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MEMORANDUM

TO: Chair and Members of North West Planning Advisory Committee

FROM: Erin MacIntyre, Planner 1

DATE: January 11, 2016

SUBJECT: Case 20154: Application by Crombie Developments Limited to amend the Sackville Drive Land Use Bylaw to add Drive-thru Restaurants and Motel/Hotel/Guest Home to the list of permitted commercial uses in the DC-1 (Downsview Complex-1) Zone

Background: Crombie Developments Limited is requesting an amendment to the Sackville Drive Land Use Bylaw to add drive-thru restaurants and Motel/Hotel/Guest Home uses to the DC-1 (Downsview Complex-1) Zone.

Location: 800 Sackville Drive, Lower Sackville

Existing Use: The property contains a multi-unit commercial building known as Downsview Mall (Success College, Weight Watchers, former Dollarama location), and is the site of the recently demolished Staples building. The property is part of the Downsview commercial centre including Sobeys, RBC, Money Mart and Empire Cinema.

Designation: DB (Downsview- Beaver Bank) under the Sackville Drive Secondary Planning Strategy (Map 1)

Zoning: DC-1 (Downsview Complex 1) Zone under the Sackville Drive Land Use Bylaw (Map 2, Attachment A)

MPS Policy: This application can be considered under Policy DB-1 (Attachment B), which allows Council to consider amendments to the Land Use Bylaw, including additional permitted uses, provided the changes are consistent with the intent of the Sackville Secondary Planning Strategy.

Proposal: The applicant explains their intentions for the property in a letter of request (Attachment C). There has been considerable investment and redevelopment of the site in the past several years. Most recently, the Staples building has been demolished, and it's replacement with one or two commercial buildings, including a drive-thru restaurant, are

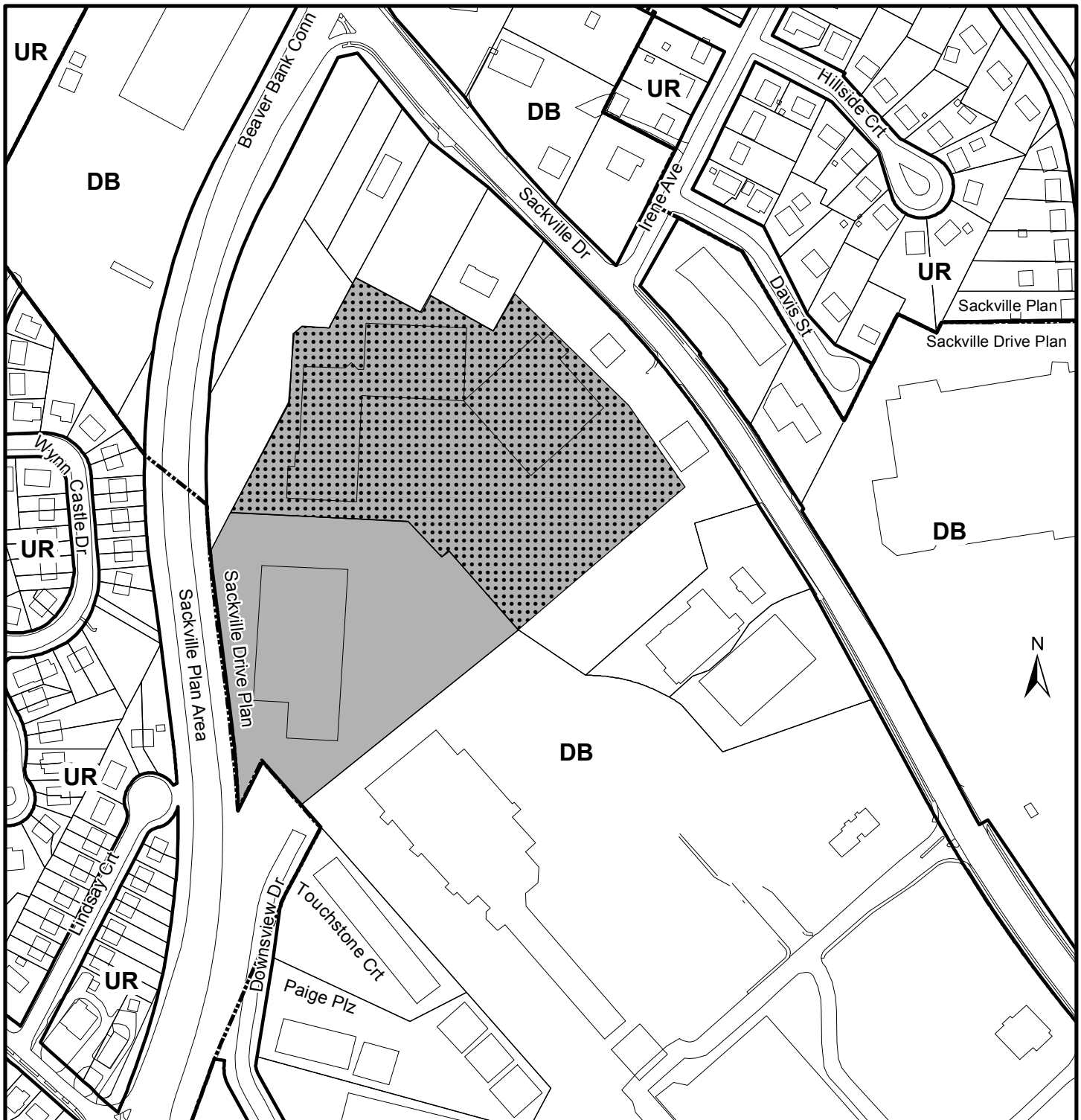
under consideration. The applicant is also contemplating demolition of a portion of the Downsview Mall and replacing it with a hotel. It should be noted that development plans are in an early stage, and this application is limited to considering the addition of the uses to the Land Use By-law.

