupancy with no external renovations, within the Bedford West Business Campus (BWBC) Zone and no site plan approval shall be granted unless the following criterion are satisfied:

- a) no outdoor storage or outdoor display and sales shall be permitted within the “A” Area and any outdoor waste containers shall be screened in both Areas;
- b) open spaces are integrated into the layout and where feasible, larger trees are retained;
- c) landscaping is introduced to all areas disturbed during construction;
- d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;
- e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;
- f) bicycle storage facilities are provided near the main entrances to the building or in designated public spaces;
- g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;
- h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and
- i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.
(RC-Jun 20/06;E-Jul 29/06)



LEGEND

-  Residential Neighborhoods
-  Community Centre
-  Institutional / Residential
-  Mixed Use Business Campus
-  Parks and Open Space

Schedule I

**COMMUNITY CONCEPT PLAN
BEDFORD WEST**

Attachment D

Excerpts from the Bedford Municipal Planning Strategy and Policy Review

The Mixed Use Business Campus

The Mixed Use Business Campus Designation which encompasses both private and municipal lands adjacent to the Hammonds Plains Road/Bicentennial Highway interchange are strategically located for businesses that produce goods and services and employment opportunities for the region. A campus style environment is envisioned where employment centres are integrated with public facilities and public spaces. In recognition of market uncertainties, residential developments may also be considered.

Objectives:

- to provide places of employment within the community that are easily accessible from the Community Collector Streets and Trail System and by public transit;
- to support a mixed use environment where opportunities are afforded to live and work in the same community;
- to create a setting where buildings and transportation systems networks are attractively integrated with the natural environment;
- to encourage business opportunities by adopting an efficient and flexible regulatory environment;
- to encourage innovative subdivision and community design;
- to support public transit provision.

Policy BW-36:

The Mixed Use Business Campus designation, illustrated on Schedule BW-7, shall support a wide range of businesses which produce goods and services, recreational uses, hotels, institutional facilities and park-and-ride facilities. Limited provisions shall be made for retail uses, personal and household services and restaurants and standards shall be established for landscaping, architectural design, signs, parking, loading areas and driveway access. A zone shall be established under the Land Use By-law to implement this intent but granting of a municipal development permit shall also be subject to site plan approval. The following matters shall be considered in any site plan approval application:

- a) outdoor storage or outdoor display and sales shall be limited and any outdoor waste containers shall be screened;*
- b) open spaces are integrated into the layout and where feasible, larger trees are retained;*
- c) landscaping is introduced to all areas disturbed during construction;*
- d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;*
- e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;*

- f) *bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces;*
- g) *walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;*
- h) *buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and*
- i) *a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.*

Policy BW-37:

Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be given to policy BW-32.

Policy BW-38:

Existing lots with frontage on the Hammonds Plains, which are vacant or developed with single unit dwellings, shall be zoned RSU (Single Unit Dwelling) Zone under the Land Use By-law. No rezonings or development agreements shall be considered.

The General Commercial Centre

The General Commercial Designation envisions a built form with a range of commercial, activities and medium to higher density residential. Recognizing the location of the General Commercial Designation adjacent the Larry Uteck Boulevard and the Bicentennial Highway (Highway 102) interchange, the following objectives are intended:

- to provide for general and highway commercial uses;
- to enable a portion of the site to be developed as medium or higher density residential;
- integrate pedestrian access between surrounding residential areas and commercial activities;
- to encourage innovative design and comprehensive planning; and
- to support public transit.

Policy Review:

<i>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:</i>	
Policy Criteria	Staff Comment
<i>1. 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</i>	<i>Policy BW-36 (above) directs that a zone be established in the LUB to implement the intent of the Mixed Use Business Campus designation.</i>

