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Harbour East Community Council  
October 2, 2008

**TO:** Chair and Members of Harbour East Community Council

**SUBMITTED BY:** Sharon Bond  
Sharon Bond, Acting Director of Community Development

**DATE:** July 24, 2008

**SUBJECT:** **Case 01053: Dartmouth MPS/LUB Amendments - Waverley Road, Dartmouth**

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**ORIGIN**

- On October 30, 2007 - Regional Council directed staff to review industrial activity occurring on those properties located at 194, 196, 198 and 200 Waverley Road and consider applying a commercial designation.
- April 1, 2008 - Regional Council expanded the commercial review area to include a larger area along Waverley Road in response to public input.

**RECOMMENDATION**

It is recommended that Harbour East Community Council:

- (i) endorse Option 3 as the preferred approach to address Land Use Designation and Zoning amendments along Waverley Road between Red Bridge Pond and Montebello Drive; and
- (ii) direct staff to prepare the detailed policy and land use by-law amendments to implement Option 3.

## **BACKGROUND**

### ***Scope of Review:***

Regional Council's motion of October 30, 2007 (Attachment A) directed staff to consider the appropriateness of the industrial designation applied to those properties located at 194, 196, 198 and 200 Waverley Road, as shown on Map 1, and develop site specific policy for the area. A Public Information meeting was held on January 31, 2008 to obtain feedback on the proposed amendments.

At the Public Information Meeting, the public indicated a need to review commercial activity in a larger geographic area. Consequently, Regional Council expanded the review area on April 1, 2008 (Map 2) to include properties along the Waverley Road from Red Bridge Pond to Montebello Drive area. The intent of expanding the area is to discuss the appropriateness of various industrial, commercial and residential uses along the Waverley Road.

### ***Land Use Designation and Zoning***

#### **Land Use Designation:**

- within the Study area, there are a mix of land use designations including residential, commercial and industrial (Map 1 );
- majority of the area is designated residential with limited areas being designated for either commercial or industrial;
- within the residential designation there is a martial arts studio, a restaurant, a parking lot, a parcel of industrial land, an automotive repair facility and a radiator repair shop; and
- Map 4 identifies the properties presently being used for residential, commercial and industrial uses within the area.

#### **Zoning:**

- R-1 Zone is the predominate residential zone within the Residential Designation (Map 2);
- Industrial (I-1) and Commercial (C-2) zoning is also applied within the Residential Designation; and
- I-1 and C-2 Zone are the main zones applied within the Commercial and Industrial designations.

### **Public Participation**

Two public meetings have been held for this case: a public information meeting was held on January 31, 2008 and a workshop was held on June 11, 2008.

Approximately 75 people attended the public information meeting on January 31, 2008. The topics of discussion were: expanding the commercial review area; hazards of obnoxious uses; lack of clarity in the land use by-law; and what uses were desired on the site. Attachment C contains the minutes to this meeting.

The workshop was held in response to the issues that arose at the public meeting. Twenty-two people attended the workshop. The group was broken up into four smaller groups, each with a facilitator present to guide the discussion. The table discussions looked at the site and reviewed what types of uses would be appropriate on each of the four smaller areas. The discussions focussed on what uses were desired in each section, why these uses were desirable and any potential concerns for these lands. Attachment B contains the minutes to the workshop.

**DISCUSSION**

Staff have determined there are discrepancies between land uses, designations and zoning and a review is needed to determine what is appropriate for this area. This review has occurred through conversations with the public and have led staff to develop a series of options to guide development activity along this section of Waverley Road in a manner that is complimentary to the surrounding land uses.

In order to evaluate potential options and to focus public input within the study area, staff divided the study area into 4 areas as shown on Map 4. The types of uses, zoning and land use designations are described as follows:

<b>Area</b>	<b>Land Use Designations</b>	<b>Zoning*</b>	<b>Current Use</b>
1	Residential /Commercial	R-1, C-1, C-2	mix of commercial/residential uses
2	Residential	R-1	residential with one commercial lot
3	Industrial with some residential/commercial	I-1, R-1, C-1	used for commercial uses
4	Commercial / Residential	I-1, C-2, C-3	used for commercial/industrial uses

\*Note: R-1 Zone                      Single Family Residential Zone  
 C-1 Zone                        Local Business Zone  
 C-2 Zone                        General Business Zone  
 C-3 Zone                        General Business Zone  
 I-1 Zone                         Light Industrial Zone

**Options**

Based upon the two public information meetings, staff were able to develop 3 potential amendment options to address future development within the study area. There are underlying assumptions for all options as part of this process. These assumptions are inherent to this process and are addressed in all three options.

- (i) the future land use intent for the area is a mix of residential and commercial uses;
- (ii) new commercial and residential land use designations and zones need to be created to better reflect the community's intent;

- (iii) landscaping, height limits, and buffering requirements should be incorporated into new zone standards;
- (iv) multi-unit residential and institutional uses should be considered in Areas 3 and 4, subject to new standards;
- (v) lands currently designated and zoned industrial shall be replaced with a commercial designation and zoning but existing industrial uses shall be permitted to continue operation; and
- (vi) the north end of the study area (shown on Map 3) should be removed from the study area.

Attachment C contains a brief explanation of each assumption.

**OPTION #1: REDESIGNATE THE ENTIRE STUDY AREA TO COMMERCIAL**

**Description:** Designate the entire study area to commercial thereby enabling a wide variety of commercial uses in all four areas.

**Public Input:** This approach received little support from the public.

The public expressed the opinion that certain uses were acceptable in specific areas, but not all commercial uses would be appropriate for the entire study area.

**Staff's**

**Recommendation:** Staff agree that greater control on commercial activity is desired in this area to a mix of commercial and residential use and to minimize land use conflicts with surrounding residential neighbourhoods.

**OPTION #2: REDESIGNATE A PORTION OF THE STUDY AREA TO COMMERCIAL**

**Description:**

Area	Future Land Use Designations	Zoning*	Future Use
1	Commercial	existing zone	allow smaller scale local commercial type uses as well as residential uses
2	Residential	existing zone	residential <i>(No Change)</i>
3	Commercial	new commercial zones	permit a broader range of commercial uses

4	Commercial	existing zone/ new commercial zones	permit a broader range of commercial uses
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\*new zones will be drafted and enabled, but would not be applied outside of current Industrial zones

**Public Input:** The public was generally supportive of this approach, however many expressed support for allowing expansions to existing home occupations within Area 2.

**Staff's**

**Recommendation:** Staff is supportive of this option as it allows for guided consideration of commercial development within the study area but agree that it unduly limits the commercial development potential in Area 2.

**OPTION #3: OPTION 2 PLUS COMMERCIAL THROUGH ENHANCED ZONE STANDARDS IN AREA 2**

**Description:**

Area	Future Land Use Designation	Zoning*	Future Use
1	Commercial	existing zone	allow smaller scale local commercial type uses as well as residential uses
2	Residential	existing zone	residential <i>plus local commercial uses and expanded home occupations by through the enhanced prescriptive zone standards</i>
3	Commercial	new commercial zones	permit a broader range of commercial uses
4	Commercial	new commercial zones	permit a broader range of commercial uses

\*new zones will be drafted and enabled, but would not be applied outside of current Industrial zones

**Public Input:** Some members of the public expressed concern over the impacts of existing home occupation uses and many did not want to see an increased as-of-right ability for commercial uses in Area 2. At the same time, other members of the public expressed support for increasing commercial uses in this area.

**Staff's**

**Recommendation:** This approach would address the apprehensions of the public who were concerned about the impacts of home occupation uses and, at the same time, address the interests of those who wished to see a greater ability to expand home occupations and other types of local commercial uses. The

use of enhanced prescriptive zone standards could limit the potential for land use conflicts between the residential and any commercial uses.

