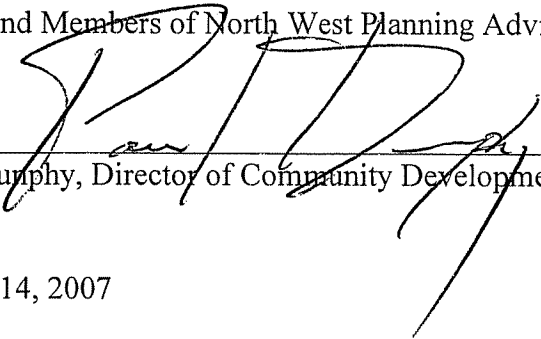


**North West Planning Advisory Committee**  
**April 4, 2007**

**TO:** Chair and Members of North West Planning Advisory Committee

**SUBMITTED BY:**   
Paul Dupphy, Director of Community Development

**DATE:** March 14, 2007

**SUBJECT:** **Case 00994: Sackville Drive Land Use By-law Amendment**  
**Residential Care Facilities in the Pinehill/Cobequid Zone**

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**ORIGIN**

Request by the NS Department of Community Services, on behalf of the Province of Nova Scotia, to include residential care facilities as a permitted use within the Pinehill/Cobequid (PC) Zone of the Sackville Drive Land Use By-law.

**RECOMMENDATION**

It is recommended that North West Community Council:

1. Give First Reading to the proposed amendment to the Sackville Drive Land Use By-law to add residential care facilities as a permitted use within the PC (Pinehill/Cobequid) Zone, as shown in Attachment "A", and schedule a public hearing.
2. Approve the proposed amendment to the Sackville Drive Land Use By-law to allow residential care facilities in the PC (Pinehill/Cobequid) Zone, as shown in Attachment "A".

## **BACKGROUND**

Staff were approached by representatives from the NS Department of Community Services regarding the use of the former Cobequid Centre, at 70 Memory Lane in Sackville. The Province wishes to reuse the two- storey vacant building for a residential care facility capable of providing housing for about 25 residents with mental health challenges. The Province is proposing internal renovations to provide appropriate facilities for residents and support staff with the potential for offices of similar agencies on the second floor. There are no proposed additions, at this time; exterior renovations will involve new windows, facade improvements and landscaping including the creation of gardens and sitting areas.

The subject property is located at 70 Memory Lane and is described as follows:

- it is zoned and designated Pinehill/Cobequid (PC) Zone under the Sackville Drive Land Use By-law (LUB). The PC zone permits a range of commercial, residential and institutional uses.
- the parcel is three acres (1.21 hectares) in area and is situated at the eastern entrance to Sackville Drive
- it is developed with an existing one and half storey structure with a total area of 36,000 square feet (3344 m<sup>2</sup>)
- it is surrounded on all sides by collector roads, which effectively isolate it from surrounding properties.
- it is in the vicinity of a mix of uses: houses (most of which have associated businesses); a large veterinary clinic; a day care, a car dealership and Fultz House Museum, a municipally registered heritage property.

## **DISCUSSION**

The PC Zone was applied to the portion of Sackville Drive that acts as a gateway to the community. The Zone establishes a balance of uses which are recognized as a key component to the success of the area (Attachment "B"). There are a number of established large scale commercial and institutional uses in the area and the PC zone permits a wide variety of uses including multi-unit dwellings, motels, civic buildings and medical clinics (Attachment "C"). A residential care facility is a similar use to those which are currently permitted and is in keeping with the intent of the Pinehill/Cobequid designation. The MPS supports the inclusion of institutional uses, of which residential care facilities would be typical.

### ***Limited or reduced impact***

Staff feel the proposal will have a limited impact as there are few PC zoned properties that would be suitable for a provincially regulated care facility (*Map 2*). Staff anticipate that the proposed use in this location would have less impact on the community than the previous use as a hospital or other commercial or institutional uses allowed under the zoning. A residential care facility is expected to have less traffic and activity than generated by the former Cobequid Centre, which had high turn-

over medical uses. Furthermore, this type of use would likely have a traffic pattern similar to a multi-unit residential building, with less volume than a commercial or institutional use.

