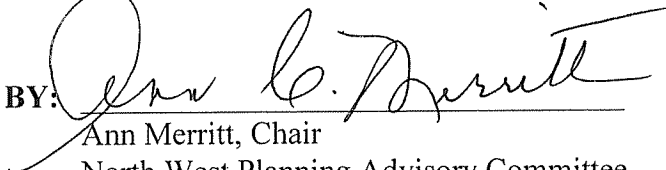


North West Community Council
September 9, 2008

TO: North West Community Council

SUBMITTED BY:


Ann Merritt, Chair
North West Planning Advisory Committee

RE: Case 01153: Amendment to the Sackville Drive Land Use By-law - Pedestrian
Retail (PR) Zone

DATE: August 26, 2008

ORIGIN

North West Planning Advisory Committee meeting - September 3, 2008

RECOMMENDATION

The North West Planning Advisory Committee recommend that North West Community Council:

1. Give First Reading to the proposed amendments to the Sackville Drive Land Use By-law to amend the commercial entertainment size provisions for the PR Zone, as shown in Attachment "A" of the staff report dated July 28, 2008, and schedule a public hearing; and
2. Approve the proposed amendments to the Sackville Drive Land Use By-law to amend the commercial entertainment size provisions for the PR Zone, as shown in Attachment "A" of the staff report dated July 28, 2008.

ATTACHMENTS

Staff report dated July 28, 2008

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937
Report reviewed by: Ann Merritt, Chair, North West PAC

North West Planning Advisory Committee
September 3, 2008

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY:

Sharon Bond

Sharon Bond, Acting Director of Community Development

DATE: July 28, 2008

SUBJECT: **Case 01153: Amendment to the Sackville Drive Land Use By-law -
Pedestrian Retail (PR) Zone**

ORIGIN

An application by Coach's Pub and Grill / DNF Holdings Ltd., 552 Sackville Drive, to amend the PR (Pedestrian Retail) Zone within the Sackville Drive Land Use By-law (LUB) to permit commercial entertainment uses, such as lounges, to be larger than 800 square feet (74.3 square metres).

RECOMMENDATION

It is recommended that North West Planning Advisory Committee recommend that North West Community Council:

1. Give First Reading to the proposed amendments to the Sackville Drive Land Use By-law to amend the commercial entertainment size provisions for the PR Zone, as shown in Attachment "A", and schedule a public hearing; and
2. Approve the proposed amendments to the Sackville Drive Land Use By-law to amend the commercial entertainment size provisions for the PR zone, as shown in Attachment "A".

BACKGROUND

An application was made by Coach's Pub and Grill / DNF Holdings Ltd. to amend the PR (Pedestrian Retail) Zone within the Sackville Drive Land Use By-law (LUB), to permit commercial entertainment uses, such as lounges, to be larger than 800 square feet (74.3 square metres) (Map 1).

The definition of commercial entertainment under the Sackville Drive LUB encompasses several uses, including cinemas, theatres, auditorium, billiard/snooker clubs, amusement centres, lounges, and beverage rooms (Attachment C). The LUB permits commercial entertainment uses in the PR zone, but limits the size to 800 square feet (74.3 square metres). This restricted square footage is also found in the VC (Acadia Village Centre) Zone. In comparison, other zones in the LUB permit commercial entertainment uses, but have no size restrictions related directly to these type of uses.

The PR Zone permits commercial entertainment as a stand alone use, and also enables these uses to operate within, or as part of, other permitted uses in the zone (i.e. - full service restaurant with a designated lounge). In the case of Coach's Pub and Grill, the business currently operates as a full service restaurant with a designated lounge area. The applicant has expressed an interest in expanding the lounge component of the full service restaurant.

DISCUSSION

A request to increase the permitted size of commercial entertainment uses in the PR zone must be in keeping with the policies and goals set forth in the Sackville Drive Secondary Planning Strategy (SPS). Policy PR-1 of the Sackville Drive SPS establishes the PR Designation and Policy PR-2 establishes the PR Zone (Attachment s B & C). Policy PR-1 explains that the PR Designation shall, amongst other considerations:

- (a) create a safe, vibrant, pedestrian scaled, retail centre;
- (b) encourage a greater balance of retail, commercial and residential uses; and
- (c) encourage uses that cater primarily to pedestrians.