<p><i>R-16 is specifically met;</i></p>	<p>Please see the main body of this report for the evaluation of each individual request. With respect to the request for a service station in “A” Area, staff feel the inclusion of a service station uses within the Mixed Use Business Campus designation and BWBC Zone is contrary to the intent of the policy. Specifically, the Mixed Use Business Campus designation is to “<i>locate businesses that produce goods and services and employment opportunities for the region in a campus style environment</i>” and not “<i>to provide for general and highway commercial uses</i>” which is the intent of the General Commercial designation. In accordance with plan policies, service stations are considered to be a reasonable land use within a general or highway commercial area. The Hammonds Plains Road area and this portion of Bedford West are not considered a general or highway commercial area.</p>
<p>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></p>	<p>No specific development has been proposed in relation to this application.</p> <p>The intent of the Mixed Use Business Campus designation is to provide a campus style environment. This environment is achieved via the zone requirements for lot size, setbacks, height, landscaping, impervious surface coverage, location of parking areas, etc. The bulk and scale of a building relates to the minimum permitted setbacks and maximum permitted height requirements. As discussed in the body of this report, any changes to the required setbacks should be considered in conjunction with the maximum permitted height to ensure that the implementation of a campus style environment is maintained.</p>
<p>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></p>	<p>No incompatibilities with respect to use are anticipated as a result of the proposed LUB amendments contained within Attachment A.</p>

4. <i>That provisions are made for safe access to the project with minimal impact on the adjacent street network;</i>	Should the proposed LUB amendments be adopted, any future proposed development would be subject to the provisions of applicable HRM By-laws.
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>	There are no anticipated costs to the municipality relating to this application.
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 subject area is serviced by the municipal water and sanitary system. No issues with regard to the adequacy of either of these services has been identified in relation to the proposed LUB amendments contained within Attachment A.
iii) <i>the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;</i>	
iv) <i>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>	The proposed LUB amendments contained within Attachment A are not expected to precipitate pollution. The consideration of service stations uses within the "B" Area has raised concern from members of the public (Attachment E) with regard to environmental impact. Service stations must comply with provincial construction and maintenance regulations. However, staff do not support the request to permit service stations in the BWBC Zone due to conflict with policy (see Discussion section of this report).
v) <i>the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;</i>	Municipal storm water systems are available within the subject area. No issues with regard to the adequacy of this system have been identified in relation to the proposed LUB amendments contained within Attachment A.
vi) <i>the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;</i>	As this application does not involve any residential development no impact is expected on schools, recreation, or community facilities.
vii) <i>the adequacy of recreational land and/ or facilities;</i>	

viii) <i>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>	The street networks within and adjacent to the subject area consists of the Hammonds Plains Road, Gary Martin Drive, Innovation Drive, Angus Morton Drive, Science Park Drive and Symonds Road. The proposed LUB amendments contained within Attachment A are not anticipated to have a significant effect on the street network.
ix) <i>impact on public access to rivers, lakes, and Bedford Bay shorelines;</i>	No public access to rivers, lakes or shorelines has been identified within the subject area.
x) <i>the presence of significant natural features or historical buildings and sites;</i>	No historical building or sites have been identified within the subject area. There is a wetland within the subject area. The interpretation of Part 5 Section 37E of the LUB does not permit any development within a wetland.
xi) <i>creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;</i>	The Urban Service Boundary replaced the Bedford Primary Development Boundary with the adoption of the Regional Plan in 2006. The subject area is within the Urban Service Boundary.
xii) <i>impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,</i>	The proposed amendments to the LUB contained within Attachment A do not affect the applicability of Part 5 Section 21 of the LUB (Watercourse Setbacks and Buffers).
xiii) <i>suitability of the proposed development's siting plan with regard to the physical characteristics of the site.</i>	This policy criterion is not applicable as there is no specific development proposed in relation to this application.
7. <i>Any other matter enabled by Sections 73 and 74 of the Planning Act.</i>	Staff have identified no other matters for discussion.
8. <i>In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:</i>	...
i) <i>provide Council with a clear indication of the nature of the proposed development; and</i>	This report provides a clear indication of the amendments requested and the implications of adopting these requests. Staff's recommendation can be found in the Discussion and Recommendations section of this report.
ii) <i>permit staff to assess and determine the impact such development would have on the proposed site and the surrounding community.</i>	The Applicant has supplied a Letter of Intent (Attachment B) and Conceptual Plan (Attachment E) which lists their requests and in some cases explains their rationale. The Concept Plan should be taken as only a demonstration and should not be interpreted

	<p>as an actual proposed development. Nor should it be considered the only possible configuration in which the proposed amendments could be implemented.</p>
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Attachment F
Public Information Meeting Minutes
HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case No. 17424