### ***Landscaping and site aesthetics***

As the first major building at the eastern entrance to Sackville Drive, the site has high visibility. Concern was expressed that security fencing and the removal of the existing rose hedge would be a step back from earlier efforts to beautify the area. The building will be a permanent home for residents and the intent is to create a hospitable setting with improvements to the grounds and interior. Site improvements are, for the most part, outside of the control of the LUB; representatives from the Province have indicated that they will comply with HRM's regulations and guidelines. As the proposal involves the re-use of an existing structure, the landscaping controls which apply to Sackville Drive will not be activated. Landscaping requirements would have to be met in the case of a proposed addition or new structure.

### ***Environmental protection***

At the Public Information Meeting, the Province was requested to consider installing a holding tank on the property to address the Sackville sewage overflow issue, install an oil/grit separator, establish a green roof and design the parking lot to retain water. The Province will consider these suggestions and will comply with all applicable HRM Development Engineering requirements.

### ***Form of care***

Concerns were expressed over how the Province was implementing care programs; residents believed this proposal was a step towards institutionalization. The provincial representative stated that this facility would provide the intervention and support required for some individuals to move back into the community. Direction of care is not under the control of the Municipality and is not considered relevant to this application.

### ***Access Nova Scotia***

Originally there had been some discussion about locating an Access Nova Scotia at this site, however, the Province did not pursue this option. This application does not affect the potential of locating a Service Nova Scotia facility at another site in the community.

### ***Public Information Meeting/Notification Area***

A public information meeting was held on February 15, 2007. Minutes of the meeting are attached as Attachment D. The notification area is indicated on Map 3. If Community Council decides to hold a public hearing regarding this application, property owners within the notification area identified on Map 3 will be notified.

### **Conclusion**

Renovating the former Cobequid Centre into a residential care facility is a suitable re-use of a vacant site at the entrance to a thriving community. A review of the policy and feedback from the public illustrates that the proposal is compatible with the intent of Plan policy, with neighbouring development and with existing infrastructure. The addition of residential care facilities as permitted uses within the PC Zone will apply to a small number of properties but is likely to have the most

significant impact on the former Cobequid Health Centre site. The proposed facility has the potential to rejuvenate a highly visible site without negatively affecting the community. Staff could not identify any issues which would suggest that this proposal is inappropriate on this site or that residential care facilities are inappropriate in the PC Zone. It is recommended that North West Community Council approved the proposed Land Use By-law amendments as shown in Attachment "A".

### **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.

### **ALTERNATIVES**

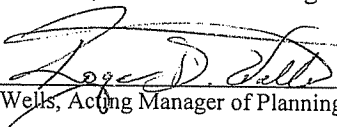
1. Council may choose to approve the proposed amendments to the Land Use By-law. This is the staff recommendation for reasons described above.
2. Council may choose to refuse the proposed amendment to the Land Use By-law, and in doing so, must provide reasons based on a conflict with MPS policies. This alternative is not recommended as staff are satisfied that the proposed amendment is consistent with the policies and intent of the MPS.