Staff are recommending that Harbour East Community Council endorse this option.

### **Implementation**

Should Council choose to amend the Dartmouth Municipal Planning Strategy, any applications received to rezone a property or for a development agreement as proposed under this amendment package would proceed through the standard planning approval process and require approval by Harbour East Community Council.

### **BUDGET IMPLICATIONS**

The costs to process this planning application can be accommodated within the approved operating budget for C310.

### **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 proceed with the amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as outlined in Option 3. This is the recommended approach for the reasons stated in the report.
2. Council may proceed with the amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as outlined in the other options or any combination that Council chooses. This option is not recommended for the reasons stated in this report.
3. Council may recommend that Regional Council refuse to amend the Dartmouth Municipal Planning Strategy and Land Use By-law. This option is not recommended for the reasons stated in this report.

### **ATTACHMENTS**

Map 1: Initial Review Area

Map 2: General Future Land Use Map

Map 3: Existing Commercial and Industrial Uses

Map 4: Location and Zoning Map

Attachment A: Workshop Minutes– June 11, 2008

Attachment B: Public Information Meeting, January 31, 2008

Attachment C: Rational for Assumptions

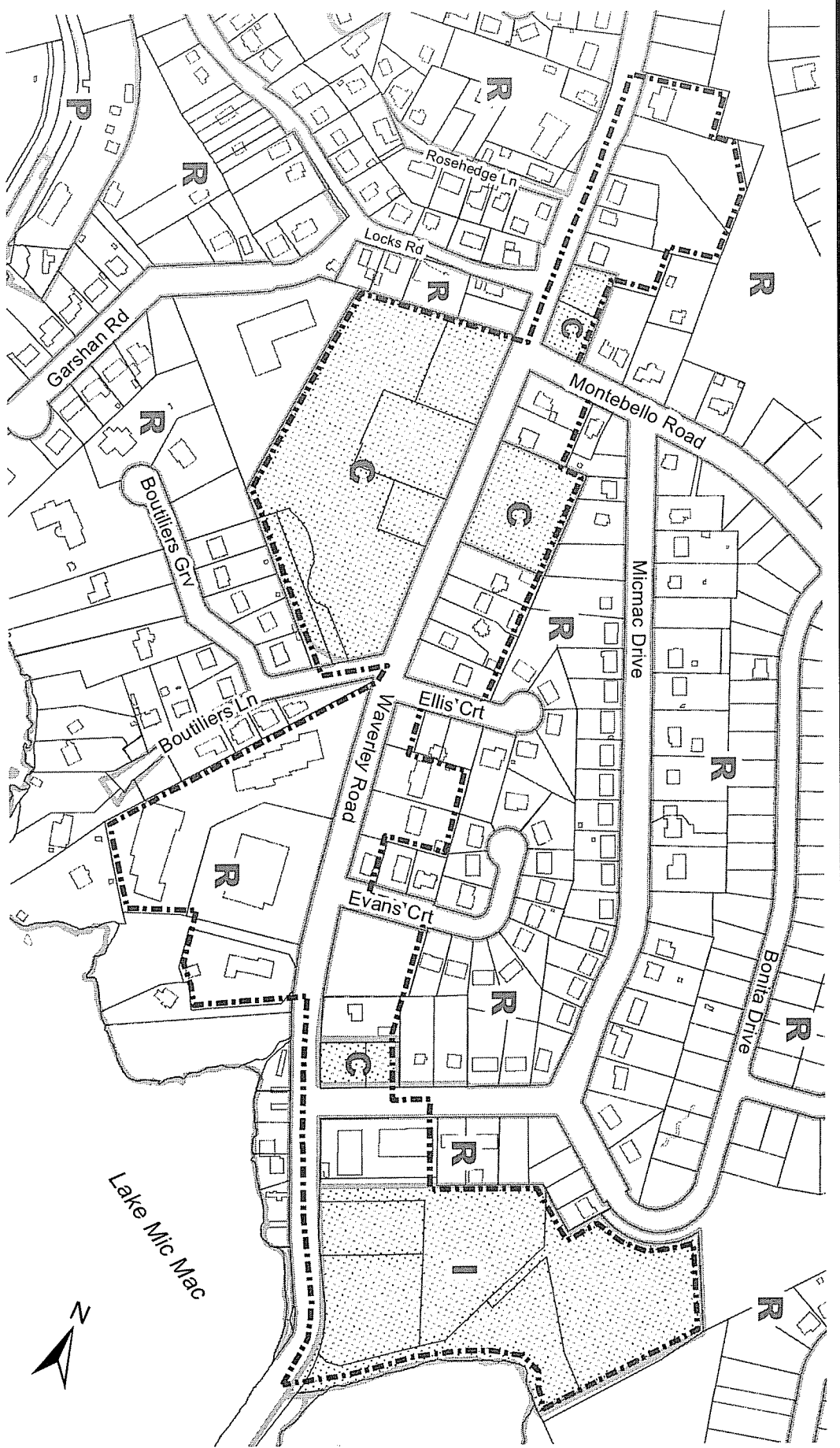
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jennifer Chapman, Planner 490-3999

Report Approved by:



Austin French, Manager, Planning Services, 490-6717



**Map 1 Generalized Future Land Use Map**

**Waverley Road**

Commercial & Industrial Designations

Proposed Review Area for Commercial Designation

Dartmouth Plan Area

**Designation**

R Residential

C Commercial

I Industrial

P Park

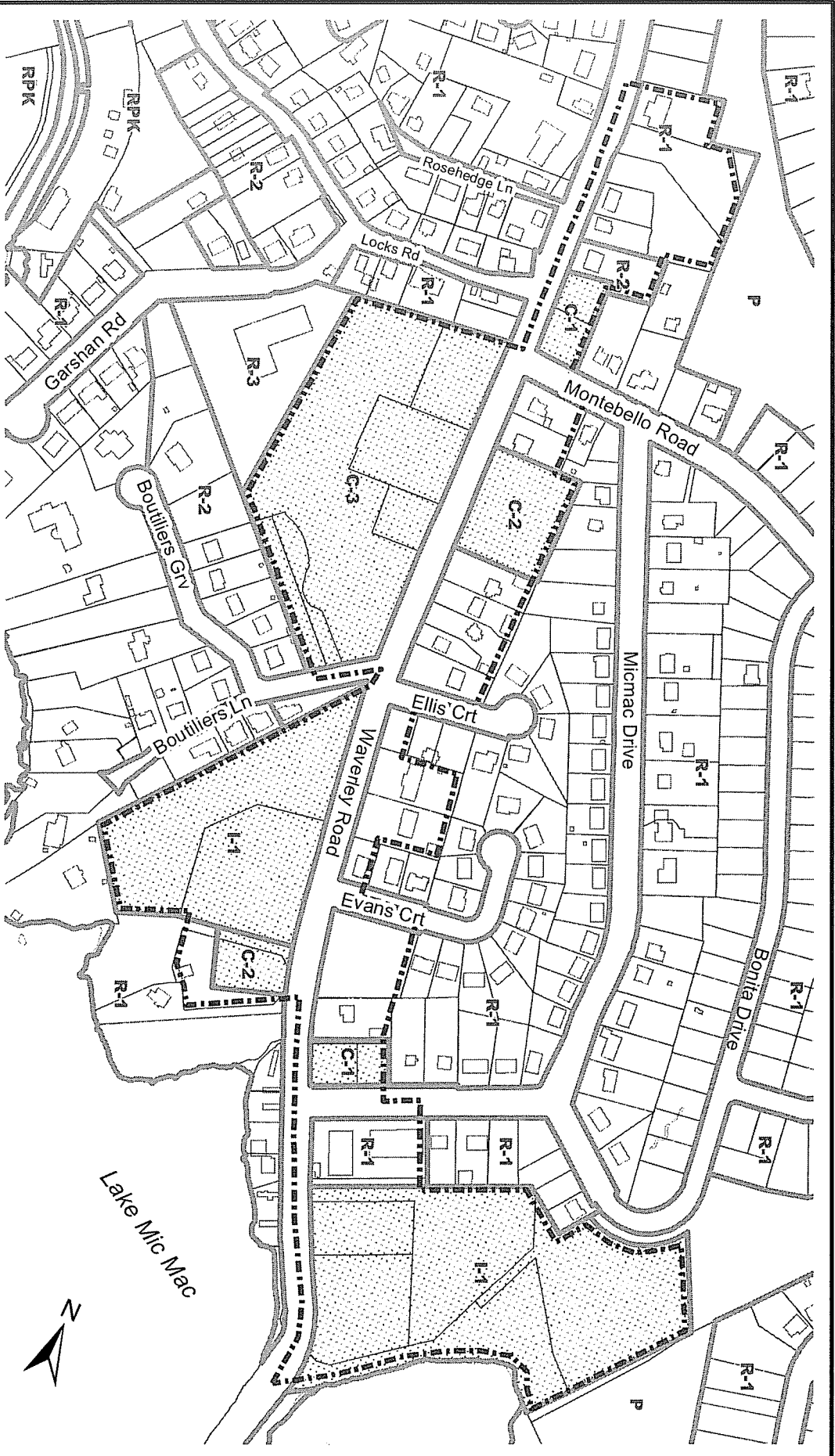


This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Dartmouth Plan Area.

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







**Map 2 Location and Zoning Map**

**Waverley Road**

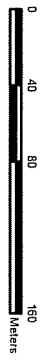
Industrial & Commercial Zones

Proposed Review Area for Commercial Designation

Dartmouth Plan Area

**Zone**

- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 Multiple Family Residential
- C-1 Local Business
- C-2 General Business
- C-3 General Business
- I-1 Light Industrial
- P Park
- RPK Regional Park



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COMMUNITY DEVELOPMENT  
PLANNING SERVICES

This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Plan Area.

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August 27, 2008

Case 01053

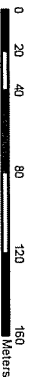
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**Map 3 Expanded Review Area**

-  Existing Uses
-  Expanded Review Area
-  Section to be excluded from Expanded Review Area
-  Original Study Area

Dartmouth Plan Area





This map is an unofficial reproduction of a portion of the Dartmouth Plan Area. HRM does not guarantee the accuracy of any representation on this plan.

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Community Development  
Planning Services



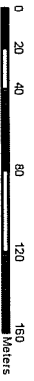
**Map 4 Existing Commercial & Industrial Uses**

Waverley Road

-  Existing Uses
-  Section to be excluded from Area 1

Areas 1-4

Dartmouth Plan Area



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Attachment A:  
Workshop Minutes June 11, 2008

HALIFAX REGIONAL MUNICIPALITY  
PUBLIC INFORMATION MEETING - Workshop  
CASE NO. 01053

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7:00 p.m.  
Wednesday, June 11, 2008  
Akerley Campus (Cafeteria)

**STAFF IN**

**ATTENDANCE:** Jennifer Chapman, Planner, HRM Planning Applications  
Kurt Pyle, Supervisor, HRM Planning Applications  
David Lane, Planner, HRM Planning Applications  
Joseph Driscoll, Planner, HRM Planning Applications  
Brian White, Planner, HRM Planning Applications  
Miles Agar, Planner, HRM Planning Applications  
Holly Kent, Planning Technician, HRM Planning Applications  
Jennifer Little, Planning Controller, HRM Planning Applications

**ALSO IN**

**ATTENDANCE:** Councillor Andrew Younger, District 6

**PUBLIC IN**

**ATTENDANCE:** 22

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The meeting commenced at approximately 7:08 p.m.

**1. Opening remarks/Introductions/Purpose of meeting**

Councillor Andrew Younger, introduced himself as being the Councillor for District 6, welcomed residents and indicated how important it is to get the Communities input. He introduced Jennifer Chapman as the Planner who is guiding this application through the process.

Ms. Chapman thanked Councillor Younger for the introduction and explained that the group would separate into four tables and will each have its own facilitator. She introduced David Lane, Joseph Driscoll, Miles Agar and Brian White as planners each stationed at separate tables.

She explained that the purpose of the meeting is to generate discussion about how, where and what types of commercial uses should be permitted along a Waverley Road. The feedback will be used to consider changes to the Dartmouth Municipal Planning Strategy and the Land Use By Law. She explained what a Municipal Planning Strategy and a Land Use By Law are and the different requirements.

Ms. Chapman noted that at Harbour East Community Council, a discussion arose about the compatibility issues between various land uses. On October 30, 2007 Regional Council initiated a process to review these uses. On January 31, 2008 a public information meeting had been held regarding the particular site. At that meeting it was requested that a larger area be reviewed. On April 1, 2008, Regional Council initiated the process to look at an expanded area. The original study area was 194, 196, 198 and 200 Waverley Road. The zoning for the expanded study area includes lands that are zone I-1 as well as various commercial and residential zoning. Ms. Chapman explained that she would like to sort out what uses are appropriate for the land and how they should continue to develop. The goal is to encourage appropriate development in the appropriate areas while limiting potential conflict between various land uses.

Ms. Chapman reviewed a slide show of the study area, current uses and possible uses.

Ms. Chapman explained that within each group discussion, it is asked that they identify in each of the four districts which category type should be appropriate in each of the districts.

At this time, each group separated with their facilitator and concluded the following suggestions/comments:

## **2. Questions/Comments**

Facilitation Notes:

### **Table 1 (Miles Agar, Planner)**

#### **Area 1:**

Residential and Local Commercial Preferred

Residential

- residential because it is currently 50% residential
- small scale retail and local commercial is ok
- concerned about traffic conditions– less traffic with residential uses
- less commercial provides a cleaner streetscape to maintain the look of Waverley

Road

- Residential area because of its location– already has a lot of traffic

Local Commercial

- have little impact
- small business is the heart of the neighbourhood
- creates a more walkable community
- area is the gateway to Shubie Park

Uses

- Single family
- Cliff behind– not a lot of room

- Auxiliary dwelling units ok
- hair salon, personal service uses
- corner stores
- bakery

**Area 2:**

Residential only

- streetscape can be controlled
- traffic is an issue
- already predominantly residential
- home businesses are an issue

Uses

- Residential
- single family with accessory units (for family only)

**Area 3:**

General Commercial

- Do not want to see industrial uses
- location is suitable for general commercial
- industrial not suitable because of its location to watercourses

Local Commercial

- want to allow a wide range of businesses not just general commercial

Uses

- Professional offices
- nursing home
- bank
- mixed retail– with small free standing buildings (not strip malls)
- needs to add character to the area
- personal service
- local market
- needs to have enough space for parking
- higher end development like hydrostone is ideal
- no impact on the street– commercial should be off the street

**Area 4:**

Residential

- Lots of area for residential and higher density residential
- provide a cleaner landscape
- walkable and pedestrian oriented

General Commercial

- Suitable area for a mixed use community– create a vibrant/ resilient area
- space and access are suitable
- room for parking

Area also suited for expanded home business and local commercial uses

Uses

- Carry on the same retail concept in the area
- have ground floor retail in a residential building
- restaurants are encouraged but no lounges
- no hotels
- higher density multi unit– max height 6 stories
- townhomes