Monday, January 23, 2012
7:00 p.m.
BMO Centre, Multi-Purpose Room

STAFF IN

ATTENDANCE: Jacqueline Belisle, Planner, HRM Planning Services
Thea Langille, Supervisor, HRM Planning Services
Alden Thurston, Planning Technician, HRM Planning Services
Cara McFarlane, Planning Controller, HRM Planning Services

ALSO IN

ATTENDANCE: Councillor Tim Outhit, District 21
Councillor Debbie Hum, District 16
Mike Hanusiak, West Bedford Holdings Limited

PUBLIC IN

ATTENDANCE: Approximately 9

1. Call to order, purpose of meeting – Jacqueline Belisle

Ms. Belisle introduced herself as the planner facilitating the application through the planning process; Mike Hanusiak, the applicant; and Alden Thurston and Cara McFarlane, HRM Planning Services.

The purpose of a public information meeting (PIM) is to inform the public that HRM has received an application; to provide background on the proposal and the planning process; and to receive any issues, questions and feedback from the public about the proposal. The PIM is strictly an information exchange session and no decisions are made at the PIM. North West Community Council (NWCC) will look at the proposal in the near future and make a decision.

2. Overview of planning process – Jacqueline Belisle

The PIM is the first step of the planning process followed by a detailed review by staff, and in this case, Bedford Watershed Advisory Board (BWAB) as well other HRM departments will be involved. A staff report analyzing what is being proposed against the policy in the Bedford Municipal Planning Strategy (MPS) is prepared for North West Community Council (NWCC). This application is unique because there are a number of different things being requested. The staff report might be unique in that there may be recommendations for some of the changes and against other changes. The staff report will be reviewed by the North West Planning Advisory

Committee (NWPAC) and then onto NWCC. The decision will rest with NWCC whether these amendments are going to be adopted in whole or in part. There is also an appeal process attached to this process. If some changes are approved, citizens can appeal them through the Nova Scotia Utility and Review Board (NSURB). If some changes are refused, the applicant can appeal them.

3. Presentation of Proposal – Jacqueline Belisle

The applicant, West Bedford Holdings Limited, has applied to amend the Bedford Land Use By-law (LUB) to consider some changes to the Bedford West Business Campus (BWBC) Zone. Generally, these changes fall into three categories: 1) to reconfigure Areas A and B; 2) to allow for additional land uses in Area B; and 3) changes to the requirements for the zone (total lot size, parking, landscaping and setbacks).

The site context was shown. The BWBC Zone is meant to support a wide range of business uses which produce goods and services, recreational uses, hotels, institutional facilities and park and ride facilities. There are some limited provisions for retail use. The idea was to have a campus-like environment where employment centres are located and integrate them with public facilities and spaces.

The plan area is Bedford. The property is designated Bedford West Secondary Planning Strategy under the Bedford MPS. The site is zoned BWBC and the approximate area is somewhere in the range of 66.7 hectares (165 acres). The area is divided into Areas A and B. Within Area B all the land uses that are permitted within Area A are also permitted with additional uses.

Presentation of Proposal – Mike Hanusiak

The Bedford West Master Plan Area, approximately 2,200 acres, was shown. Hammonds Plains Road, the Bicentennial Highway, the future Highway 113 and the Kearney Lake Road were pointed out on the map. When the Bedford West Master Plan was approved, there were 12 Sub-Areas. The Bedford MPS characterizes each Sub-Area in terms of the general type of land use that is permitted, when it can be developed and the context of certain infrastructure being deployed.

West Bedford Holdings Limited owns all of the lands in Sub-Areas 3, 4, 6, 2, 5, and a very small portion of 9, 7 and 8. These lands were acquired from Annapolis Group (one of the principle lead companies with the formation of the master plan area) in 2006 after the master plan was done.

Since 2006, a few things have changed, particularly, along the Hammonds Plains Road (area shown in red and known as the Bedford West Business Park) where RIM is located. In 2006, there were certain assumptions made about road alignments and land uses. It became apparent that some of the development (which is guided by the Bedford LUB) in the BWBC may not be a good fit with the reality of what has taken place over the last few years. Therefore, West Bedford Holdings has come to HRM to consider some amendments.

