

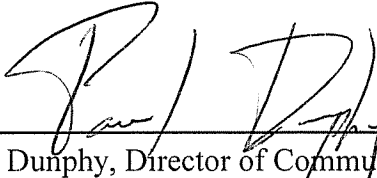


PO Box 1749  
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**North West Community Council**  
**September 27, 2007**

**TO:** Chair and Members of North West Community Council

**SUBMITTED BY:**

  
\_\_\_\_\_  
Paul Dunphy, Director of Community Development

**DATE:** September 14, 2007

**SUBJECT:** **Amendment to the Sackville Drive Secondary Planning Strategy and  
Land Use By-law- Pedestrian Retail (PR) Zone**

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### **INFORMATION REPORT**

#### **ORIGIN**

On May 24, 2007 North West Community Council requested staff review a letter from the Sackville Drive Business Association (SDBA) regarding the Pedestrian Retail Zone (Attachment "A") and report back to Community Council.

## **BACKGROUND**

### **SDBA Request**

The Sackville Drive Business Association is concerned that the Pedestrian Retail (PR) Zone requirement for a development agreement (DA) for buildings larger than 5,000 ft<sup>2</sup> is inhibiting development in the zone. The Association requested that North West Community Council investigate the possibility of amending the as-of right building size.

### **Policy/Zoning**

The PR zone was created under the Pedestrian Retail Designation of the Sackville Drive Secondary Planning Strategy (SPS). The intent of the designation is to create a “pedestrian scaled” retail centre. New buildings and expansions to existing buildings are limited to 5,000 ft<sup>2</sup> as-of-right to foster small scale development. Buildings over the 5,000 ft<sup>2</sup> limitation can be considered through the development agreement process in order to give Council the ability to evaluate the impact of new buildings and additions on the surrounding development. Changing the 5,000 ft<sup>2</sup> limitation would require an amendment to the Sackville Drive SPS.

The PR zone is one of seven commercial zones applied along Sackville Drive. Each zone intends to encourage different types and sizes of commercial development through various zoning provisions. The following table is a summary of the limitations placed on buildings within the applicable commercial zones of the Sackville Drive Land Use By-law:

<b>Zone</b>	<b>Location</b>	<b>Floor Area of Buildings</b>	<b>Discretionary Approval Process</b>
Pedestrian Retail Zone (PR)	along Sackville Drive between Pinehill and Riverside Drives	buildings limited to 5,000 ft <sup>2</sup>	buildings over 5,000 ft <sup>2</sup> by development agreement
Pinehill/Cobequid Zone (PC)	start of Sackville Drive near intersection with Cobequid Rd	buildings limited to 15, 000 ft <sup>2</sup> ,	buildings over 15,000 ft <sup>2</sup> by development agreement
Acadia Village Centre Zone (VC)	centre of Sackville Drive around Acadia School and ballfields	no limitation on size of buildings	development agreement
Downsview Complex Zones (DC-1, DC-2, DC-3)	Downsview Mall, Sackville Drive and Beaver Bank Rd	no limitation on size of buildings	only by site plan approval
Large Scale Commercial (LS)	juncture of Beaver Bank Rd, Sackville Drive and Walker Avenue	new buildings must be a minimum of 10,000 ft <sup>2</sup>	buildings less than 10,000ft <sup>2</sup> by development agreement

## **DISCUSSION**

The Sackville Drive Secondary Planning Strategy (SPS) was adopted in June of 2002. At the time of adoption, the community of Sackville strongly supported the vision of segmenting Sackville Drive into unique areas with different type and scale of uses. While staff recognize the concerns of the SDBA, circumstances have not changed significantly enough from the original adoption to merit altering the SPS at this time.

Developing a larger building requires going through a planning approval process which ensures that the intent of the SPS is followed. The criteria for evaluating these applications is reasonable and there is no evidence that the process is not functioning as it was intended.

The PR zone is only one component of the overall vision for the Sackville Drive area. Changing this zone and designation could have negative impacts on other areas (ie development activity) and the intent of the overall plan. Therefore, the amendment should be done as part of a comprehensive review. Communities in HRM will undergo an extensive review as part of the Community Visioning program. This process will cover a broad range of issues affecting the community and would be a more suitable venue to review the proposed amendment.

## **BUDGET IMPLICATIONS**

There are no budget implications

## **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

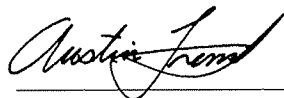
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

## **ATTACHMENTS**

Attachment A: Letter from Sackville Drive Business Association

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

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May 15, 2007

North West Community Council  
Municipal Clerk's Office  
Halifax Regional Municipality  
P.O. Box 1749  
Halifax, NS B3J 3A5

Chair and Members of North West Community Council,

At the May 10<sup>th</sup>, 2007 Sackville Drive Business Association Board meeting, there was a motion passed that staff make a request to have the Business Association added to the May 24<sup>th</sup>, 2007 North West Community Council agenda in order to give a presentation on concerns they have with the PR (Pedestrian Retail) Zone.

It has been brought to the Board's attention that the current zoning does not allow for efficient and economical development. The PR Zone allows for the construction of a building up to 5000 sq. ft. without a development agreement. Buildings greater than 5000 sq. ft. have to go through a development agreement. With the current costs of construction, it is not economical for developers to construct a building 5000 sq. ft. or less and the length of time a development agreement process takes is unreasonable and unpredictable. Two risks most developers aren't willing to take.

The Board understands the intent of this zone was to create a pedestrian friendly area. They do, however, ask that regulations also balance reasonable development rights. We ask that Council investigate if there is any way for planning staff to remove the clause stating that any building larger than 5000 sq. ft. needs to go through a development agreement process while maintaining the intent of this zone.

We greatly appreciate your assistance on this matter.

Sincerely,

Adam Buckle  
Chairperson