

**REGION OF QUEENS MUNICIPALITY
PUBLIC HEARING
AMEND LAND USE BYLAW – DOG GROOMING/TRAINING
IN LIGHT INDUSTRIAL (M1) ZONE
TUESDAY, AUGUST 11, 2015
8:55 A.M.**

PRESENT: See attached Schedule "B"

CALL TO ORDER:

Mayor Clarke called the Public Hearing to order at 8:55 a.m.

REMARKS:

Mayor Clarke reviewed that the purpose of this Public Hearing was to provide any interested person with an opportunity to present an oral or written presentation to the Council of the Region of Queens with regards to its intention to amend the Land Use Bylaw by inserting a definition for pet care services and to include pet care services in the list of permitted uses in the Light Industrial (M1) Zone.

Mayor Clarke reviewed the procedures for the Hearing which were provided on the agenda.

REPORTS AND PRESENTATION BY STAFF:

Mike MacLeod, Planner, explained that under the existing land use bylaw, pet care services are not listed as a permitted use and an application has been received by the owner of the Incubator Mall requesting an amendment to the Region's Land Use Bylaw to allow for the establishment of dog grooming and training as he has a tenant who would like to have a pet care facility at that location.

WRITTEN AND ORAL PRESENTATIONS:

There were no written or oral presentations at this meeting.

CLOSING OF PUBLIC MEETING:

Mayor Clarke asked three times if there were any members of the public who wished to make a presentation on this matter. There were no requests from the audience to speak.

**Public Hearing
Amend Land Use Bylaw-Dog Grooming/Training
In Light Industrial (M1) Zone
August 11, 2015
Page 2**

Mayor Clarke declared the Public Hearing closed at 8:58 a.m.



Mayor Christopher Clarke, Chair



April Whynot-Lohnes, Municipal Clerk



Christine Watson, Recording / Management Secretary

Date approved: 

**PLANNING ADVISORY COMMITTEE
DISCUSSION PAPER
JULY 6, 2015
DOG GROOMING / TRAINING IN LIGHT INDUSTRIAL (M1) ZONE**

BACKGROUND:

An application has been received requesting amendments the Region's planning documents, which would allow for the establishment of dog training and grooming operations in the Light Industrial (M1) Zone. See attached. Under current regulations, this type of use is not permitted in the M1 Zone.

The uses permitted in the Light Industrial (M1) Zone include:

➤	Automobile body shops;
➤	Automobile sales establishments;
➤	Automobile service stations subject to Section 17.4;
➤	Automobile washing establishments subject to Section 19.4;
➤	Building supply and equipment depots;
➤	Business / professional offices;
➤	Commercial uses accessory to main use permitted in an M1 Zone, which is conducted in the main building;
➤	Custom workshop;
➤	Manufacturing, industrial, assembly, or warehousing operations which are conducted and wholly contained within an enclosed building and which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emission, refuse matter, water-carried waste, by reason of unsightly open storage; or the detonation of explosives;
➤	P1 Zone permitted uses, subject to the P1 Zone requirements;
➤	Radio and television stations;
➤	Recycling depots and processing;
➤	Restaurants;
➤	Retail stores;
➤	Service industries;
➤	Service or repair shops;
➤	Wind turbine generators (small scale), subject to Section 6.39

In order for staff to be able to consider requests for such uses, amendments will have to be made to the Region's Municipal Planning Strategy and / or Land Use Bylaw.



Zoning Map

Light Industrial (M1) Zones

The Municipal Planning Strategy (MPS) sets out that:

The Light Industrial (M1) Zone will be applied to land uses associated with small to medium scale manufacturing and warehousing operations, which are wholly enclosed within a building. A limited amount of commercial activity will also be permitted within this zone.

The MPS also sets out policy respecting things that Council must take into consideration when looking at a potential land use bylaw amendment, and are as follows:

Policy 12.5.2

It shall be the intention of Council, when considering amendments to the Land Use Bylaw, to have regard to the following:

- a. *that the proposal conforms with the intentions of this MPS and to the requirements of all other Region Bylaws and regulations.*
- b. *that the proposal is not inappropriate, or could create potential problems in relation to:*
 - 1. *the financial capability of the Region to absorb any costs relating to the development;*
 - 2. *adequacy of sewer, water, and fire protection services to support the proposed development;*
 - 3. *adequacy and proximity of recreational and other community facilities;*
 - 4. *the adequacy of road networks in, adjacent to, or leading to the proposed development in terms of ability to handle traffic that the proposed development will generate;*
 - 5. *the potential for the contamination of watercourses or the creation of erosion, sedimentation and /or flooding; and*
 - 6. *the potential for damage to or destruction of designated historical buildings and sites.*