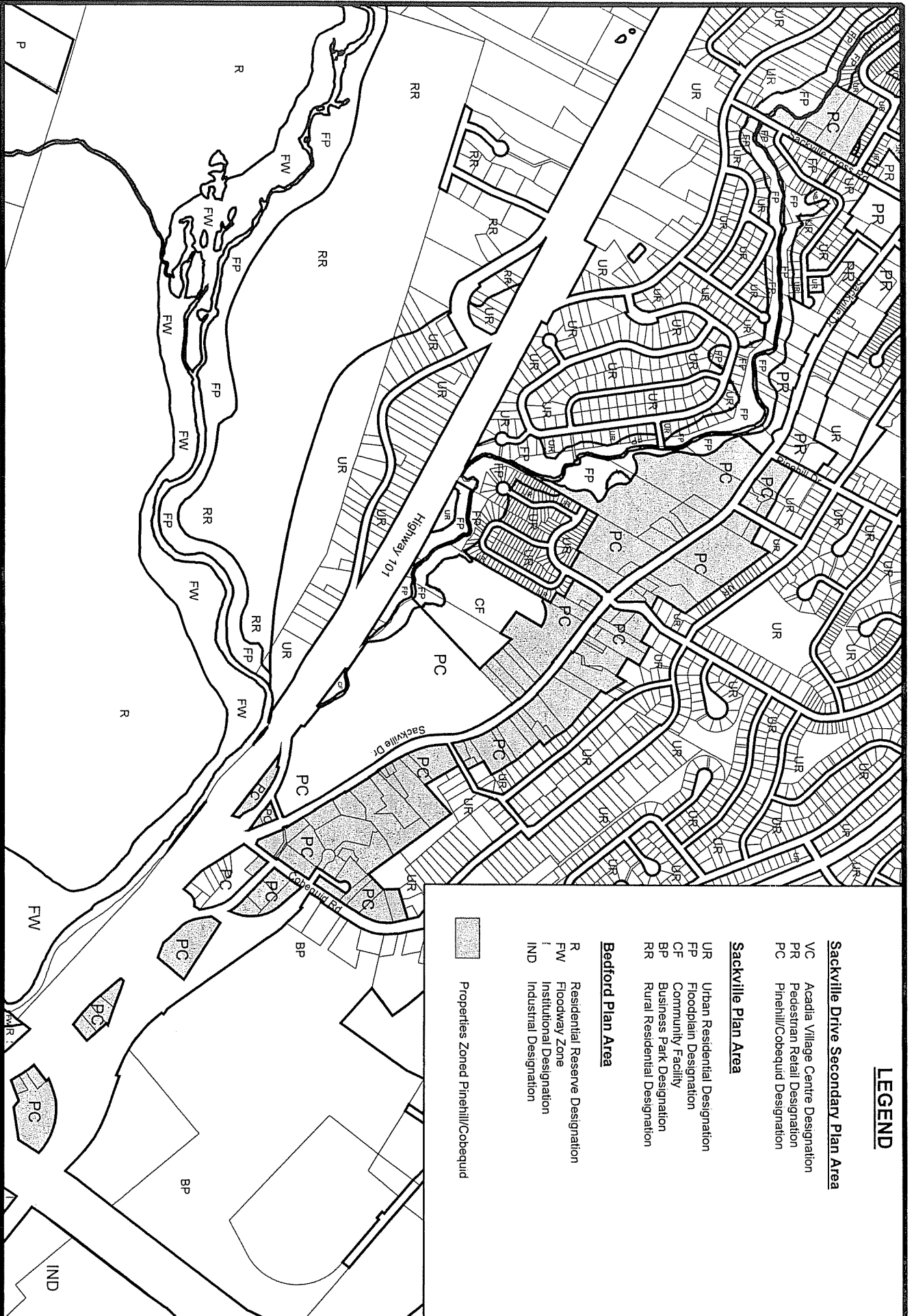
### **ATTACHMENTS**

Map 1: Generalized Future Land Use Map  
Map 2: Zoning Map  
Map 3: Notification Area  
Attachment A: Amendments to the Sackville Drive Land Use By-law  
Attachment B: MPS Policies  
Attachment C: LUB Requirements for PC Zone  
Attachment D: Public Information Meeting Minutes- February 15, 2007

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: Leticia Smillie, Planner 1- Planning Applications: Community Development 869-4747

Report Approved by:   
Roger Wells, Acting Manager of Planning Services, 490-4373



**LEGEND**

**Sackville Drive Secondary Plan Area**

- VC Acadia Village Centre Designation
- PR Pedestrian Retail Designation
- PC Pinehill/Cobequid Designation

**Sackville Plan Area**

- UR Urban Residential Designation
- FP Floodplain Designation
- CF Community Facility
- BP Business Park Designation
- RR Rural Residential Designation

**Bedford Plan Area**

- R Residential Reserve Designation
- FW Floodway Zone
- I Institutional Designation
- IND Industrial Designation