Parking Lot

- noise issues
- junkyards, rundown cars
- 221 Waverley– mass of noise– heavy duty truck repair
- traffic– trying to get off the residential streets onto Waverley Road– difficult
- Problem with home business and customers parking on the street
- Crosswalks not safe

**Table 2 (David Lane, Planner)**

**Parking Lot**

- Water quality issues in Lake
- Illegal use in residential areas
- Traffic an issue
- Improve Metro Transit Service in area
- Pedestrian crossings needed at Evans Court to Mic Mac Tavern
- Right turn land on Waverley Road (north bound) to Montebello

**Why here tonight?**

- Nuisance effect of existing industrial use
- streetscape improvements required for Waverley Road
- Concerns with area 3
- Traffic

**Area 1**

- Local businesses desired
- Neighbourhood business streetscape

**Area 2**

- New commercial uses desired
- local amenities

Uses

- Restaurant
- Daycare
- Doctor
- martial arts school
- new uses should front on and have access to Waverley road
- Improved design controls
- maybe a new zone is needed?
- limit drive throughs
- Main Street visioning process would be great!

**Area 3**

- General Commercial, larger home businesses, residential
- New commercial uses desired
- local amenities
- environmentally responsible and sustainable uses
- multi unit residential would be compatible with neighbourhood
- parkland please

**Area 4**

- General Commercial
- industrial uses not desired
- General Commercial

**Table 3 (Brian White, Planner)**

**Area 1**

- Residential and General Commercial
- Single family dwellings
- Tim Hortons OK (local commercial)
- No street trees from Montebello down
- need landscaping standards

**Area 2**

- Status Quo– Residential and larger Home Businesses
- Concerns about nuisance effects of home businesses
- Tavern parking lot– illegal use?

**Area 3**

- local commercial, residential and larger home businesses
- No heavy industrial uses
- No obnoxious uses
- Needs parkland– especially near pond
- No development along waters edge
- Local business uses



- Residential
- Home Based
- No high density– prefer single family
- Medium density (i.e town homes) is ok
- Institutional uses– Seniors complex
- Red Bridge Pond Archaeological Mi'Kmaq Heritage Site

#### Area 4

- Residential, general commercial and local commercial
- Medium density townhouses
- landscaping
- institutional uses– nursing homes
- low rise, high quality architecture
- gardening store ok
- tire store needs to go
- neighbourhood pub ok
- no billboards
- need buffers and separation of residential from Waverley Road
- Business uses need to be buffered from residential (fences and landscaping)

#### Table 4 (Joseph Driscoll, Planner)

Why are you here tonight?

- concerns about future changes/ stability
- prefer commercial zone to residential (adjacent Tim Hortons)

#### Area 3

- Light industrial uses
- long standing uses
- provide employment
- predate most other uses

Uses

- non-obnoxious uses
- no smells, smoke, or chemicals
- should be environmentally friendly

#### Area 4

- Existing light industrial uses are fine; additional industrial uses could be problematic
- Commercial less intrusive
- residential would breakup all the heavy commercial and light industrial
  - less truck traffic

Uses

- health and fitness

- bank
- grocery store
- professional offices
- no apartments

Area 2

- general preference to maintain existing residential character
- existing homes have great character—should preserve these
- concerns with home business and on street parking

Area 1

- existing commercial causes concern for adjacent residents
- split between residential and commercial at Waverley convenience would make sense
- allow commercial on properties adjacent and across from commercial
- maintain residential higher up

Uses

- professional office
- flower shop
- small retail
- uses that do not cause a lot of traffic
- no apartments

Parking lot

- Tim Hortons causes way too much traffic
- big increase in traffic since Tim Hortons opened

**3. Closing comments**

Ms. Chapman thanked everyone for coming to the meeting and expressing any comments and concerns they had.

**4. Adjournment**

The meeting adjourned at approximately 8:58 p.m.

**Attachment B:  
Public Information Meeting, January 31, 2008**

**HALIFAX REGIONAL MUNICIPALITY  
PUBLIC INFORMATION MEETING  
CASE NO. 01053**

**STAFF**

**IN ATTENDANCE:** Sharon Bond, Manager, Subdivision and Land Use  
Kurt Pyle, Supervisor, Planning Applications  
Jennifer Chapman, Planner  
Sherry Faulkner, Planning Controller  
Alden Thurston, Planning Technician  
Staff Sergeant Don MacLean

**ALSO IN**

**ATTENDANCE:** Councillor Younger  
Ken Donnolly, Facilitator

**PUBLIC IN**

**ATTENDANCE:** Approximately 75 people

**Councillor Younger** called the public meeting to order at approximately 7:00 p.m. at the Fairbanks Centre. This meeting is the very beginning of the process and is part of a much broader process. In 1996, Regional Council approved a Regional Plan which is a twenty-five year plan for the Municipality. The Regional Plan is an over-riding plan.

As part of the Regional Plan, many areas are undergoing a visioning process. Councillor Younger referenced the Main Street plan, a very extensive process where they brought landowners and businesses together and came up with a plan. Fall River had their meeting last night and Bedford has one coming up. These processes are going on all over the place. The way we choose them is areas where we have had a history of issues between various landowners. The businesses are getting together to form a business association for Waverley Road. That is a very exciting thing where businesses are getting together and trying to make sure things are done right.

Councillor Younger advised that following this meeting, any written comments should be sent to Jennifer Chapman. They should be sent to Jennifer because the Councillors are supposed to try and stay neutral until the public hearing. Staff will ensure every member of Council has a copy of any submissions. At the end of this process, there are a number of options for Council. After reviewing all the comments, they may decide that leaving it the way it is, is the best solution or they may choose to make changes. That is why he wanted to stress this is the very beginning of the process.

Councillor Younger noted we are looking at a collection of properties in one area. There was notification to property owners in the area. We receive lots of requests. For instance, we received an inquiry for a doctor's office on Waverley Road. That could not be approved because of the very complicated Municipal Planning Strategy (MPS) rules. That is something we will also look at through this process.

Councillor Younger stressed this meeting is about land use. Land use does not solve all the problems in the world. The HRM by-laws such as the Noise By-law, the Nuisance By-law, and the Grading By-law, are separate from this process. This meeting is about how land is used and what rules they should follow. If there is ever a violation of either land use or other by-laws it requires us to go to court, which is a long lengthy process, so what we try to do is create conditions that people can live with and accept. HRM does not have any kind of authority to go in and make a decision because they are not judge and jury. We can go in and prosecute things under the land use by-laws, but we are better off coming up with a solution that everybody feels they can live with because then you are less likely to have conflicts and things tend to work better.

**Mr. Ken Donnelly** advised he would be facilitating the meeting. Jennifer is going to make a presentation on this case and he would ask that any questions be held until the end following her presentation. Then we will try and answer any questions of clarification, after which we will get into discussion which he would facilitate.

**Ms. Jennifer Chapman** stated the case we are here to talk about tonight is the Waverley Road industrial land. The properties are shown in the shaded area of the map, which is 194, 196, 198 and 200 Waverley Road. The lands now have I-1 Light Industrial zoning, and in our MPS they have an Industrial Designation.

Ms. Chapman noted that in terms of background about the site, compatibility issues have come up in the past at Harbour East Community Council. On October 30, 2007, Regional Council initiated a process to review these lands. Some of the uses that came up involved fumes generated on the site as well as the definition of obnoxious in our land use by-law and how HRM interprets that. Within our Regional Plan, Policy G-12 directs staff to consider separation and buffering between residential and industrial uses in order to minimize noise, odor, glare, dust and other impacts, as well as to protect industry from nuisance complaints.