Input Sought from North West Planning Advisory Committee

Feedback is sought from NWPAC relative to this proposed application. NWPAC's recommendation will be included in the staff report to North West Community Council.

Attachments:




Map 1	Generalized Future Land Use Map
Map 2	Zoning Map
Attachment A	DC-1 (Downsview Complex-1) Zone
Attachment B	Excerpt from Sackville Drive Secondary Planning Strategy
Attachment C	Applicant's Submission



Map 1 - Generalized Future Land Use

800 Sackville Drive,
Sackville

HALIFAX

-  Area Specific to this Application
-  Area of Proposed Land Use By-Law Amendments
-  Plan Area Boundary

Designation

Sackville DB Downview/Beaver Bank Drive

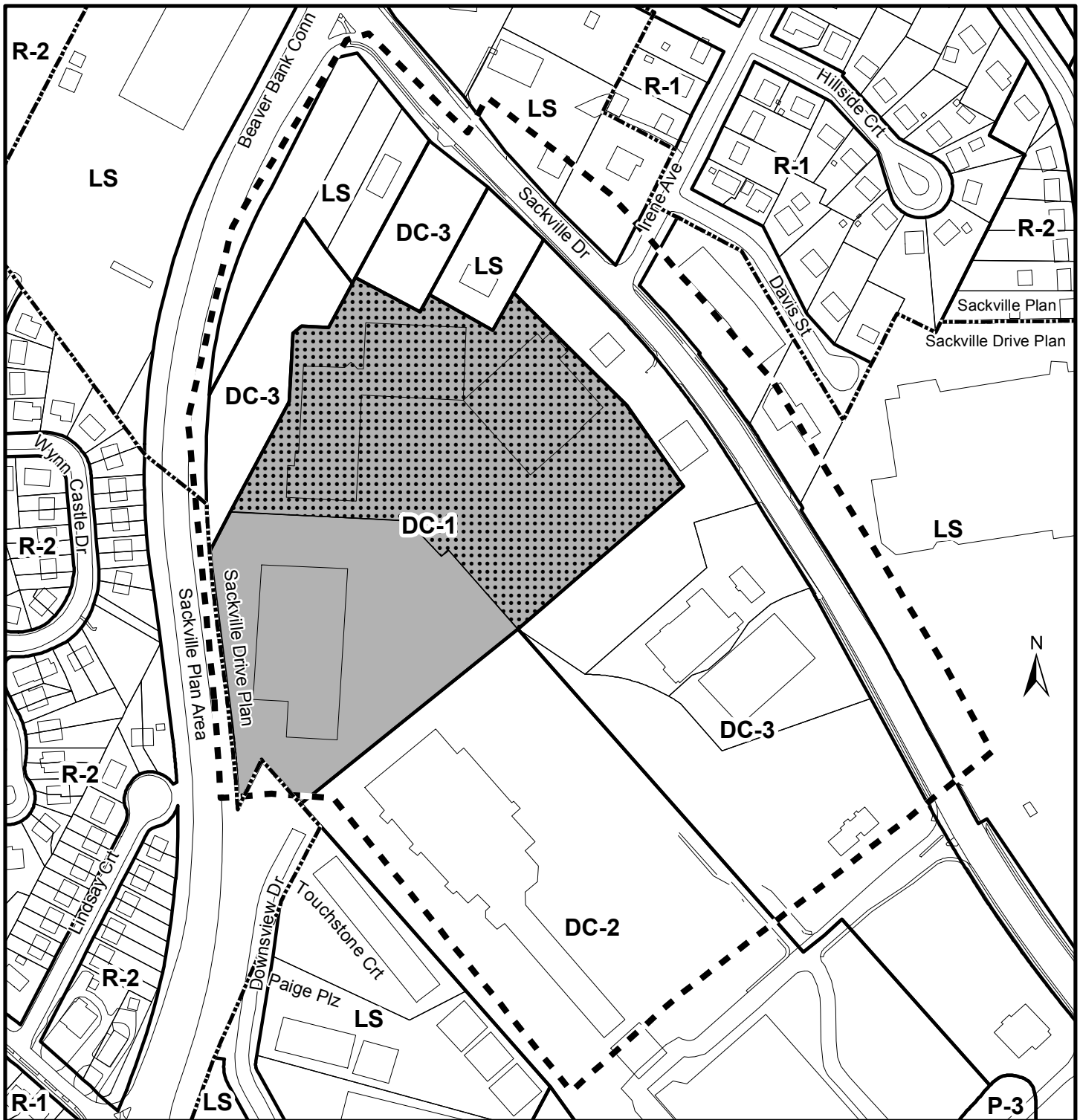
Sackville UR Urban Residential

0 50 100 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.





The accuracy of any representation on this plan is not guaranteed.

Sackville Drive Secondary Plan Area



Map 2 - Zoning and Notification

800 Sackville Drive,
Sackville

-  Area Specific to this Application
-  Area of Proposed Land Use By-Law Amendments
-  Area of Notification
-  Plan Area Boundary

Sackville Drive Secondary Plan Area

Zone

Sackville Drive	LS	Large Scale Commercial
	DC-1	Downsview Complex -1
	DC-2	Downsview Complex -2
	DC-3	Downsview Complex-3
	P-3	Floodplain
Sackville	R-1	Single Unit Dwelling
	R-2	Two Unit Dwelling

HALIFAX

0 50 100 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Case 20154 – Attachment A: Downsview Complex (DC-1) Zone

Part 9: DOWNSVIEW COMPLEX-1 (DC-1) ZONE

Permitted Uses

1. No development permit shall be issued in any DC-1 (Downsview Complex-1) Zone except for the following:

Uses

- Shopping Centres containing any of the following uses:
 - Retail Stores
 - Food Stores
 - Offices
 - Service and Personal Service Shops
 - **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
 - Banks and Financial Institutions
 - Restaurants (full service and take-out)
 - Commercial Entertainment Uses
 - **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
 - Commercial Recreation Uses
 - Garden Market associated with Retail Stores
 - Bakeries
 - Automotive Repair Outlets in conjunction with retail store
 - Educational Institutions (including commercial schools)
 - Denominational Institutions excluding cemeteries
 - Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
 - Civic Buildings including but not limited to public office, post office, fire station, police station, library, museum, and gallery
 - **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
 - Community/Recreational Centre
- Big Box (Large Box Retail) containing any of the following uses:
 - Retail Stores
 - Food Stores
 - Offices
 - Service and Personal Service Shops
 - **Health and Wellness Centres (RC-Apr 12/05;E-May 7/05)**
 - Banks and Financial Institutions
 - Restaurants (full service and take-out)
 - Commercial Entertainment Uses
 - **All Age/Teen Club (RC-Apr 12/05;E-May 7/05)**

- Commercial Recreation Uses
- Garden Market associated with Retail Stores
- Educational Institutions (including commercial schools)
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited

- Community Parkland and Facility uses

Uses Permitted by Site Plan Approval

2.
 - Shopping Centres
 - Big Box (Large Box Retail)

Lot Provisions

3.

