

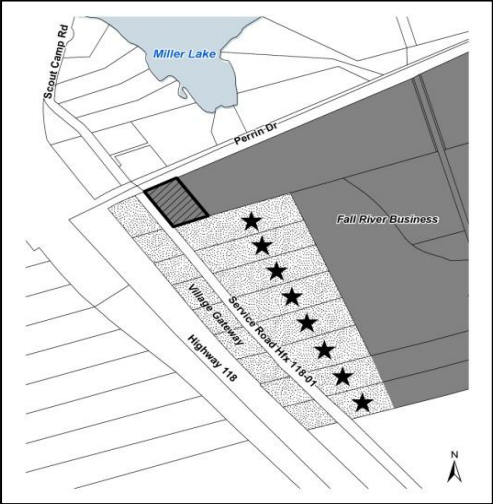
June 20, 2011 Meeting Notes


CPG Members Present:


Michael Creighton Owen Evans Bill Munden Anna McCarron Keith Manchester Joy Evans Jim Simons Jacqueline Steudler Gary Dease

Bob Guscott

Staff: Maureen Ryan, Senior Planner Scott LeBlanc, Planning Technician Councillor: Barry Dalrymple

	Agenda Item	Overview of Issue	Maps	Committee Recommendation
1	<p>Jack Eisener, J.R. Eisener Contracting Ltd. 35 Perrin Drive, Fall River</p>	<p>At it's meeting of May 3rd, the Fall River CPG agreed to <u>amend</u> the permitted uses section of the <u>VG Zone</u> to include <u>Existing Self Storage Businesses as a permitted use</u> to avoid making the proposed Self Storage Facility a legally non-conforming use should the applicant proceed with plans for development before the proposed Municipal Planning Strategy and Land Use By-law Regulations for the River Lakes Secondary Plan Area take effect.</p> <p>Under Sections 253, 254, 255, 256 and 257 of the Halifax Regional Municipality Charter a non-conforming use of land or a non-conforming structure, may continue if it "exists" and is lawfully permitted at the date of the first publication of the notice of Regional Council's intent to adopt or amend a land use by-law.</p> <p>A non-conforming structure is deemed to exist if it was lawfully under construction at the date of the first publication of the notice of the intention to adopt or amend a land use by-law. This includes a structure for which a permit was in force and effect and the construction was commenced within 12 months of the issuance of a permit and was completed in a reasonable period of time.</p>		<p>The Committee decided to uphold its previous decision and to include the proposed Self Storage Units as an "Existing Use" under the permitted uses section of the Village Mainstreet Zone</p> <p>This will ensure that the proposed use is regarded as a legal conforming use if a permit is issued before the first notice of intention to adopt the future proposed regulations is advertised in the newspaper and the construction of the storage units has been undertaken in a reasonable period of time.</p>

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2	Angela Walsh	<p>At its meeting of May 3rd, the Fall River CPG requested Maureen Ryan and Michael Creighton to meet with Angela Walsh, owner of 3061 Highway 2, to see if we could resolve her concerns over the proposed rezoning of her property from a C-4 (Highway Commercial) Zone to the proposed VMS (Village Mainstreet) Zone.</p> <p>A meeting was held with Ms. Walsh and her representative Ms. Rosewilde on May 19, 2011 to explore the possibility of applying a VG (Village Gateway) Zone as an alternative Zone.</p> <p>Ms. Wild, on behalf of Angela Walsh, advised by letter dated June 1st that Ms. Walsh</p> <p><i>“does not want to see any change to her present zoning. She is an elderly widow living on limited means. This property represents her life savings. Changing the zoning could significantly deplete the value of her assets. If the allowable density of use is reduced or the required set backs from the Lake and Highway are increased, the future development potential will be seriously impacted.”</i></p>	 <p>The map displays a residential and commercial area. Key features include Highway 2 running vertically, Miller Lake Rd running horizontally, and several ramps (102-5-F, 102-5-E, 102-5-O, 11-B-14-B, 11-C-14-A) connecting to Highway 102. Zoning districts are color-coded: C-2 (green), C-4 (blue), and R-1b (white). Water bodies like Lake Thomas and Miller Lake are shown in light blue. A yellow-shaded area is visible on the right side of the map.</p>	<p>The Committee decided to continue to recommend that the Village Mainstreet Zone be applied to the property of Ms. Angela Walsh at 3061 Highway 2.</p> <p>The Committee noted that a portion of the property on the north side is comprised of marsh which it felt should not be impacted by large scale development.</p>