Ms. Chapman advised one of the things we are considering doing on this site is an MPS amendment. The MPS reflects the vision for the Municipality and how it should grow in the future. The Dartmouth MPS identifies this site for industrial uses. We are proposing a change to a Commercial Designation. We are also proposing to draft some site specific policies in order to alleviate some of the compatibility concerns, as well as some zoning changes. Currently, the land is zoned I-1 Light Industrial. We are proposing a commercial zone. We may use existing zone standards such as C-2 or C-3 and apply those to the land, or we may consider drafting a new zone standard with a new set of regulations. Currently the I-1 Zone permits all the uses listed here (displayed on overhead), so it is all the uses permitted within the C-3 zone except for adult entertainment uses; industrial uses except for obnoxious uses; uses creating a hazard to the

public; and uses creating heat, humidity and glare. It is pretty broad and there is a lot of room for interpretation. One of the outcomes we are hoping to get from this process is some clarification about what uses should be allowed and what uses should not.

Ms. Chapman displayed some pictures of: the entrance to the site; the gas station and the multi-use building; another picture of the gas station; the day care; the pond; HRM Fleet Services with the pond and the multi-use building; from the hill in between some residential buildings; the car lot and the bus compound with this fence which runs along some residential properties along the back; another vantage point of the same area where you can see the fence, the houses and some of the busses; the houses which share the fence; and the multi-use building.

Ms. Chapman advised our goals for this project are to provide clarity about the permitted uses on the site, as well as to reduce potential for conflict between the various land uses that presently occur.

Ms. Chapman noted in terms of our planning processes:

- Regional Council initiated a process and directed us to have a public meeting
- We will take the recommendations and comments from this meeting and draft a staff report and a recommendation to Council
- Council will review that at first reading and decide whether they want to schedule a joint public hearing
- Regional Council will review the planning strategy amendments and Community Council will review any zoning or by-law changes
- There is a two week appeal period; only the decision of Community Council can be appealed

Ms. Chapman reviewed some of the questions we would like answered tonight:

- What uses you think should be permitted on these lands?
- What controls should be placed on these lands to limit any future conflict?
- Are there any uses you think should not be allowed?
- Are there any uses you think should be permitted by development agreement which is essentially a contract between the landowner and the Municipality which spells out how you could develop that property?

Mr. Donnolly questioned whether there were any points of clarification before we get into any discussion.

**Councillor Younger** noted this presentation was generally on what Council initiated, but as part of the process we would also consider any other requests related to this. One of those is to address the whole commercial designation on Montebello Drive. That is a designation change that would allow people to apply for a light commercial use in this area. We only want to open up the MPS once for this area so you can certainly give comments on it.

**An individual** asked for confirmation that this does not include the unshaded area, specifically the land on the corner of Waverley Road and MicMac Drive which is now zoned R-1.

Ms. Chapman responded it is just the I-1 zoned land.

Councillor Younger indicated a couple of people came in before the meeting and said they did not think this was R-1 but it is. That is where the radiator guy is. There is a development agreement for commercial uses on that residential parcel. The development agreement overrides the Land Use By-law (LUB) and says specifically what uses are allowed on that site. If the property owner wanted to change the uses from what is listed in that agreement, which is fairly restrictive, they would have to apply to amend that development agreement which would require one of these meetings.

**An individual** referenced a couple of parcels of land zoned I-1 and indicated there are more concerns with the whole street frontage heading up Waverley Road that may be able to be turned into some form of commercial in the residential area. He was concerned that we are dealing with one piece of land rather than the whole thing.

Mr. Donnolly noted we are here to talk about this particular piece of land.

Councillor Younger indicated we know the request has come in for the larger area and we invite any comments on that. Jennifer has only given a presentation related to the planning application that Regional Council initiated. If people want to comment on that, that's fine. That will be part of staff's recommendation.

Councillor Younger said they were approached by a number of businesses about the possibility of a commercial designation. The MPS tells you what properties can be considered for a commercial designation. We had requests, for example, for a day care, and from lawyers and doctors, but we cannot consider those unless we change the designation.

**An individual** referenced the notification area and questioned the significance of that.

Ms. Chapman advised that is the area where we sent out a mailout about the meeting.

**Ms. Kim Railing** questioned whether it was a done deal about them making it a commercial area. She was interested in the development of parks and more green space.

Ms. Chapman advised as a Municipality we cannot zone private lands for park and it is not something we could consider for this site. We think that commercial is appropriate for the area but we are open to hearing what people would prefer.

**Mr. Kurt Pyle** indicated that if this area was zoned as park, under *the Municipal Government Act* the Municipality would be required to buy it within two years.

**Mr. Peter Thorpe** said he was a little confused as to what exactly is encompassed by commercial zones. What is designated to be commercial? Perhaps at the same time you could address what is industrial.

Ms. Chapman responded that there is a lack of clarity in the zone standards. The differences between the I-1 and C-3 zone are not really clear so we are hoping to generate a list of uses through this process. You could say, for example, some examples of commercial uses would be an autobody shop but heavy equipment repair would be more industrial. It is a balancing act and there is room for interpretation. Through this process we are hoping to clarify that.

Mr. Thorpe asked if he was correct in understanding there is ambiguity for the entire HRM.

Ms. Chapman clarified this is the Dartmouth LUB and MPS.

Mr. Thorpe commented when he thought of commercial, he tended to think of retail.

Ms. Chapman indicated a commercial office use would be a commercial use so a doctor's office or a dental clinic or a dry cleaner would also be considered a commercial use.

Mr. Thorpe said it is a little difficult at this stage to talk about commercial if they cannot completely identify what commercial is.

Mr. Donnelly noted we will talk about what would be considered commercial types of operations as we get going which should help.

Councillor Younger said one of the problems is that the Dartmouth MPS was created in 1978, so we are dealing with something thirty years old.

**Ms. Doris Gates** questioned if it is possible for the I-1 zone to be potentially broken up into different categories, ie., commercial and parkland.

Ms. Chapman noted we could explore C-2 in the front and draft a new zone, perhaps C-5, in the back.

**Mr. Victor Tetrault** said the letter talks about this being drafted in 1978. If you look at that map in 1978, there were no holes there. That is why through time neighbourhoods have developed around these lands and conflicts with land use have emerged. It is a clear cut case of an area that had not been planned in 1978 with the influx of a new residential neighbourhood. They are there and they have children and grandchildren. They would love to have a place where they can walk to. He heard it was a two year process. This whole area has not been looked at since 1978. He thought it was time for HRM to look at the whole picture. He liked the comment about new zoning that would allow for the neighbourhood to have a place where they could take their children. There are no green spaces in their area.

Councillor Younger commented everyone agrees the problem originates from the fact that neighbourhoods moved in after the fact. We cannot go back and change the rules that were in place at the time. The rules are different now. In the Regional Plan, there is a requirement in new areas for substantial buffers between residential and industrial uses. That is the focus today. We

cannot go back to 1978 and change that. That problem is not just here; it is in Sheet Harbour and Hubbards.

**An individual** said he just moved here in the last six months but he lived in the Province for the last twenty years. Ever since he has been here, it is the same. You say this was zoned in 1978. It is not really a new thing. It is called the Burnside Industrial Park. You say we cannot go back in time to change things. They are trying to change the zoning. This is obviously a residential area and he was concerned about turning it into commercial. Now they have this brand new thing which used to be called a gravel pit which is called Dartmouth Crossing. We are pushing everything over there. He did not see what the big problem is. It is one property causing the problems? Has anybody offered to find out how much it is worth? Do some fundraising and just buy it.