Properties Zoned Pinehill/Cobequid

**Map 1**  
Generalized Future Land Use

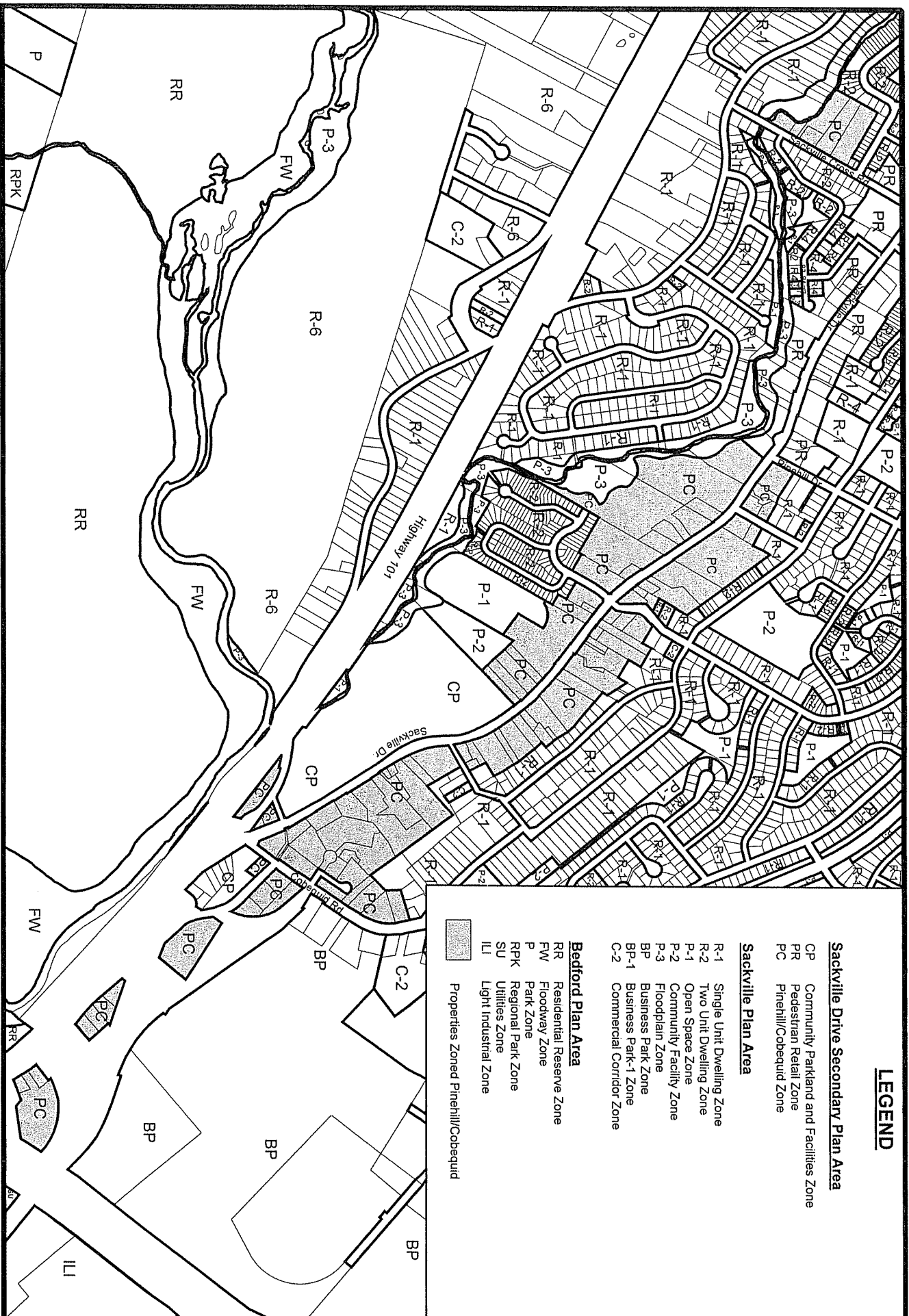


Mar. 13, 2007

HRM does not guarantee the accuracy of any base map information on this map.