The following is a review of the relevant goals of the SPS and how they relate to this proposal.

Encourage Commercial Entertainment Uses

In the preamble to Policy PR-3, the SPS highlights the importance of commercial entertainment uses, such as lounges and theatres, through a statement that reads; *"With respect to leisure and recreation activities, the majority of residents spend their time going to restaurants, attending movies, sporting events, lounges, or night clubs."* Furthermore, Policy PR-3 states that where possible, the PR designation shall be actively marketed and promoted for the purposes of attracting a greater range of recreation and leisure retail use (Attachment B).

Commercial entertainment uses, considered to be recreation and leisure activities, are encouraged by the SPS and increasing the ability for these uses to successfully operate would be in keeping with this goal. In the case of Coach's Pub and Grill, the current 800 square foot (74.3 square metres)

limitation has impeded the operation of the business. If the demand for leisure opportunities is present, it is logical to assume that increasing the size of commercial entertainment uses should be supported, in accordance with the SPS. Allowing larger commercial recreation uses may have the added benefit of attracting other recreation and leisure based businesses to the PR Zone, thereby strengthening existing business, and enhancing the local market.

Limit Scale to Foster Pedestrian Retail Atmosphere

The preamble to Policy PR-2 encourages uses in the Pedestrian Retail designation that are directly relevant to pedestrians. Uses that provide on-site, small scale services are considered to be good examples of pedestrian oriented uses. The SPS also defines small scale by limiting the pedestrian oriented uses to a 5,000 sq. foot footprint (464.5 square metres) (Attachment B).

Increasing the size of commercial entertainment uses in the PR Zone must balance the SPS' desire to encourage a higher selection of recreation and leisure activities with the SPS's small scale vision for the PR Designation. To achieve these objectives, Staff recommend that the commercial entertainment size restriction in the PR Zone be increased to a maximum of 2,500 square feet (232.3 square metres (Attachment A). The 2,500 square feet (232.3 square metres) would represent half the permitted footprint for a commercial building in the PR Zone, and would encourage a mix of uses within the same building.

The potential mix of uses within a single commercial building is supported by existing provincial licensing (Alcohol and Gaming) regulations, which requires that all lounges must concurrently hold an eating establishment license, with the eating establishment occupying no less than 25% of the lounge area.

Public Information Meeting/Area of Notification

A public information meeting was held on June 9, 2008 (Attachment D). The meeting was attended by local residents, employees, and business owners. The majority of public input received at the meeting was in favour of increasing the commercial entertainment size restriction found in the PR zone. There was some concern that increasing commercial entertainment uses beyond the permitted size in the PR zone would not be in keeping with the Sackville Drive SPS. Should Community Council decide to schedule a public hearing, in addition to advertisements in the newspaper, property owners in the notification area will receive written notification of the Public Hearing (Map 1).

Conclusion

Staff are recommending in favour of increasing the maximum size of commercial recreation uses in the PR Zone from the current 800 sq. feet (74.3 square metres) to a maximum of 2500 sq. feet or 232.3 square metres. This amendment furthers the intent of the SPS to encourage leisure activities in the Plan Area by allowing businesses a large enough footprint to make commercial entertainment uses viable. The vision of the SPS is also further supported by limiting the scale of the commercial uses in keeping with the pedestrian retail atmosphere and by encouraging the clustering of these uses by limiting them to a portion of the building.

BUDGET IMPLICATIONS

The HRM costs associated with processing 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 choose to approve the proposed amendments to the Sackville Drive Land Use By-law. This is Staff's recommended course of action for the reasons described in this report.
2. Council may choose to refuse the proposed amendments to the Land Use By-law, and in doing so, must provide reasons based on a conflict with MPS policies. This alternative is not recommended as staff are satisfied that the proposed amendments are consistent with the policies and intent of the MPS.