**An individual** asked for confirmation that the existing businesses would not be affected.

Ms. Chapman responded we can change the rules but we cannot evict anybody. Those uses would become a legal non-conforming use which means they were legal when they started and would be allowed to remain but if they decided to move, then that same use cannot go back in there and the new rules would apply.

**Ms. Janet Rhymes** noted staff's questions do not fit with everybody's priorities. Are we talking about industrial, commercial and residential being the three options?

Ms. Chapman responded we are not looking at a specific commercial zone. We want to specify the uses. Park is beyond HRM's jurisdiction. We cannot go in and rezone private property as park. If you thought, for example, there should be a medium-sized apartment building or a hair salon on that site, then tell us that. We want to capture the use.

Ms. Rhymes questioned whether water came into any of those subcategories, and referenced oil leaking.

Ms. Chapman responded we do have requirements for buffers from a watercourse. You cannot have any development within 65' of a watercourse.

**An individual** questioned whether the parcel they are talking about is privately owned.

Ms. Chapman referencing the map, pointed out the one parcel which is owned by HRM, but noted the rest is privately owned.

**An individual** noted it was mentioned truck repair would be industrial.

Ms. Chapman indicated heavy equipment repair would be considered industrial.

The individual referenced the property on the left hand side where an individual is repairing trucks and heavy equipment, and the building next door to him along the frontage is doing



military equipment sandblasting and heating and so forth, and questioned why that is not included for discussion tonight.

Ms. Chapman advised Council directed us to look at this property.

Councillor Younger stated Council has directed staff to look at areas with chronic history of problems first. It takes awhile to get everywhere so we are doing blocks with a history of problems first.

Ms. Chapman noted it was raised they should look at the whole area, which is maybe something they can do.

The individual urged that people step up and look at the whole picture.

**Ms. Judy Conrad** said it is with great effort that communities make change. Their neighbourhood that surrounds this area took months and years to get to this meeting. Petitions, complaints, and messages were left at HRM. She would be behind anything that is happening along Waverley Road because she was totally disgusted with what is happening along there. There are no proper lights to cross the road. It is unsafe and smelly. She was on the side of anything the people along Waverley Road wanted.

Mr. Donnolly noted one of the suggestions being made is to deal with the entire area and not just one parcel. We will take that under advisement.

**Mr. Glen Conrad** referenced the property at the corner of MicMac Drive and Waverley Road, and said they would have had a huge problem if they had allowed that property to go commercial. In the last six years, there was a furniture stripping business in there illegally without a permit. The business was emitting toxic fumes and substances into their neighbourhood causing all kinds of ill effects to people, particularly to those abutting it because of prevailing winds coming off the lake. They would have never gotten rid of that business had the property been zoned commercial. Because it was zoned R-1, with a very restrictive development agreement, and he was there illegally, they were able to get rid of him. It took six years. It was only by the good grace of one of the senior members of this neighbourhood who had an original copy of the development agreement and their Councillor moved it forward. That person had to be threatened with a court order injunction to leave the property because he refused.

Councillor Younger noted this is about the future. Everyone of those businesses can build and change ownership. This meeting is about the future and trying to prevent conflicts in the future. There is the potential for problems because zoning has not changed in the grey areas. The grey areas still exist because of the 1978 zoning. We are getting far less complaints today than three years ago.

· Mr. Donnolly opened the meeting for discussion.

**Mr. Phil Power** said we have to look at the entire area. We cannot just look at that one I-1 property because we will be back here two years from now about another I-1 property or the legal non-conforming use.

Mr. Power indicated it was important at this meeting to set some tones on what businesses should be allowed there. Right now that area is zoned I-1. That zoning would allow somebody to put a fish farm there and there is not much the residents could say about it. If that happened, there would be lots of calls to HRM, and it would be horrible because of the smell. He totally understood the ideas about a green park but it is private land and they would have to buy it. He would love to see a park there but it will not happen. However, they can start to lobby some of the commercial components or some of the residents to build a playground if commercial is going to go there. They really have to look at what commercial businesses they would like to have in their community so they do not have bus noise and bus fumes, and perhaps put in place a C-5 zone. Let's add more commercial so they do not have to travel to Burnside Industrial Park to buy a bag of chips, so they can more or less stay in their community but not have an industrial park.

Mr. Donnolly stated that is a good start to the discussion. Planning staff will make a recommendation to Council, and would like input on things like what kind of commercial use would work in that community. Residents from the area and people from the business community are here, so it is a great opportunity to make suggestions.

**Mr. Terry Murphy** said he was a resident in the neighbourhood. He lived here all his life and he could remember that area when Mr. Cassavechia had his heavy machinery there and was working late hours and early into the morning, and all these houses were not here. Why did they not set up a buffer originally so they would not be having this conversation now? They are wanting to penalize people who bought property and are using as it was always used. If they cannot get around it, then why don't they buy the properties and make a buffer for the next street? Wouldn't that solve the problem?

Mr. Donnolly noted it was a suggestion.

Mr. Murphy questioned how wide a buffer is.

Mr. Pyle responded between commercial/industrial and residential, it varies throughout the Municipality. The Municipality can include requirements in the by-law to require a buffer between uses.

It was questioned if they can do that before they build a house.

Mr. Pyle responded not at this time. There is no buffer zone.

It was questioned if there was supposed to be a buffer there. Mr. Pyle responded no. There is no requirement for one under the existing land use by-law.

It was questioned if there was one when they built the houses there. Mr. Pyle responded no.

Mr. Murphy said if he did not want to be around a commercial zone, then he would not build his house next door to one.

Mr. Donnolly commented he did not think anybody would disagree that having the uses close together might not have been a good idea, however, what we are dealing with now is what we have. The point that those buffers should be in place in the future is a great one, but we have to deal with the situation we have right now.

**Mr. Ralph Bagnell** questioned if there is a park off Bonita Drive.

It was responded it is a greenbelt with a couple of pathways.

An individual commented teenagers hang out there in the summer.

**Ms. Sandy Lowe** indicated they are basically just talking about this one piece of land. The people who own the land have businesses there and they were there before the houses. She was sorry it is not a park but wondered what this one piece of land has to do with parks for kids to go to.

Mr. Donnolly noted the point is well taken. We have residences right beside an industrial area. Some people own in the industrial area and some people own in the residential area and this is the kind of thing we are going to have to deal with.

Ms. Lowe commented some people do own land in the industrial area and have done everything they can and have done some testing.

Mr. Donnolly noted the point is well taken. There are two sides to this.

**Mr. Fred Dundas** stated he agreed the industrial has been there. The neighbour who lives behind them has had a house on Bonita Drive for fifty years so industrial has not had first crack at it. There has been residential for a long time. We already solved the problem. The City has agreed to alternate bus locations in Burnside so why don't we work out a property swap.

**Bill Whebby** said they have been here for a long time and created a lot of employment. He really did not want to leave the community and be forced out.

**Mr. Conrad** said there have been very positive comments about commercial development and what they contribute positively to the community and they are all for it. The present use of that I-1 zone we are talking about tonight is a totally inappropriate use. Just because something is zoned Light Industrial does not give them the right or the privilege to infringe on other people's rights or cause harm. That is one of the central principles. People are free to pursue their own self-interest provided they do not harm others. That is why they have gone a long ways since the days of Adam Smith and the visible hand of no regulation. We now know there has to be

regulations because in the last 250 years there has been all kinds of proof of how individuals pursued their interest and there was no balance.

Mr. Donnolly pointed out he would like to get them talking about the kinds of things that could work in here. If Jennifer makes a recommendation that says this is commercial, then that means a whole bunch of things can happen. This is really valid input into the process and is what he would like to get to.