As was indicated, the BWBC is divided into two sub-areas, Sub-Area A which is the area adjacent to RIM, and Sub-Area B where the BMO Centre is sitting. The general feel for Sub-

Area A (located where the high school and RIM are) is for office and educational activity. The area along Gary Martin Drive was for recreational facilities, park and ride facility and retail capability across the street. The Northwood project (Stonington Park), was already negotiated by Annapolis Group when West Bedford Holdings acquired the lands in 2006.

The applicant wants to straighten out the divided lines between Sub-Areas A and B and bring the minimum lot size down from 1 acre to 0.5 acres. They want the opportunity to bring buildings closer to the street, particularly for retail along Gary Martin Drive so that pedestrians can simply enter them from the sidewalk without crossing a large expansive parking lot. There are multiple tenants within a small strip building who would like to own their part of the building rather than rent it. The applicant has asked that the by-law be changed to allow the creation of smaller lots with semi-detached commercial buildings.

At the time of adoption of the plan in 2006, the principle entrance to the entire area was supposed to be Symonds Road. At the main entrance, Canadian Bakery was to be on one side and Wallace Equipment on the other and the road was to come in to Angus Morton Drive (the original principle entrance to the old Blood Fractionation Plant).

Since the adoption of the plan, RIM was built and the dedicated driveway became a public street called Innovation Drive. This and the creation of Gary Martin Drive was post plan. The reason was because people began to realize that developing a master plan community with principle entrances essentially through an industrial park area wasn't suitable. West Bedford Holdings worked with HRM to lower the Hammonds Plains Road and reposition the entrance into the area (shown on map). That became known as Gary Martin Drive.

At the time the plan policy was put together, Sub-Area B was intended to be community retail. When it was agreed that Gary Martin Drive would come in and essentially split Sub-Area B, the BMO Centre went in. The land across the street was cleared at the same time to deal with the road configuration. Those cleared lands primarily are going to be used for retail community commercial activity with less emphasis on office and perhaps doctors and dentist offices. By the end of December 2012, for the most part, Innovation Drive should be complete. The road comes up to a point now and stops (shown). The first amendment is to firmly set the line between Sub-Areas A and B, the land adjacent to Gary Martin Drive and the land adjacent to Innovation Drive, and transition it into the larger office component. The applicant views this as an administrative change which reflects the change in road patterns.

The concept plan for BWBC was shown in pink. Sub-Area A, for the most part, is intended to be office use with very little emphasis on retail. Retail and community service activity was always intended to follow along Gary Martin Drive. Some of the by-law requirements for the commercial zone that apply just about anywhere in Bedford really don't lend themselves to the adaptation of the development of this area. The applicant would like to bring the buildings closer to the street. Another provision in the by-law is that the bulk of the parking is to be behind the building. We have asked for an amendment to the LUB to allow for a certain amount of parking and landscaping in the front of the building rather than the back. In retail, most people want to see some parking visible to the street. That is proven with the activity in the BMO Centre.

There is a requirement under the Bedford LUB for a 30 metre setback from a watercourse. The applicant is not entirely sure that there are watercourses on the property with the exception of one that was already shown. When the Regional Plan was adopted in 2006, the setback from watercourses was 20 metres. The applicant is simply asking for the BWBC to be brought into compliance with the Regional Plan.

Currently, the front yard area requires 50% landscaping between the building and the street. If the buildings are pulled forward, West Bedford Holdings would like less of a requirement. They would like to decide where the landscaping is done on the property.

The 2006 by-law provision states that lots have to be one acre in size (roughly 200 x 200 feet). There are a lot of small businesses that would rather have a lot of 0.5 acres in size (100 x 200 feet). When paying the price to acquire land in a business park, a tenant only wants to buy what is really needed for the business.

When the 2006 plan was put together, this road (shown) didn't really exist. There is a pond (some days it has water and other days it doesn't) behind Wallace Equipment. The Department of Environment has not made a declaration whether that is a watercourse or not. They suspect that it meets the definition. The old plan shows the road travelling right through that area but now it has been rerouted around it. In fact, the applicant plans to maintain a buffer zone around that pond that would be in compliance with the Regional Plan.