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3.	<p>VG (Village Gateway) Zoning Application</p>	<p>Recommendation of Staff to consider applying the proposed VG Zone to the lands around the interchanges that are currently zoned C-4 (Highway Commercial).</p> <p>This would include the Enviro Health Clinic and the lands of Angela Walsh near the Highway 102 Interchange.</p> <p>It is also recommended that the zones be adjusted to allow for the larger floor space of the Enviro Health Clinic (11,460 sq.ft.) and the Drug Store (10,100 sq.ft.) as an existing permitted use.</p>		<p>The Committee decided to apply the Village Gateway Zone to the property containing the Environmental Health Centre and the property containing the Shoppers Drug Mart complex.</p>
4.	<p>Old Fall River Rec Centre</p>	<p>Recommended that the larger permitted floor space for the Fall River Rec Centre Site (20,000 sq.ft.) be reduced to the building size recommended for all other VMS properties (8000 s.f.) to maintain the same rhythm and scale as all other VMS properties in the area.</p>		<p>The Committee tabled this item to give time to discuss whether to keep the Secondary Planning Strategy first draft proposed size (20,000 Sq Ft) or reduce it to bring it in line with the maximum building size in rest of the Village Main Street (8,000 Sq Ft). Including the Burgess property in consideration of 20,000 Sq Ft allowed was in recognition of the potential for a better development opportunity.</p> <p>Staff have been asked to develop models of varying building sizes to illustrate the look and feel of larger structures at this point in the VMS area.</p>

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5	Existing Undersized Lots	<p>Within the Village Centre there are several properties that will not meet the minimum lot area, frontage or setback requirements of the various zones. This is the same situation that has always existed for the present C-2 and C-4 zones. To allow for future development on these properties the existing Land Use By-law states:</p> <p><u>Notwithstanding anything else in this By-law, a vacant lot held in separate ownership from adjoining parcels on the effective date of this By-law, having less than the minimum frontage, depth or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.</u></p> <p>This means that if the development cannot meet the minimum requirements for frontage or area, the development may still proceed but with a smaller building footprint.</p> <p>All other requirements such as the impervious surface requirements shall have to be met.</p>		<p>The Committee received this report from staff as advice and information concerning existing regulations.</p>

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6.	Subdivision By-law 200 foot frontage requirement	<p>Section 31 of the HRM Subdivision By-law requires that all lands fronting on Highway 2 must have 200 feet of road frontage in order to be able to subdivide a property into two.</p> <p>This was established to reduce the impact of an increased number of driveways on Highway 2 and all truck highways throughout the municipality to be able to preserve the functional integrity (ability to move traffic) of the road.</p> <p>This will not prevent development on existing lots that have 100 feet of frontage as required under the various Village Centre Zones.</p> <p>A request has been made by Mr. Steve Pick to recommend that the CPG recommend that this provision be amended for his property with is just north of the Village Centre beyond the St. John's United Church and by extension the lands within the Village Centre itself.</p>		<p>The Committee did not agree to recommend that the subdivision by-law be amended to reduce the requirements for 200 feet of frontage per lot for subdivision developments along Highway 2.</p> <p>The Committee agreed that it was preferential to minimize the number of driveways created along highway 2 in light of the present traffic conditions and the need to preserve the function of the highway for traffic movement.</p>