- c. *that adequate requirements are contained in the Land Use Bylaw to reduce conflict between the proposed development and any adjacent or nearby land uses by reason of:*
1. *type of use;*
 2. *height generation, access to and egress from the site and parking provisions;*
 3. *traffic generation, access to and egress from the site and parking provisions;*
 4. *outdoor storage;*
 5. *signs;*
 6. *provision is made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic;*
 7. *development is located so as not to obstruct any natural drainage channels or watercourses;*
 8. *the adequacy of the building separations to provide sufficient space to permit access for fire fighting equipment and to prevent the spread of fire; and*
- d. *site suitability in terms of percentage of slope, soil and geological conditions and other environmental and physical constraints; and*
- e. *potential for buffer areas, landscaping and screening to reduce potential incompatibility with adjacent land uses and transportation networks.*

The applicant is the owner of the incubator mall on Harley Umphrey Drive in Liverpool. Over the last couple of years, several new business have moved into vacant space in the mall and there are still a number of units available for rent. Concern has also been expressed regarding the limited number of uses permitted in the M1 Zone and the ability to find suitable tenants for vacant space.

OPTIONS:

1. Maintain status quo (deny amendment request);
2. Amend the Land Use Bylaw to allow for pet care services in the Light Industrial (M1) Zone;
3. Amend the Municipal Planning Strategy and Land Use Bylaw to broaden the scope of the Light Industrial (M1) Zone to be more of mix of industrial and commercial uses;
4. Amend the Municipal Planning Strategy and Land Use Bylaw to rezone the property from Light Industrial (M1) to Highway Commercial (C2).

CONSIDERATIONS:

Option 1. - The nature of the Light Industrial (M1) Zone has changed somewhat over the past 10 years or so, with amendments being made to allow a number of commercial uses such as retail, restaurant and offices. When looking at how some other municipal units in Nova Scotia deal with such uses, there is an increasing trend toward establishment of "business parks" as opposed to "industrial parks", which incorporate a blend of commercial and light industrial uses. The mix of uses can be quite compatible and actually compliment development of the area

Option 2. - Potential amendments could include:

- **PERSONAL SERVICE SHOP** means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and without limit the generality of the foregoing may include such establishments as barber shops, beauty parlours, shoe shining shops, **pet care services**, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.
- **PET CARE SERVICES** means a personal service shop which provides services and / or care to pets and without limiting the foregoing, may include such establishments as a veterinary clinic, pet grooming shop, pet oriented retail shop or pet day care centre, but excludes overnight boarding of pets.
- Include personal service shop in the list of permitted use in the M1 Zone.

Option 3. - Revise the intent of the Light Industrial (M1) Zone in the MPS to include an increased emphasis on commercial development within the M1 Zone and expand the list of permitted commercial uses in the M1 Zone.