Minimum Lot Area.....	2,787 m ² (30,000 ft ²)
Minimum Lot Frontage.....	18.3 m (100 ft)
Minimum Front/Flankage Yard Setback.....	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Rear Yard Setback.....	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Sideyard Setback.....	0 m (0 ft) and 18.28 m (60 ft) where abutting any residential zone or use, unless otherwise specified in this Bylaw
Maximum Lot Coverage.....	80 %
Number of Driveways.....	One per lot with frontage less than 30.5 m (100 ft)

SITE PLAN APPROVAL

4. No development permit shall be issued for a shopping centre or a big box (large box retail) in the DC-1 (Downsview Complex-1) Zone prior to the Development Officer 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. Notwithstanding, site plan approval shall not be required for a change in use or occupancy within an existing building, **internal renovations with no external renovation or modifications to an existing building, (RC-Apr 12/05;E-May 7/05)** or any signage associated with a change in use or occupancy.
5. Where provisions of the Site Plan Approval conflict with Part 6 and Part 7, the Site Plan Approval provisions shall prevail.

General Requirements for Site Plan Approval: Shopping Centres and Big Box (Large Box Retail)

6. All shopping centres (including expansions) within the Downsview Complex-1 (DC-1) zone shall be subject to the approval of a Site Plan.
7. The Development Officer shall approve a site plan where the following matters have been addressed:
 - (1) a left-hand turn lane stall to allow easy left turns from the mall as generally shown on Schedule C;
 - (2) safe pedestrian linkages connecting the Mall to the parking lots, public transit system, the Plaza and Sackville Drive. The pedestrian linkages may be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
 - (3) at intersections, crosswalks and main building entries, a change in sidewalk color, texture, raised or material shall been utilized. Paint striping to accentuate these areas shall be prohibited;
 - (4) sidewalks along the entire front facade of the building (i.e. Downsview Mall);
 - (5) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building (i.e. Downsview Mall) and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;
 - (6) landscape elements including but not limited to light poles, furniture clusters, seating, trees, shrubs and planter boxes, are provided in clusters/groupings along Sackville Drive in the area identified on Schedule C. Each cluster/group contains a minimum of one (1) benches, one (1) light, one (1) street tree with a combination of small shrubs, planters and other landscape elements;
 - (7) street trees identified in Appendix B are provided along both sides of Walker Connector thoroughfare at a rate of one (1) tree for every 50 feet as a means of minimizing visual impact of the large parking lot;
 - (8) a ground sign at the intersection of Walker Connector and Sackville Drive is provided. The ground sign shall incorporate a pedestrian shelter, community bulletin and seating area. The ground sign shall comply with all applicable signage regulations with the except of sign area and may be excluded from the permitted total number of signs requirement; and
 - (9) all of the items required by this policy shall be adequately maintained.

Case 20154

Attachment B: Excerpt from Sackville Drive Secondary Planning Strategy

5.2 The Downsview-Beaver Bank Designation

The Downsview-Beaver Bank Designation refers to all public and private lands located between the Beaver Bank Connector and Riverside Drive including Walker Avenue and Old Sackville Road. The proximity to the regional transportation system and diversity of land uses, provides both unique opportunities and challenges. Based on these opportunities and constraints, the following policy objectives have been identified for the Downsview-Beaver Bank Designation:

Policy DB-1

A Downsview-Beaver Bank Designation shall be established as shown on Schedule 'A' - Generalized Future Land Use, that shall:

- (a) encourage the creation of a visually attractive and viable retail power centre in Sackville;
- (b) discourage new high density residential uses, other than within the Downsview Complex Zones and with the exception of a mixed use multiple unit development at 8 Walker Avenue and 732 Old Sackville Road as permitted by Development Agreement due to its proximity to the Halifax Transit Sackville Terminal (RC-Jul 21/15;E-Sep 12/15);
- (c) discourage small scale retail and commercial uses within the Large Scale Commercial Zone;
- (d) encourage the restoration of the Downsview Shopping Centre and Plaza to re-instill it as an important and viable community commercial centre;
- (e) improve vehicular movement;
- (f) create a recognizable entry into Sackville Drive;
- (g) improve the visible and physical connection to the Little Sackville River; and
- (h) improve the quality and image of the streetscape.

5.2.3 Reinvalidate the Downsview Shopping Centre

The Downsview shopping area is viewed as an important community centre, however, the recent closure of K-Mart, the growing competition among retail establishments, and the cyclical shifts in the retail industry have left the Downsview Mall in a state of flux. Specifically, maintaining viable community shopping in the area has become ever more difficult.