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**LEGEND**

**Sackville Drive Secondary Plan Area**

- CP Community Parkland and Facilities Zone
- PR Pedestrian Retail Zone
- PC Pinehill/Cobequid Zone

**Sackville Plan Area**

- R-1 Single Unit Dwelling Zone
- R-2 Two Unit Dwelling Zone
- P-1 Open Space Zone
- P-2 Community Facility Zone
- P-3 Floodplain Zone
- BP Business Park Zone
- BP-1 Business Park-1 Zone
- C-2 Commercial Corridor Zone

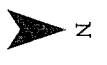
**Bedford Plan Area**

- RR Residential Reserve Zone
- FW Floodway Zone
- P Park Zone
- RPK Regional Park Zone
- SU Utilities Zone
- LI Light Industrial Zone

Properties Zoned Pinehill/Cobequid

Map 2  
Zoning

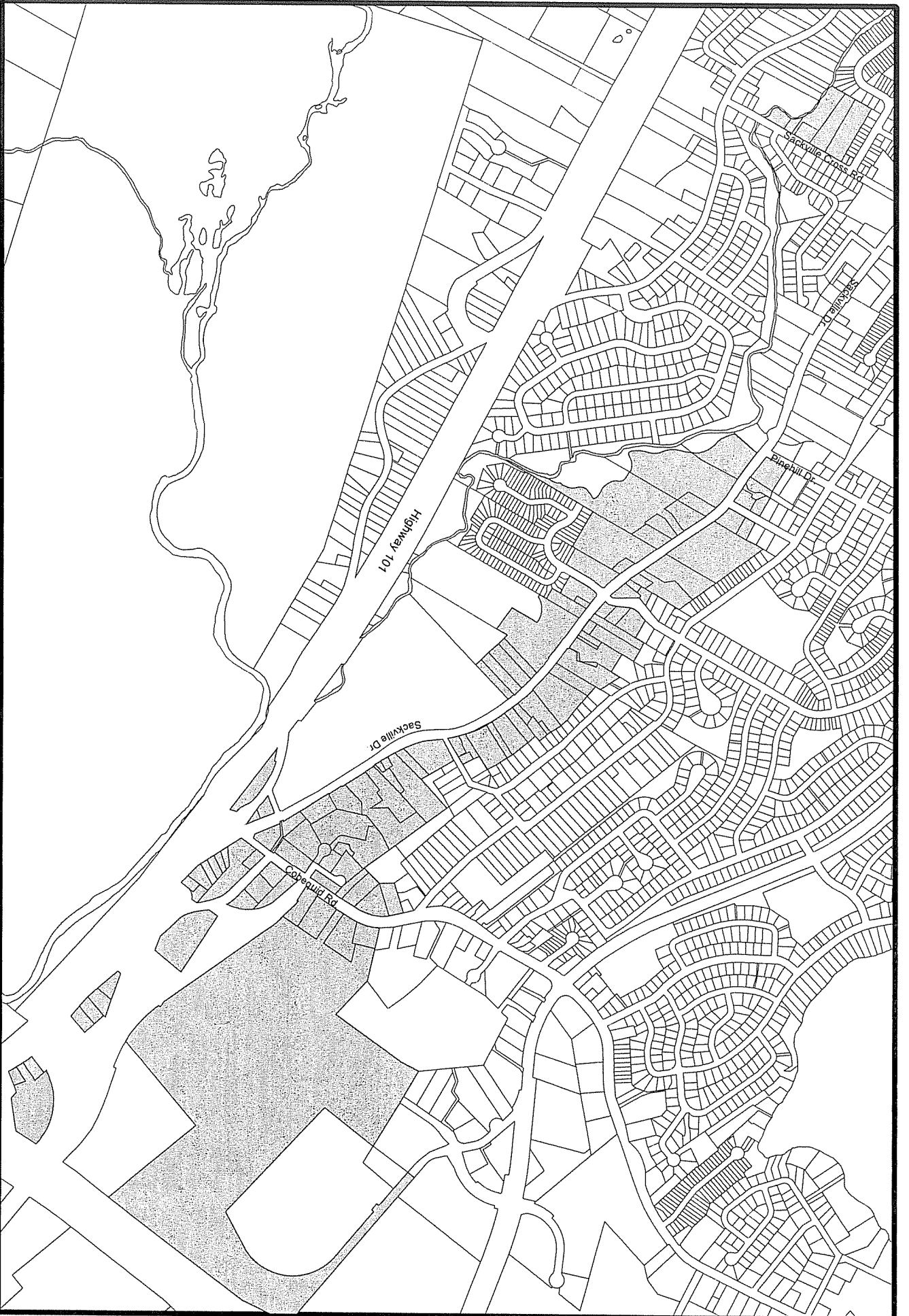
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**Map 3**  
**Notification Area**