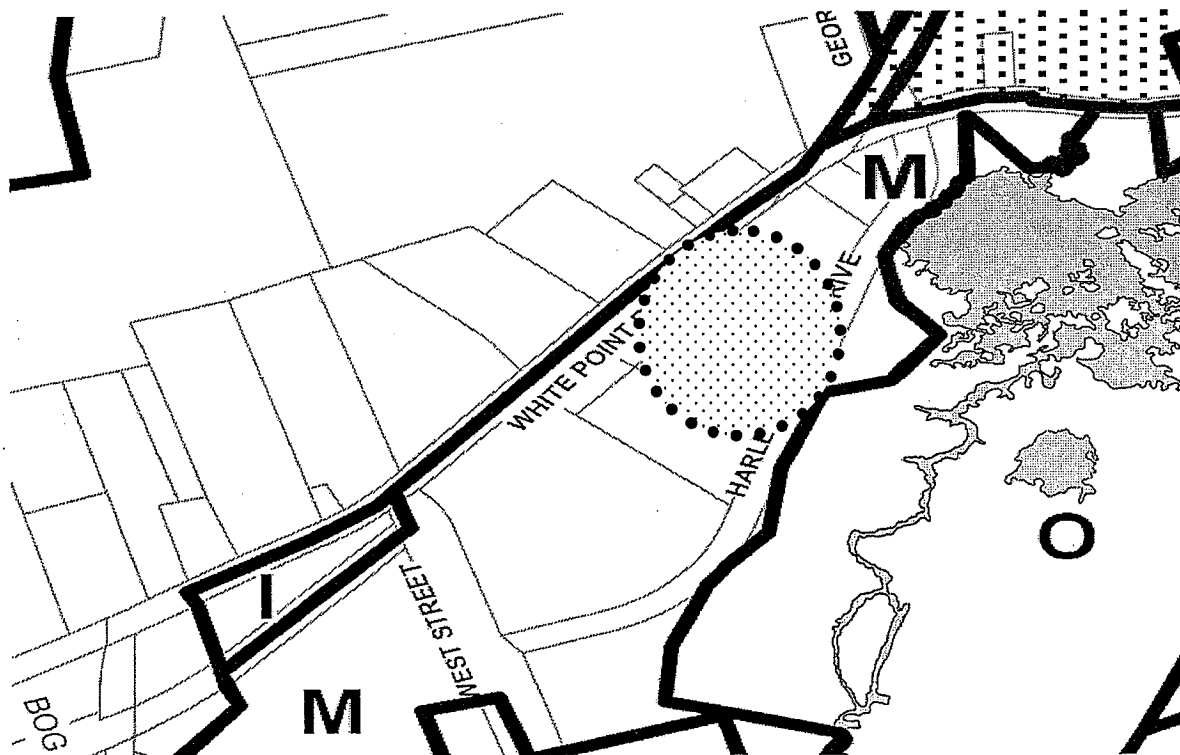
Option 4. - Allow for a broad mix of commercial uses by spot zoning the subject property to Highway Commercial (C2). This option would require amendments to the MPS and LUB. The list of uses permitted in the C2 Zone include:

➤ Amusement centres;
➤ Animal hospitals and veterinary establishments;
➤ Automobile sales establishments;
➤ Automobile service stations, subject to Section 19.5;
➤ Automobile washing establishments subject to Section 19.4;
➤ Boats, trailers, snowmobile and ATV sales and rental;
➤ Convention facilities;
➤ Day nurseries and kindergartens;
➤ Downtown Commercial (C1) uses;
➤ Funeral home;
➤ Garden centres;
➤ Heavy equipment sales and rentals;
➤ Hotels and motels (including bed and breakfast operations);
➤ Outdoor commercial display;
➤ Public and private parks;
➤ Recreation / Open Space (P1) uses;
➤ Recreational vehicle park;
➤ Retail lumber and home improvement supplies;
➤ Shopping centres;
➤ Strip malls;
➤ Wind turbine generators (small scale), subject to Section 6.39

And

➤ Art galleries / studios;
➤ Banks and financial institutions;
➤ Bed and breakfasts;
➤ Bowling alleys;

➤	Business and professional offices;
➤	Convenience stores;
➤	Day nurseries and kindergartens;
➤	Existing residential uses (Refer to Section 17.3);
➤	Farmers market;
➤	Funeral homes;
➤	Grocery stores;
➤	Institutional (I1) uses, subject to the I1 Zone requirements;
➤	Lounges;
➤	Medical clinics;
➤	Motel and hotels;
➤	Parks;
➤	Parking lots and parking structures;
➤	Personal service shops;
➤	Places of entertainment;
➤	Public information booths;
➤	Radio and television stations;
➤	Recreational uses;
➤	Residential dwelling units located on the floor above any permitted commercial use;
➤	Restaurants;
➤	Retail stores;
➤	Service and repair shops;
➤	Taxi and bus stations;
➤	Theatres;
➤	Tourist establishments;
➤	Utilities;
➤	Warehousing uses, which are located entirely within an enclosed building



Generalized Future Land Use Map

TENTATIVE TIME FRAME:

DATE

PROCEDURE

July 6, 2015
July 14, 2015
July 21, 2015
July 28, 2015
August 11, 2015
August 11, 2015
August 18, 2015
September 2, 2015

Planning Advisory Committee
Council
First Public Notice
Second Public Notice
Public Hearing
Council
Notice of Passing
Appeal Period Ends

RECOMMENDATION:

THAT the Council of the Region of Queens Municipality give notice of its intention to amend the Land Use Bylaw to:

1. Amend the definition of personal service shop to include pet care services;
2. Insert a definition for pet care services; and
3. Include personal service shop in the list of permitted uses in the Light Industrial (M1) Zone.

AND THAT a Public Hearing be held on August 11, 2015 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 8:55 a.m.