Experts contend that the decline of shopping centres is a result of changing demographics and tastes. Specifically, the "love affair" with the shopping centres seems to have stalled, and as competition from stand-alone mega-stores grows and fewer department stores "anchor" these centres, they have gradually become less attractive. Moreover, competition from discount retailers and a resurgence of old-fashioned main street shopping has drawn customers away. The creeping sameness of malls also contributes to the "mall malaise".

In response to the decline of the traditional shopping centre format, many centres have been reinvented. Specifically, with major structural renovations and fresh approaches to retailing,

many failing centres have become true success stories. The Sunnyside Mall in Bedford is a good example of a mall reinvented.

For this reason, it shall be the intention of this strategy to ensure basic principles of shopping centre re-design are encouraged to reinvigorate the shopping centre and restore it to an important and viable commercial entity again. These methods include the introduction of new uses, increasing the density of the centre, improving internal vehicular and pedestrian movement, and improving accessibility.

5.2.3.1 Land Uses

At present, the range of stores and services within the Downsview Complex are limited. To attract more consumers back to the mall strategies to increase the diversity of uses should be considered. For instance, many malls have been turning to entertainment, which is being called the hot shopping centre trend of the millennium. Just as food courts boosted mall traffic in the 1980s, analysts predict movie theatres, and other forms of interactive entertainment, will win back shoppers in this decade. Moreover, many malls have capitalized on the growing market for interactive educational experiences, including stores such as the Discovery Channel store that leads the market in education retailing.

The introduction of new residential uses within shopping complexes has successfully been applied in reinvented malls. New high density residential uses provide excellent opportunity for introducing a new consumer market, and for maximizing the provision of public transit and central services. Seniors' residential developments are considered especially appropriate land uses within or near shopping malls, given the easy access to services.

The introduction of small office towers is another key strategy used to reinvent poorly performing shopping centres. The growing demand for suburban office space lends credibility to this strategy.

5.2.3.2 Internal Circulation and Access

Another important component to the overall viability of the shopping centre is its internal circulation. At present, Downsview Plaza does not foster a pedestrian friendly environment, nor does it advance quick and efficient vehicular movement. Consequently, a more inward focus is encouraged so to facilitate free and easy internal pedestrian and vehicular movement between the various buildings contained within the Plaza.

To ease a better relationship between pedestrians and automobiles, it is recommended that traffic circulation and flow patterns be adjusted so as not to overpower the pedestrian. Every effort should be made to place bus stops at the main building entrance, to connect all buildings with walkways, to create safe pedestrian street crossings, and to consolidate driveways.

The future success of the Downsview Complex is also dependent upon the ability to improve and facilitate easy and efficient access to the Plaza. A planted median in several locations along Sackville Drive may improve the overall movement of traffic and improve the access and egress to and from the Plaza. New signals at the intersection of Walker Connector and Sackville Drive would improve left-hand turns. Consideration should also be given to reconfiguring the southern entrance into WalMart to reduce some congestion at the northern entrance across from the SuperStore.

5.2.3.3 Site Plan Approval

The community recognizes that the planning/development approval process for commercial projects has, in the past, been long and cumbersome and very costly to the developer. Unfortunately, the time and money involved in the planning process has been counterproductive in that it has discouraged the developer from investing in the time it would take to receive approval to redevelop the plaza.

A significant portion of the delay can be attributed to the lack of clear vision for Sackville. Specifically, where a clear vision, goals and objectives are lacking, a great deal of time and energy is required to negotiate and undertake public consultation as the municipality, developer and residents work toward a plan or proposals of acceptable character and quality. However, where a clear vision has been developed by the community, and is generally accepted by residents and businesses alike, the approval process time could be greatly reduced. Therefore, to encourage the redevelopment of the Plaza, the approval of all new buildings, or additions to existing buildings, should be permitted as-of-right through site plan approval process. This process would not only reduce the overall length of the permit processing time, but it would ensure an overall comprehensive and well-planned development.