ATTACHMENTS

Map 1:	Zoning Map - Pedestrian Retail Zone and Notification Area
Attachment A:	Amendments to the Sackville Drive Land Use By-law
Attachment B:	Excerpts of Relevant MPS Policies
Attachment C:	Relevant LUB Sections
Attachment D:	Public Information Meeting Minutes

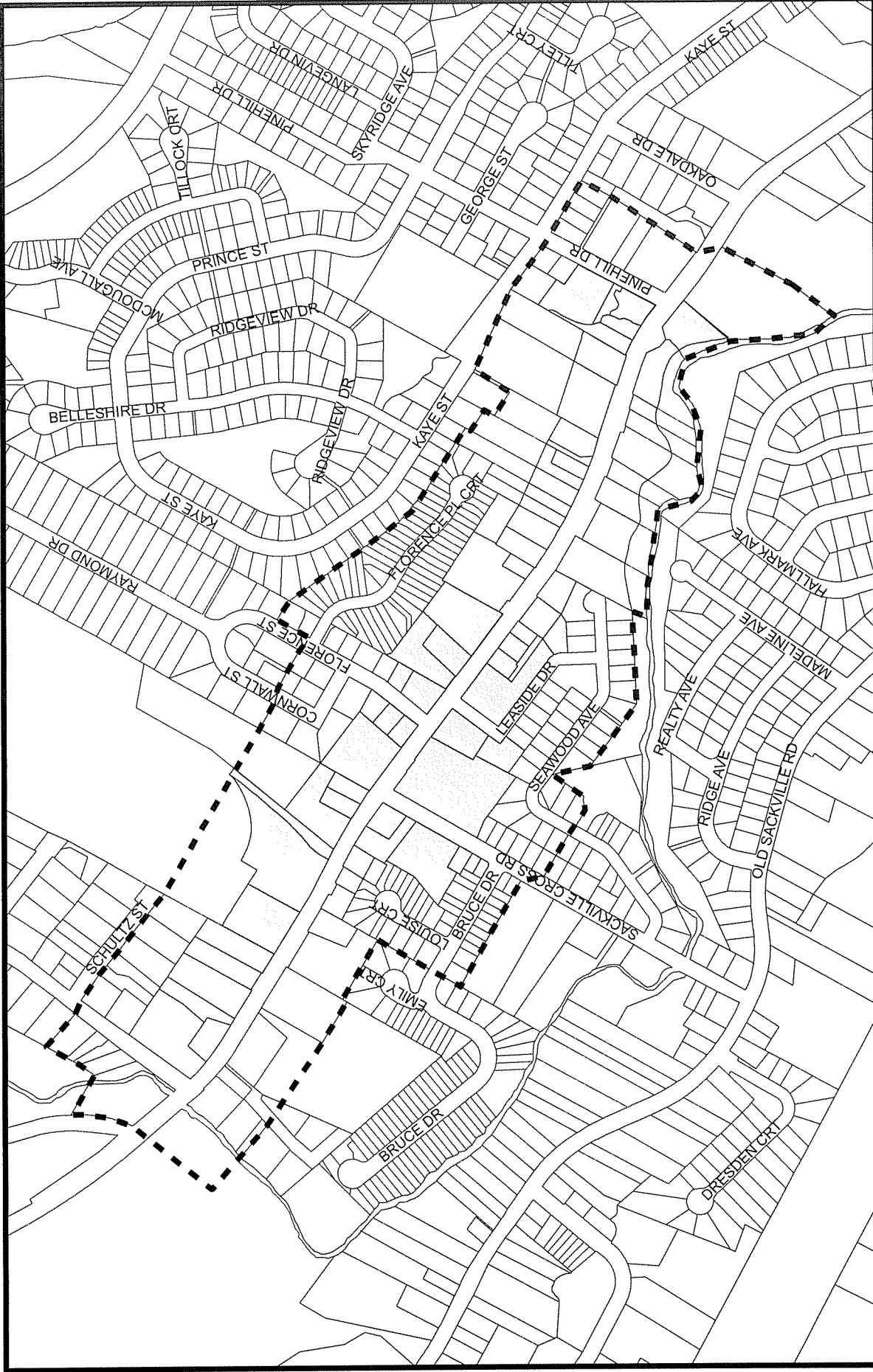
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Miles Agar, Planner 1- Planning Applications: Community Development 869-4262

Report Approved by:



Austin French, Manager of Planning Services, 490-6717



Map 1
Zoning

- Pedestrian Retail Zone**
- Notification Area**

Attachment A
Amendments to the Sackville Drive Land Use By-law

BE IT ENACTED by the North West Community Council of the Halifax Regional Municipality that the Sackville Drive Land Use By-law as enacted by the Halifax Regional Municipality on the 7th day of June, 2002, and approved by the Minister of Municipal Affairs on the 24th day of June, 2002 as amended, is hereby further amended as follows:

1) Amend Part 12 (Section 1 - Commercial Uses) by deleting the following strikeout text and inserting the following text in bold:

1. No development permit shall be issued in any PR (Pedestrian Retail) Zone except for the following:

Commercial Uses

- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- Health and Wellness Centres (NWCC-May26/05;E-May28/05)
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses a maximum of ~~74.3~~ **232.3** m²(~~800~~ **2,500** ft²) devoted to public use
- All Age/Teen Club (NWCC-May26/05;E-May28/05)
- Funeral Parlours and undertaker establishments

I HEREBY CERTIFY that the amendment to the Land Use By-law for Sackville Drive, as set out above, was passed by a majority vote of the North West Community Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2008

GIVEN under the hands of the Municipal Clerk and Under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2008

Julia Horncastle
Acting Municipal Clerk

Attachment B
Excerpts of Relevant MPS Policies

5.3 Pedestrian Retail Designation

The Pedestrian Retail district includes all public and private lands found between Riverside and Pinehill Drive, with the Little Sackville River at either end creating a natural boundary. The sector includes public buildings, various restaurants, and strip malls that cater to personal services. The area has a relatively low density form, with a limited amount of vacant land.

Policy PR-1

A Pedestrian Retail Designation shall be established as shown on Schedule 'A' - Generalized Future Land Use that shall:

- (a) create a safe, vibrant, pedestrian scaled, retail centre;
- (b) encourage a greater balance of retail, commercial and residential uses;
- (c) encourage uses that cater primarily to pedestrians;
- (d) improve the visible and physical connection to the Little Sackville River;
- (e) improve quality and image of the streetscape; and
- (f) encourage the provision of new parkland and open space.

5.3.1 Encourage Pedestrian Oriented Uses

The type of land uses within the Pedestrian Retail Designation will undoubtedly influence the ability to transform this area into a thriving civic core and a viable retail shopping area. Specifically, existing car related uses, such as used-car lots, service stations, car washes, drive-thrus, large appliance and furniture stores, motor vehicle parts and services, heavy equipment rental facilities and recycling depots, are considered inappropriate in this area. These uses would be more appropriately located within the Downsview-Beaver Bank or the Pinehill - Cobequid designations.

Only uses that are directly relevant to pedestrians should be encouraged within the Pedestrian Retail designation. Pedestrian oriented uses refer to those that do not relate or require a motor vehicle to acquire the goods or service. For instance, pedestrian related uses provide goods or services that can be easily carried-away by a pedestrian, or where a service is offered and conducted on-site. Small scale retail, clothing outlets, eat-in restaurants, dry cleaners, hairdressers, flower shops, butchers, coffee shops, ice cream parlours, and galleries, are examples of pedestrian oriented uses.

Office uses are an appropriate use in the Pedestrian Retail Designation. Because office space is increasingly declining in the downtown area, and land for new office buildings has diminished, developing new office space in Sackville is a timely opportunity. Office uses would provide local employment opportunities, limit the amount of commuter traffic along Sackville Drive, and facilitate a new consumer market (non-local) base. New offices should be small in scale, provide street level entry, and outdoor common space for the pedestrian.

Tourism or recreation-based uses within the Pedestrian Retail Designation should also be encouraged. Such uses reflect the tremendous recreational and educational opportunities that natural resources like the Little Sackville River and Trail System provide in this area. Specifically, hotels, motels, bed and breakfasts, wilderness, hiking, canoeing, fishing and other outdoor outfitter uses should be encouraged to capitalize on Sackville's natural assets and to facilitate greater tourism and recreation based pedestrian activities.

Policy PR-2

Within the Pedestrian Retail Designation, a Pedestrian Retail Zone shall be established and applied to the lands shown on Schedule B. The Zone shall permit a range of pedestrian oriented uses, including but not limited to, retail, offices, service and personal service shops, restaurants (full service, take-out), bakeries, bed and breakfasts, motels, and institutional and community developments, with footprints less than 5,000 square feet. *One and two residential units, and (RC-Apr 12/05; E-May 7/05)* Multiple Dwelling uses shall be permitted within the Zone where street front commercial is provided. All uses in existence as of May 7, 2002 with the exception of any existing pawn shops, shall be permitted within the Zone.