A principle transit route will go from the rink through the business park and to the high school. That may change. This is an area in transition and was never really contemplated in the 2006 master plan.

4. Questions and Comments

Doug Robertson, Hammonds Plains Road – How close will the buildings be to the street? Mr. Hanusiak said they are proposing 20 feet back as opposed to 50 feet. Mr. Robertson asked if all of the parking will be in the front. Mr. Hanusiak said not all but they would like to have the opportunity to put some in front. They don't want to be forced into a situation where the building has to be set back 50 feet from the road. The building being 50 feet back would also be a waste of land.

Will Matheson, Giles Drive – What is the current maximum percentage of parking in front? Mr. Hanusiak said that it is not so much a percentage but it depends on the type of land use. A business may require four vehicles per 1,000 square feet of use but the by-law takes over as to where and how many. Ms. Belisle said that currently there is no parking in the front whatsoever, only on the side and rear. So the applicant is requesting the opportunity to have some in the front.

Mr. Matheson – Does the pink area on the plan reflect what is the by-law now? Mr. Hanusiak said not necessarily. Along Gary Martin Drive, there is a combination of buildings with parking in the front, rear or the flankage yard and in some cases parking to the side and the rear as well. Customers and developers are telling us we have to have a measure of parking in the front of the building for safety and security reasons. The parking at the BMO Centre appears to be in the

front yard but technically, it is flankage yard. The applicant does not want to create the same situation but would like to have some front parking for the buildings on the two sites directly across from the BMO Centre. There is no proposal to change the requirements in terms of the number of spaces. The location of the landscaping will depend on the parking.

Ed Giles, Giles Drive – Dalhousie University was consulted to do a study of this whole area to determine the environmental impact that the development would have with respect to this and the surrounding area. They determined that there would be a tremendous impact on the ground water and watershed of Sandy Lake and Paper Mill Lake. The recommendation was that this area only be used as parkland. The BWAB and Sackville Rivers Association (SRA) both made similar recommendations based on that study from Dalhousie. Those recommendations were made to HRM when there was a discussion regarding the building of the proposed blood plant (where the RIM building now sits). For whatever reason, HRM chose to allow development in this area and as a consequence he has lost his well water. They have been patient with the process, but there is more impact proposed that may have even more dramatic effects on them, their well water, the lakes and the rest of the environment.

Mr. Giles originally thought there would be more about residential housing during the meeting. People who have already purchased lots here had to adhere to zoning that was in place and have the right to expect that others in the area should have the same applied to them. He has watched the development of this area with much concern. This development project reminds him of Orange Walk in Spryfield. This location is full of rowhouses similar to what he sees in the Bedford West development area. He fails to see the difference between parking in the front or rear of the buildings. Most of the buildings (residential) he has seen have garages and driveways and they park on the street also.

If the commercial buildings have parking in the front and rear, will there be handicap parking in the front and back? There are security concerns for staff parking at the rear of the buildings when leaving late at night from businesses. What provisions might be taken to protection as far as lighting and what not?

Mr. Giles asked if there has ever been an environmental assessment and study done to determine if it is appropriate to have service stations and gas bars in this development area. He would like to be provided with a copy of the environmental assessment and study.

Ms. Belisle explained that the next step of the process is for this application to go to BWAB. She was not familiar with the Dalhousie study mentioned. Councillor Outhit said he received a copy in the initial days of discussions on the wells.

Ms. Belisle explained that staff would be looking for comments from BWAB in regards to service stations. NSDOE is part of staff's internal review and if it is required, an environmental impact assessment will be done.

Mr. Giles said that a service centre is quite broad. Do you mean Mr. Lube shops or do you mean body shops, fiberglass repair shops, etc? Mr. Hanusiak said currently in Sub-Area B automotive service and supply centres are permitted. Automotive services would allow a Jiffy Lube or

something of that nature. A Wilsons gas station is not permitted. Also allowed are welding, plumbing and heating, electrical and other trades, sales and service shops. He assured Mr. Giles that that is not what is desired. Mr. Giles is concerned about welding shops that close to a high school.

Ms. Belisle read the definition of a service station from the Bedford LUB. "...the building or part of a building or clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automotive accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than autobody repairs and an automobile sales establishment."