Policy DB-4

Within the Downsview-Beaver Bank Designation, Downsview Complex Zones 1, 2 and 3 shall be established and applied to the lands shown on Schedule B. The Zones shall facilitate a comprehensive approach to shopping centre redevelopment by encouraging: a broader range of land uses; increased density; commercial and residential infilling; improved internal vehicular and pedestrian movement and improved accessibility to the site. Within the Zones, permitted uses shall include, but not be limited to, commercial, institutional, community, and residential uses, including new multiple dwelling uses. All uses in existence of as May 7, 2002, shall be permitted. Site Plan Approval shall be required for all uses, *excluding internal renovations with no external renovation or modifications (RC-Apr 12/05;E-May 7/05)*, within the Downsview Complex Zones 1, 2 and 3. Site Plan approval criteria and general provisions shall be established in the Land Use By-law to regulate the: location of all building and structures; location, number and width of driveway entrances; location of parking and loading facilities; type, location and height of walls, fences, hedge; the location of shrubs groundcover or other landscaping elements; retention of exiting vegetation; location of walkways and all other means of pedestrian access; type and location of outdoor lighting; location of service easements; grading and alteration for the management of stormwater and surface waters; type, location and

number of signs or sign structures; location of solid waste facilities; maintenance; and architectural controls.



July 27, 2015

Thea Langille, Major Projects Planner

HRM Planning and Development, Development Approvals

Eastern Region, Alderney Gate office

40 Alderney Drive

Dartmouth, NS

B2Y 2N5

RE: Application to Amend the Sackville Drive Land Use By-law

Dear Thea:

Please accept the enclosed materials as our application to amend the Sackville Drive Land Use By-law. The purpose of the application is to enable drive thru facilities (such as restaurant and banks) and hotel/motel uses as permitted uses within the DC-1 Zone.

Over the past two years, Crombie has undertaken a significant investment program at Downsview. This has included redevelopment of the former Walmart location and a complete exterior façade renovation, both of which have improved the aesthetics, tenant mix and customer experience at the shopping centre. As our work at Downsview continues we have been planning for the redevelopment of the former Staples location. As we discussed last year, drive thrus and hotels are permitted on the vast majority of the Downsview site but not in this particular area. Therefore we are submitting this application to permit both of these uses within this particular Downsview zone (DC-1).

We are currently looking at potential redevelopment scenarios: 1) demolition of the Staples building and a portion of Downsview Mall, along with redevelopment with a pad, plaza, and hotel; or 2) demolition of the Staples building and a portion of the Downsview Mall along with redevelopment with two pads and a hotel. I would stress that although we have had conversations with hotel banners, we do not have a deal in place at this time. Having said that, enabling hotels as a permitted use would certainly be beneficial to these conversations. With respect to drive thrus, we simply believe that this is an ideal location for uses that may require these facilities, such as restaurants and/or banks, especially given that drive-thrus are permitted elsewhere on the site. In addition to two concept plans that illustrate the options that we are considering at this stage, I have also attached a conceptual rendering of the redevelopment. We believe the plaza and pads, which are based on the design guidelines in the LUB and on our most recent design prototype (Bedford South, Elmsdale, Russell Lake are examples), would be an attractive addition to the site. For your information, we are also preparing to apply for a permit to demolish the Staples building. Demolition of a portion of the Downsview Mall would take place in the future.

In addition to the plans and renderings, I have also enclosed photographs of similar commercial buildings that we have recently built in and around HRM. The design of the multi-tenant plaza is based on our new proto-type and consists primarily of brick, cultured stone and glass storefront. While the exterior design of pad buildings would be based to some degree on the tenant's own brand preferences, we are confident that any new buildings that meet our own internal design requirements as well as those of the Land Use By-law would provide a positive addition to the centre. Furthermore, replacement of the former Staples space and a portion of the Mall with a new hotel and commercial uses, along with the associated site design and landscaping improvements would augment the appearance of the centre and the mix of commercial services available to the community.

Redevelopment similar to that illustrated on the enclosed materials is consistent with the intent of Municipal Planning Strategy Policy DB-1. More specifically, such a redevelopment supports the intention of criteria (a), (d), (e), (f) and (h). Redevelopment would also trigger the design and site planning provisions of the Land Use By-law, thereby facilitating and ensuring conformance with the provisions of Policy DB-4. I also bring to your attention our past and ongoing cooperation with HRM and community groups regarding improving connection to the Little Sackville River as set out in Policy DB-1 (g). Although not directly related to the proposal at hand, Crombie has provided HRM with a public easement over a portion of its land and is in discussions to provide a further easement that would enable a public trail over our site from Sackville Drive to Old Sackville Road.

I trust that you will find the enclosed information satisfactory and in order. If you require any further information or clarification, please do not hesitate to contact me.

Sincerely,

Original Signed

✓ Joseph Driscoll
Manager of Real Estate and Development Planning, Atlantic Region
Crombie REIT