**Ms. Sherry Neilson** commented while she could appreciate everybody's concerns, the possible future commercial was concerning her. Not knowing what the definition of commercial means is a little bit scary. They have a very nice area. Waverley Road is extremely busy and suddenly they are going to have more little corner stores. She agreed with allowing a doctor's office going in but if they are going to look at more strip malls for example like the Needs and the Pharmsave, it will mean a lot of people going to appointments. It is so busy along Waverley Road now that you cannot even cross the street because there are no proper crosswalks or proper lighting.

Councillor Younger noted we really want to know what the appropriate and inappropriate uses are. They are probably different for this site than they are going up Waverley Road. Having that input will allow them to have the broader picture which everybody seems to feel should be addressed and also that site.

**Mr. Drysdale** said they have been hearing on the radio about there being no beds in their hospitals for our long term care patients. Here we have a beautiful lake with beautiful trees in behind it, which would be an ideal place for the government or the City to put a long term care facility on that property.

Mr. Donnolly asked for further suggestions on appropriate uses. This is a good way of giving a flavour that you might see for the area.

**Terry Murphy** suggested the property could be developed with mini-storage. That use does not create congestion and a lot of traffic and no toxic fumes.

**An individual** suggested inappropriate would be when toxic fumes are being produced which would affect the residents in the area.

**An individual** stated it should not involve dispensing of fuels.

**An individual** suggested some professional lawyers and dentists, a daytime use, would be appropriate.

**Ms. Lucy Burke** said she wanted to go back to the parcel of land owned by HRM and questioned how it was zoned. It was responded industrial. She said that was an inappropriate use. They have a birds eye view of that particular facility and it is very noisy.

Mr. Donnolly noted he was hearing noisy ugly things.

**Mr. Phil Powers** indicated this is currently zoned industrial. The big thing is that no matter what, it is industrial. No matter what happens, they are still legally allowed to continue on with their business.

Ms. Chapman advised the existing uses would be considered legal non-conforming uses if we changed the zoning. However, once a use leaves, they have a six month window to replace the use with the same use, otherwise the new regulations would apply.

It was commented the busses are parking overnight in Burnside because they were harmful to the neighbourhood. HRM stepped in and did something about it.

An individual referenced the singling out of the parcel owned by HRM and said she believed HRM has a lot more options.

**Mr. Terry Murphy** referenced the comment that busses were harmful. Was the air tested by HRM and found to be harmful? Is that why they moved? He questioned the reason for them moving.

Ms. Chapman advised HRM did some air quality testing and did not find any traces in those tests, but there was still the issue of the noise complaints which the bus company was found to be non-compliant with.

Mr. Murphy asked for clarification that it was noisy, not harmful.

Councillor Younger stated it was found through the legal process to be in violation of the Noise By-law. He urged that they stick to future uses.

Mr. Murphy said he was wanting to know if things were being changed because it was harmful or noisy.

Councillor Younger urged that they not dwell on the existing use. If somebody thinks bus depots should still be allowed, then put that on the list of appropriate uses.

Mr. Murphy stated that if the uses are not harmful and in violation of rules, they should be allowed to do what they want.

Mr. Donnolly noted the point being made was the use should be allowed if it is meets the by-laws.

Mr. Murphy added that it should not be harmful.

**Mr. Larry Aarrell** advised his property was directly in behind this man's property. When he was out on his deck and they started up the busses, he had to go into his house and shut his doors and windows and close off his air exchanger because the fumes were coming directly into his

house. He stated they were dangerous and harmful to them. When the busses were turned off and just being repaired, they were not.

**Ms. Judy Conrad** indicated she wanted to go back to the word “obnoxious” in their by-law. Obnoxious is anything that makes you nauseous, turns you green, and that you want to run away from. The bus depot is not just used by the City. There are busses used for charters, as well as tour busses, access-a-bus busses, tow trucks, and a fork lift tractor which was there today for a few hours. All of them have big diesel pipes. Her windows were black all the time with diesel. The word “obnoxious” is something people should look up. She did not want to see noisy businesses there. She was all for children in parks but we have to really want what we ask for. For the people in their area who have little children who are home in bed at 6 and 7 and 8 o'clock and are chaperoned by their parents, that is fine. With the drug issues and all the other issues in their community, they have to be very careful about what they invite into their community because they do not necessarily have the number of police officers they need per square mile. We have to be very careful where we put parks and how they are chaperoned. A park is questionable.

Mr. Pyle stated the term “obnoxious” goes back to the courts. Through this process, rather than letting the courts determine what obnoxious is, we want the community to identify what obnoxious is. By doing that, you need to tell us what uses you do and do not want. The ones you do not want, the court will look at them as being potentially incompatible or obnoxious. The ones you pick are okay. There are many ways to look at an issue. A good example is that of self-storage facilities. One could say self-storage facilities are okay, however, are they twenty-four hours, are the trucks going to back up with beepers on them at 2 o'clock in the morning unloading equipment, or is it going to be lit twenty-four hours a day? We need specific examples of what you mean by obnoxious in terms of uses. We regulate through land use.

Ms. Conrad indicated when the busses first moved in, they were operating twenty-four hours a day. She was not working full time in the hospital because of that. It was fairly obnoxious to her that she had police officers in her living room at 3 and 4 o'clock in the morning because they could not sleep. She could not go to work in the hospital for safety reasons. Also, before the owner put up a fence, she was down cleaning in her back yard and she did not know that a diesel school bus was going to start up and it blew diesel fumes into her face. She went to Emergency and it looked like somebody beat her up because of what went in her face from the diesel fuels. She was on penicillin and was monitored for months.

Mr. Pyle noted the big thing here is how the courts are going to interpret the regulations. Be clear about what you mean in terms of obnoxious in terms of uses. Give us more ideas in terms of how to address it.

**An individual** said they were asked to list things they would want to see, and questioned whether he would be correct in saying those are for commercial purposes?

Councillor Younger indicated he would say other than the park zone.

The individual asked for clarification what was meant by a development agreement.

Mr. Pyle responded a development agreement is a legal contract between the Municipality and the landowner for a specific use subject to certain conditions. For instance, if you have an agreement which allows you to open an ice cream stand on your property, the ice cream stand would be permitted but you would have to meet five or six criteria such as providing parking spaces or putting up a fence against the next residential neighbour. The agreement is approved by Council and both parties sign it, and those are the regulations that would apply. In terms of how we use it, sometimes we over-use development agreements and sometimes we do not. Development agreements are very good if you are trying to control very specific issues and one big thing they can control that a rezoning cannot is hours of operation. It also can deal with architectural controls in terms of what it will look like and how it fits into your community. It also can deal with the full gambit in terms of environmental protection. It is a tool. There is public input through the process and it requires a public hearing. However, it is appealable. He referenced a piece of property, noting there is a development agreement. Because the Municipality entered into an agreement with that applicant, until that applicant says for the Municipality to remove it, it is there.

**An individual** said she heard a lot of terminology thrown around tonight and they are being asked to speak to appropriate use of the land. They are talking about the different C zones but she had no idea what is involved in each of those categories. In order for her to make an informed decision about appropriate uses, she thought it would be helpful to have an idea what is involved in each of the zones.

Councillor Younger stated it is much more important to have a list of uses.

Mr. Donnelly said they are trying to avoid having members of the public determine appropriate zoning but instead talk about what you think would and would not work there.

Councillor Younger noted this is the very first step. If you sign the sheet at the back of the room, once staff has prepared a report for Council, then everybody will be contacted again. We do not usually hold another meeting. We usually make the report available online and then people can read what the recommendation is. This is the first step. We need to hear tonight what uses people do and do not like.