Mr. Hanusiak reminded everyone that this area is the principle entrance to the development and besides having to comply with the Bedford LUB, the area is also covered by restrictive/protective covenants. He showed the area where a small gas bar has been considered. Mr. Giles wondered what kind of provisions are made where the area close to a lake. Are there protective measures like stormwater overflow? Mr. Hanusiak explained that the water does not drain towards the lake. It empties into storm lagoons on the side. If a small gas bar was to go in, it would be regulated by the authorities that have jurisdiction; therefore, if required, an environment review will be done. Ms. Belisle mentioned that municipally, if a service station is deemed permitted, it would have to adhere to the setbacks requirements any other building would have to adhere to.

Mr. Giles asked about the setback from the watercourse. Mr. Hanusiak said that if the pond is deemed a watercourse, the Regional Plan requires a 20 metre setback. The Bedford LUB requires a 30 metre setback. The applicant is asking to comply with the Regional Plan.

Mr. Hanusiak mentioned that the study Mr. Giles' referred to came out in 1994/95. Since then, there have been two major stormwater management plans done, one in the context of the Bedford Master Plan covering 2,200 acres. Before development in this area started, a comprehensive stormwater management plan was required from Jacques Whitford and was before BWAB and the NWCC. Everything done in this particular area is guided by that plan. Everything proposed tonight will have to abide by the stormwater management plan. It is the document of record and is a matter of public record.

Cathy Robertson, Hammonds Plains Road – asked for clarification on who owned the RIM property. Mr. Hanusiak said that Research In Motion owns all of the area shaded in grey (shown on the slide). They purchased about 50 acres in 2006, just months after the master plan. Everything shown on the slide in color are lands that belong to West Bedford Holdings Limited and over time properties have been acquired by HRM.

Mr. Robertson mentioned that the public has been through all of this before with Annapolis Group. They bent everything and that was supposed to be it. Now West Bedford Holdings Limited is coming here and bending it further. Mr. Hanusiak explained that they are just dealing with the realities.

Mr. Robertson is concerned that the high school kids walking along the sidewalk would have to deal with the parking lots in front of the buildings. It would be safer for the kids if the parking was in the back. Mr. Hanusiak mentioned that the public express that they want to drive in and have the comfort of the eyes on the street, the lights and activity on the street.

Ms. Robertson said that a lot of greenspace has been promised over the years. Mr. Hanusiak said they intend to maintain landscaping. The plan shown is dead on.

Mr. Giles is concerned that the area where the applicant wants to put the 0.5 acre lots needs more blasting done. What about Innovation Drive? Mr. Hanusiak said blasting along Gary Martin Drive is finished. Innovation Drive (area shown) will require some blasting, but by comparison to what has been done elsewhere, not a considerable amount. Mr. Giles' concern is more damage to the bedrock and affects to the water table. HRM paid \$10,000 to an expert to come in and do a study of their well water, the septic and the whole table. It was determined that it was the blasting and the development of this area that affected the water table. Councillor Outhit believes Mr. Giles is referring to the Jeff Pinney report. He believes it probably has more to do with the blasting from lowering the road to RIM, but he will have to check. Mr. Giles is certain the study talked about that strip of bedrock and the damage to it from the blasting.

Mr. Matheson understands that HRM bus services aren't perfect but developments need to be walking and transit friendly. From a transit or pedestrian users perspective, it is a little more friendly when the buildings are closer to the street. Conversely, he sees where the applicant wants to have the convenience for the drivers. Mr. Hanusiak mentioned that the cleared land across from the BMO Centre on Gary Martin Drive is not very deep. The other important thing is that in the Bedford LUB, retail uses are only allowed to a maximum of 5,000 square feet for business use. The corner lot is encumbered by a power line easement (shown on slide). A building cannot be constructed on a power line easement but a parking lot can. This requires the building to be sited in the back corner of the lot and the parking in the front. An example of the building in Southgate Village (on the corner of Larry Uteck Boulevard and Southgate Drive) in Bedford South was given. The building is right up to the sidewalk and the parking is at the rear.

There was some discussion regarding the proposed Highway 113.

5. Closing Comments

Ms. Belisle thanked everyone for coming and providing their comments.

6. Adjournment

The meeting adjourned at approximately 8:00 p.m.