5.3.2 Retain and Expand Specialized Retail Uses

The range of retail goods found in the Pedestrian Retail district is limited. Although every day shopping needs can be found, the area does not cater to the consumers looking for specialty and higher value retail goods and services. In fact, over half of the local consumer purchases in mens, womens and children's apparel is lost to other shopping areas. Further, approximately 70% of the local market is shopping elsewhere for electronics, and more than 80% shops elsewhere for furniture and sporting goods.

With respect to leisure and recreation activities, the majority of residents spend their time going to restaurants, attending movies, sporting events, lounges, or night clubs. Although the pedestrian retail area provides a limited range of restaurants, opportunities for participating in recreation and leisure activities are limited in Sackville. To retain more of the local market, a higher selection of quality apparel, restaurants, book stores and other recreation and leisure based business should be encouraged.

Policy PR-3

Where possible, the Pedestrian Retail Designation shall be actively marketed and promoted for purposes of attracting a greater range of recreation and leisure type retail use, including wilderness, hiking, canoeing, fishing, outdoor outfitters, bookstores, restaurants, theatres, galleries and specialty retail.

5.3.3 Limit Large Scale Buildings and Strip Malls

The existing mix of small, medium and large scale retail uses, including strip malls, have made the facilitation of a comfortable pedestrian realm difficult. Specifically, varying building scales, wide lot widths, long lot frontages and building setbacks, have discouraged pedestrians from

easily and comfortably walking from business to business. Consequently, a dependence on private automobiles has been reinforced.

To foster a pedestrian oriented retail environment, large scale uses, which include uses with building footprints of 5,000 square feet or greater, should be discouraged from locating in this area.

Attachment C
Relevant LUB Sections

Part 2: DEFINITIONS

1. In this by-law:

Commercial Entertainment means such uses as cinemas, theaters, and auditorium, billiard/snooker clubs, amusement centres, lounges and beverage rooms but excludes such uses as cabarets, casinos, or adult entertainment uses.

Part 12:

PEDESTRIAN RETAIL (PR) ZONE

Permitted Uses

1. No development permit shall be issued in any PR (Pedestrian Retail) Zone except for the following:

Commercial Uses

- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- Health and Wellness Centres (NWCC-May26/05;E-May28/05)
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses a maximum of 74.3 m² (800 ft²) devoted to public use
- All Age/Teen Club (NWCC-May26/05;E-May28/05)
- Funeral Parlours and undertaker establishments
- Bakeries/Café's
- Bed and Breakfast
- Guest Home
- Strip Mall/Shopping Plaza
- Motels, Hotels (NWCC-May26/05;E-May28/05)
- Automotive Repair Outlets within the area identified on Schedule E (RC-Sep5/06;E-Oct7/06)
- Outdoor Display Courts within the area identified on Schedule E (RC-Sep5/06;E-Oct7/06)
- Automotive Repair Outlet at 651 Sackville Drive (PID #40003527) (RC-Apr12/05;E-May7/05)
- Existing Commercial Recreation
- Existing Equipment Rental
- Existing Recycling Depots

- Existing Automotive Service Stations
- Existing Automotive Repair Outlets
- Existing Outdoor Display Courts
- Existing Car Wash
- Existing Restaurants (drive-thru)
- Existing welding, plumbing and heating, electrical, automotive, other special trade contracting services & shops

Institutional and Community Uses

- Educational Institutions (including commercial schools)
- Denominational Institutions excluding Cemeteries
- Daycare Facilities, Nursery Schools and Early Learning Centres
- Civic Buildings including but not limited to public office, post office, visitor information centre, fire station, police station, library, museum, and gallery
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
- Community/Recreational Centre
- Community Parkland and Facility uses

Residential Uses

- Existing Single Unit Dwellings
- Existing Two Unit (detached and semi-detached) Dwellings
- One and Two Dwelling Units in Conjunction With a Commercial Use (RC-Apr12/05;E-May7/05)
- Multiple Unit Dwellings
- Seniors Residential Care
- Residential Care Facility

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Section 12 (1), in any PR Zone, no development permit shall be issued for a new commercial buildings or structures with a footprint greater than 5,000 square feet (464.5 m²), or any expansion to a building or structure which currently exceed a footprint of 5,000 square feet (464.5 m²), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 5,000 square feet (464.5 m²) on any PR zoned lot and shall only be considered by development agreement in accordance with the provisions of the Municipal Government Act.