Mr. Donnelly encouraged the speaker to get in contact with Jennifer who would make sure she got any information that might help her.

**Mr. Stephen Ferguson** stated in terms of appropriate uses, what about residential R-1?

Ms. Chapman asked for clarification whether he meant just single family when he said residential.

**An individual** indicated height and light would be a concern.

**An individual** said they would like to make an informed decision but the City says they do not want them to know what the C-1 zone says.

Mr. Donnolly clarified he indicated the information could be made available following the meeting.

The individual said they are going to get between 3000 and 4000 lots available for the Waverley Road. It is going to be an amazing development area. What are the rules and regulations and what can be done? Take an educated approach and have all the information so everybody knows what exists now.

Mr. Pyle clarified that in terms of C-1 and C-2, in other areas, such as in the City of Halifax, it is very complex. In Dartmouth, it simply says the C-2 zone allows any commercial use that is not obnoxious. That is why we are here tonight to look at what is and is not appropriate.

**An individual** expressed concern with how you put weights on these because they heard somebody say busses are okay while we heard others say they are not.

Mr. Donnolly stated they are trying to get a flavour here today of what the community thinks but we are not looking for a vote. The point is very well taken. What we are doing is writing down what each person says and he has not asked for a vote on each one. We are not making any decisions.

**An individual** said she was here to support the twenty-four hour issue with the lights on twenty four hours a day. She thought those issues are very valid.

**Ms. Rhonda McOnie** stated she was hearing from a lot of the comments they were looking more for community based businesses which the families and kids can enjoy. She was all for commercializing more properties along Waverley Road. She gathered from the conversation they have the ability to possibly put their limits on what type of C zoning that it is. They have the possibility of saying they did not want the C-2 zone. She referred to the martial arts school they have in the area which she would like to remain. It is family oriented and is community based for kids as well as the parents.

**Mr. Phil Power** said he felt they were spinning their wheels a bit on what they want to do. He thought they have to have an open forum and people throw out ideas. He did not want to see a bus depot or a fish plant or heavy machinery.

Mr. Power advised he went to the City to apply for a commercial zone because his property is in a residential zone. For any residential property you can apply for a permit to use up to 25% of your property as commercial use inside your home. He did that and received his business occupancy permit and he paid tax on his commercial use as well as his residential use. However, his business might pose a problem to some people in the community because of certain aspects. For instance, there is a lot of traffic with this business and a lot of his students have to park on the street, so he went to some of his neighbouring businesses and asked for permission to park on their property. He was involved in the community because he was teaching martial arts to children. They have 225 students from the Waverley Road community who come and support his business.



Mr. Power indicated that because he had a residential property, he could not do the things that would make the community better. If he had a commercial property, he would have the option to expand in which case he could offer day care which is needed here and he could put in a playground. The community has to look at what businesses are good and bad and what they can do to improve their community. Who is happy with the way the business and residential district looks on the Waverley Road. It looks horrible. They did not need to look like Spring Garden Road where all you see are storefronts. What he would like to see is a much cleaned up community and something where the kids would not have a problem and a bus depot in your backyard, but rather have something you could live with and support.

**An individual** spoke in favour of development agreements. You know what you are getting with a development agreement as opposed to permitting a development by right and you have to deal with each one of those in terms of by-law violations and spend years getting rid of them.

**An individual** referenced community and family oriented businesses. They also have to look at how difficult it is to get on the Waverley Road. Some companies have been bashed here tonight but by the same token they were only doing what they were permitted to do under the existing laws. They were given permission to be there doing what they are doing. The culprits are the people who gave them permission in the first place. As we move ahead, let's not repeat those mistakes.

**An individual** commented something we are forgetting is the natural beauty. There is a pond there and it is next to the lake. They have an obligation as citizens and politicians to maintain that natural beauty in some form.

**An individual** stated the meeting was called to address one property. With the information that came out tonight, a number of them have started to realize it is reasonable to ask Council to develop an overall plan so we are not focused on just one property.

**Councillor Younger** referenced the Main Street Plan which took twelve meetings to prepare. Before we can come back to the community with some recommendations or options, we need to hear back from you in terms of appropriate and inappropriate uses, otherwise the planner will go back to her office and guess based on this partial list we have. Please send in your comments.

**An individual** questioned whether there are plans to hold any more meetings.

Councillor Younger responded they could do that.

**An individual** suggested they hold a series of meetings. Some people do not feel comfortable writing and would certainly be prepared to talk.

Councillor Younger commented some business owners have expressed some urgency to the process. They did it the other way for the Main Street project and it took two years. This one we were trying to shorten. We want additional meetings but it would mean a longer process before it gets to Council for change.

**An individual** commented it should take however long it takes to get it done properly.

Councillor Younger noted it appears this has evolved into a bigger thing in terms of addressing a wider area. We will not go to a public hearing at Council until we are satisfied we have heard from the public.

**Ms. Chapman** reminded people to complete and submit their surveys by the end of February.

The meeting adjourned at approximately 8:45 p.m.

**Attachment C:  
Rational for Assumptions**

**(i) the future land use intent for the area is a mix of residential and commercial uses;**

Compatibility issues have arisen due to the proximity of industrial uses to residential uses. The goal for the area is to develop a mixed use community with a variety of commercial uses that serve the needs of the residential community.

**(ii) new commercial and residential land use designations and zones need to be created to better reflect the community's intent;**

Existing commercial zones do not address the concerns of this area. Zoning needs to be revised in order to provide a zone that accommodates more uses than the Local Business (C-1) zone but would not be as permissive as the General Business (C-2) zone. Proposed amendments will only provide policy changes to the Municipal Planning Strategy and the provision of new zones but not the application of the new zones except in areas with industrial zoning. The policy changes will allow for the consideration of new zones through the standard Council approvals process.

**(iii) landscaping, height limits, and buffering requirements should be incorporated into new zone standards;**

As part of the new zone standards, a variety of issues need to be addressed. One of the outcomes of the public meeting and workshop was a desire to see aesthetic improvements for commercial uses. The public felt that the streetscape along Waverley Road was lacking in consistency and required enhanced landscaping regulations. In addition to these concerns, they wanted to see buffering requirements to reduce impacts from commercial uses on residential uses. Lastly, some residents expressed concern about the current lack of control on building height. Under present zoning, there are no restrictions on building height. Limitations should be placed on height to provide for a development that is consistent with the surrounding area.

**(iv) multi-unit residential and institutional uses should be considered in Areas 3 and 4, subject to new standards;**

Multi-unit residential developments and institutional uses will be encouraged on Areas 3 and 4. Staff received a lot of support for multi-unit residential development to encourage a mixed use development form in this area, through the public workshop. The public also suggested that a long term care facility would be appropriate for either of these sites. Staff agree that these areas would be appropriate for this use given the sites locations on a major road, proximity to Highway 111 and the location of existing commercial uses

**(v) lands currently designated and zoned industrial shall be replaced with a commercial designation and zoning but existing industrial uses shall be permitted to continue operation;**

Industrial uses are not part of the vision for the community. There was little support for allowing new industrial uses to be established in the area. However, current industrial uses would be allowed to remain and operate. Should these uses cease, it would be undesirable to replace them with new industrial uses. Due to the history of Area 3, this area will have site specific policy in the MPS designed to reduce conflict between the residential and commercial uses.

**(vi) the north end of the study area (shown on Map 3) should be removed from the study area.**

The north end of the study area (shown on Map 3) will be removed from the commercial study and will not be included in any amendments. While the site does contain existing legal non-conforming uses, given the largely residential nature of the surrounding area, staff and the public do not see any further expansion of commercial uses in this area as appropriate.