Re: Item No. 11.3

HALIFAX

Case 19722

MPS & LUB Amendments for Halifax Mainland & Amending Development Agreement

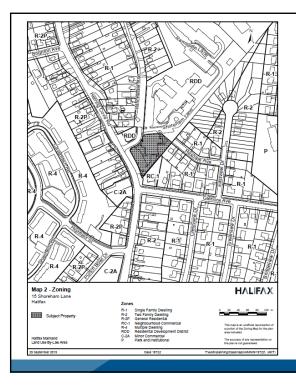
15 Shoreham Lane, Spryfield

Regional Council Public Hearing – September 19th, 2017

Application

Application by Gem Health Care Group Ltd. to amend the Municipal Plan and the Land Use By-law, and enter into an amending development agreement, to allow:

- Additional commercial land uses, including a restaurant, in an existing commercial building located at 15 Shoreham Lane, Halifax
 - use 6,000 sq. ft. of the existing building for additional commercial uses, including a restaurant
 - 950 sq. ft. second floor mechanical room addition



Policy & Zoning

Subject Site: RDD (Residential Development District)

Next to:

- R-1 (Single Family Dwelling)
- R-2 (Two Family Dwelling)
- R-2P (General Residential)

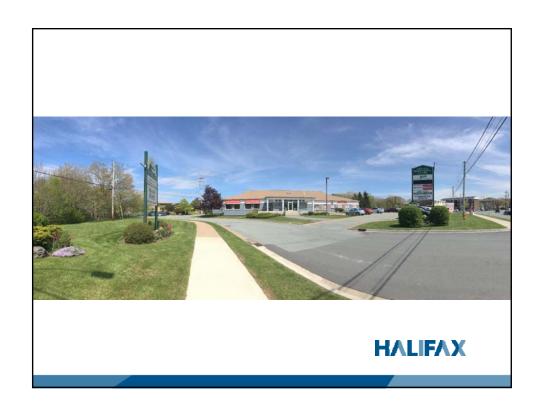
Near:

- C-2A (Minor Commercial)
- RC-1 (Neighbourhood Commercial)









Proposal

Option 1





Option 2

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Scope

November 24, 2015 Regional Council initiated a MPS amendment process to consider:

• Broadening the range of permitted land uses at 15 Shoreham Lane, Halifax

Community Plan

Halifax Municipal Planning Strategy

Mainland South Secondary Plan

- Designated Residential Development District
 - policy 1.5.3 limits existing building to health care related uses at 15 Shoreham Lane

Halifax Mainland Land Use By-law

- Zoned Residential Development District
 - development agreement required



Existing Development Agreement

- Limits the use of the building at 15 Shoreham Lane to health care related uses
 - Original agreement permitted the use as a "Referral and Day Care Centre"
 - Several amendments to permit different mix of uses on the site (often in response to vacancy)
 - Amendments have always been very specific in what uses are allowed
 - No building additions allowed



Policy Review

- Existing policy, zoning and development agreement unreasonably limit uses to health-care related uses
- Policy does not allow appropriate re-use of an existing commercial building – which fronts onto Herring Cove Road
- Other RDD zones have much less restrictive limits on uses

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Amendments to Policy

- Allow the following uses in the existing building (15 Shoreham Lane):
 - Restaurants
 - Neighbourhood Commercial
 - Appropriate Local Commercial Uses

Amendments to Development Agreement

- Allow re-use of the existing building (15 Shoreham Lane) up to 6,000 square feet – for neighbourhood commercial uses and select local commercial uses:
 - Grocery store, drug store, laundromat, dry cleaner, tailor, dressmaker, beauty shop or barber shop
 - Bank, public hall, office, hairdresser, beauty parlour, restaurant, receiving office of a dry cleaner or dryer;
 - A store for retail trade, rental and services, <u>excluding</u>: motor vehicle dealers and repair shops; service stations; and amusement centres
 - Any use accessory to any of the foregoing uses



Amendments to Development Agreement

- Allow a 950 square foot second storey mechanical room addition
- Require screening for refuse containers
- Limit restaurant uses to between 5am and 10pm



Staff Recommendation

- It is recommended that Regional Council:
 - Approve the proposed amendments to the MPS for Halifax and the LUB for Halifax Mainland, as set out in Attachments A and B of the June 28, 2017 staff report