Lot Provisions

3. Minimum Lot Area. 371.6 m² (4,000 ft²)
Minimum Lot Frontage 12.2 m (40 ft)
Minimum Front/Flankage Yard Setback 4.6m (15 ft) (RC-Sep5/06;E-Oct7/06)

Minimum Rear Yard Setback	4.6 m (15 ft), except where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building which ever is greater. (RC-Sep5/06;E-Oct7/06)
Minimum Sideyard Setback	0 m (0 ft), except 6.1m (20 ft) corner vision triangle required for corner lot. Where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building which ever is greater. (RC-Sep5/06;E-Oct7/06)
Maximum Height - Deleted (RC-Sep5/06;E-Oct7/06)	
Maximum Lot Coverage	50 %
Minimum Pervious Surface Area	20 %
Number of Driveways	One per lot with frontage less than 30.5 m (100 ft)

4. No Development Permit shall be issued until all provisions of this section and the provisions and guidelines of Part 6 (general provisions) and Part 7 (streetscape provisions) have been satisfied.

SPECIAL REQUIREMENTS: Multiple Unit Dwellings

5. Notwithstanding the provisions of Part 12, where any multiple unit dwelling is permitted (NWCC-Sep12/06;E-Sep29/06), the following shall apply:

- (1) where a lot has frontage on Sackville Drive, commercial shall be provided and located at street level facing Sackville Drive;
- (2) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:

- | | |
|---------------------------|--------------------------|
| (a) One Bedroom/Bachelor: | 18.6 sq m (200 sq ft) |
| (b) Two Bedroom: | 53.4 sq m (575 sq ft) |
| (c) Three Bedroom: | 88.2 sq m (950 sq ft) |
| (d) Four or more Bedroom: | 123.1 sq m (1,325 sq ft) |

For the purposes of determining amenity space, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on. (NWCC-Sep12/06;E-Sep29/06)

SITE PLAN APPROVAL: Outdoor Display Court and Automotive Repair Outlets

6. No development permit shall be issued within the area illustrated on Schedule E for an outdoor display court or an automotive repair outlet prior to the Development Office granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section.
7. In addition to any other applicable requirements found elsewhere in this By-law, the following requirements shall apply to all uses subject to site plan approval:
 - (1) Location of Building and Structures: Main buildings shall be positioned on the site as the primary feature and outdoor display areas and parking lots shall be secondary with the exception of the limited front yard display described below.
 - (2) Location of Outdoor Display Area: The outdoor display area shall be positioned on the site in such a way to minimize public view of the entire product on display. Front yard display shall be permitted to showcase select vehicles provided it is achieved in a creative and attractive manner.
 - (3) Location of Walkways and Pedestrian Access: Walkways shall be provided along the front facade of the buildings and to the entrance of the buildings.
 - (4) Location of Outdoor Lighting: Lighting shall be directed to driveways, loading area, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings. Lighting shall be permitted for the outdoor display area for the purpose of safety and security and shall not be permitted for night time display of product or merchandise.
 - (5) Location of Service Bays: Service bays shall be located in such a way to ensure they are not visible from Sackville Drive for all new buildings and major renovations/additions. Features such as but not limited to architectural treatments, landscaping, and fencing may be utilized to achieve this provision. (RC-Sep5/06;E-Oct7/06)

Attachment D
Public Information Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 01153 - Coach's Pub & Grill

7:00 p.m.
Monday, June 9, 2008
Sackville Library (Fenerty/Program Room)

STAFF IN

ATTENDANCE: Miles Agar, Planner, HRM Planning Services
Andrew Bone, Senior Planner, HRM Planning Services
Cara McFarlane, Planning Controller, HRM Planning Services

ALSO IN

ATTENDANCE: Councillor Bob Harvey, District 20
Danny Daoud, Coach's Pub

PUBLIC IN

ATTENDANCE: Approximately 5

The meeting commenced at approximately 7:01 p.m.

1. Opening Remarks/Introductions/Purpose of Meeting - Miles Agar

Mr. Agar introduced himself as the planner facilitating the meeting and taking this application through the planning process; Councillor Bob Harvey, District 20; Danny Daoud, applicant and owner of Coach's Pub & Grill; and Andrew Bone and Cara McFarlane, HRM Planning Services.

The agenda and purpose of the meeting was reviewed.

2. Overview of Planning Process - Miles Agar

The zone amendment process was reviewed.

3. Presentation of Proposal - Miles Agar

An application has been received from Coach's Pub & Grill, located at 552 Sackville Drive, to amend the Sackville Drive Land Use By-law (LUB) to consider the size restriction on commercial entertainment uses in the PR (Pedestrian/Retail) Zone.

In this case, the LUB amendment is requested because commercial entertainment uses are restricted to 800 square feet in the PR Zone. The applicant has indicated that 2000 square feet would meet the needs of the business.

The designation under the Sackville Drive Secondary Planning Strategy (SPS) is Pedestrian/Retail as well as the zone. The current land use along this section is various commercial. Generally, this includes the properties on either side of Sackville Drive between Pinehill Drive and Riverside Drive. (The area that would be affected by the proposal was shown.)

A list of commercial entertainment uses within the PR Zone was shown. The LUB permits commercial entertainment uses in all zones except the Floodplain and Community Parkland Facility Zones. The Acadia Village (VC) and PR Zones are restricted to 800 square feet on the commercial entertainment uses and cannot occupy anymore.

4. Questions/Comments

A resident who lives behind the subject property wondered how the parking lot area would be affected by the proposal. Would the building become closer to the residential properties? Mr. Agar explained that the LUB, in terms of parking requirements, are generally the same for a commercial entertainment use as well as a restaurant. Therefore, there is no change in terms of the parking requirements. Mr. Bone clarified that the applicant is not proposing to expand. The business already has 2000 square feet but 800 square feet of that is a licensed lounge and the remainder is a licensed full service restaurant. The structure will remain the same. Mr. Daoud mentioned that they would like to operate the total facility (lounge and restaurant) as a lounge.

Terry Panagiotakos, Sackville Drive, asked if HRM has floor plans of the existing establishment. Mr. Agar explained that there are plans on file from the applicant's development permit application. The floor plans are not available to the public. The application is in regards to the size restriction across the entire PR Zone. Mr. Bone mentioned that the applicant would have been given a letter stating that they are permitted 800 square feet for a lounge.

Mr. Panagiotakos was wondering if the Liquor Board stated that the use was permitted. Mr. Bone said that he has not seen a letter but a permit had been issued by HRM. Mr. Panagiotakos said that there has to be a floor plan and letter given by Development Services in order to go to the Liquor Board. Mr. Agar will check the file. Mr. Panagiotakos said the plans that were given with the application and the ones after the public hearing for the liquor license were different. Mr. Bone explained that under Freedom of Information and Protection of Privacy (FOIPOP) floor plans cannot be issued to the public. HRM can only release certain information.

Mr. Panagiotakos mentioned that two or three years ago he became a member of the Sackville Drive Business Association (SDBA). The plan was to keep this section of the street a certain zone. When he decided to open his business, he was told that he could not do anything that was more than 800 square feet. The site has been improved since he has become the new owner and now that live entertainment will be close to his business, he may decide to develop a residential lot or provide live entertainment more than two nights per week. He believes that a business owner who wants more than 800 square feet of commercial entertainment use should move to a zone where it is permitted. Mr. Agar mentioned that the existing planning policy will be reviewed. Mr. Daoud explained that the main reason for the application is to accommodate the VLT machines. The business hosts karaoke weekly and the odd time, bring in bands. The applicant wants to make things more convenient for the customers.

Doreen McDougall, Sackville Drive, works at Coach's Pub & Grill, mentioned that there is rarely 100 people in the establishment unless a special social is scheduled. Mr. Panagiotakos feels that an extra 200 square feet would be plenty.

5. Closing Comments

Mr. Agar thanked everyone for coming and sharing their comments and concerns.

6. Adjournment

The meeting adjourned at approximately 7:39 p.m.