Mar. 14, 2007

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**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 7<sup>th</sup> day of May, 2002, and approved by the Minister of Municipal Affairs on the 24<sup>th</sup> day of June, 2002 as amended, is hereby further amended as follows:

1. Section 1 of Part 14 shall be amended by adding the following text after "Community Parkland and Facility uses" in the list of Permitted Uses:

**Residential Care Facilities**

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 \_\_\_\_\_, 2007

GIVEN under the hands of the Municipal Clerk and Under the Corporate Seal of the Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
Jan Gibson  
Municipal Clerk



**Attachment B**  
**Relevant MPS Policies**

Policy LD-2

Within the Pinehill - Cobequid Designation, a Pinehill - Cobequid Zone shall be established and applied to the lands shown on Schedule B. The Zone shall permit a mix of commercial, institutional and residential use, and emphasize car related uses. The permitted land uses shall include, but not limited to, automotive repair outlets, car washes, service stations, retail, food, personal service, offices, schools, banks, restaurants (full service, take-out, drive-thru), commercial entertainment, and motel and hotel uses. The Zone shall permit *one and two residential units where accompanied by commercial uses, (RC-Apr12/05;E-May7/05)* multiple and townhouse uses. Townhouse dwellings shall be grouped and may be developed on private roads. All uses in existence as of May 7, 2002, shall be permitted.

Attachment C  
LUB Requirements for PC Zone

Part 14:

PINEHILL/COBEQUID (PC) ZONE

Permitted Uses

1. No development permit shall be issued in any PC (Pinehill/Cobequid) Zone except for the following:

Commercial Uses

- Retail stores
- Food stores
- Building Supply Outlets
- Personal service shops
- Health and Wellness Centres (NWCC-May26/05;E-May28/05)
- Offices
- Commercial schools
- Banks and financial institutions
- Restaurants (full service, take-out, drive-thru)
- Shopping Plaza/Strip Mall
- Commercial Entertainment
- All Age/Teen Club (NWCC-May26/05;E-May28/05)
- Motels, Hotels
- Guest Homes
- Bed and Breakfasts
- Commercial Recreation
- Automotive Service Stations
- Greenhouses and nurseries
- Garden Market in conjunction with a retail store
- Welding, plumbing and heating, electrical, automotive and other special trade contracting services and shops
- Re-cycling depots
- Automotive Repair Outlets
- Funeral Parlours and undertaker establishments
- Bakeries (including wholesale)
- Printing and publishing establishments
- Car Wash
- Service Shop
- Outdoor Display Courts (RC-Sep5/06;E-Oct7/06)
- Existing auto body 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, 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 (detached and semi-detached) Dwellings
- Townhouses
- Multiple Unit Dwellings

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Part 14 Section 1, in any PC Zone, no development permit shall be issued for a new commercial buildings or structures with a footprint greater than 15,000 square feet (1,393.5 m<sup>2</sup>), or any expansion to a building or structure which currently exceed a footprint of 15,000 square feet (1,393.5 m<sup>2</sup>), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 15,000 square feet (1,393.5 m<sup>2</sup>) on any PC 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 ..... 929 m<sup>2</sup> (10,000 ft<sup>2</sup>)  
Minimum Lot Frontage ..... 18.3 m (60 ft)  
Minimum Front/Flankage Yard Setback ..... 4.6metres (15ft) (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 ..... 4.6 m (15 ft), except 6.1m  
(20 ft) corner vision triangle  
required for corner lot and ½  
height of the buildings where  
abutting any residential zone

or use. 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 Lot Coverage .....	50 %
Minimum Pervious Surface Area .....	20 %
Number of Driveways .....	One per lot with frontage less than 30.5 m (100 ft)

Lot Provisions for Townhouses

- 4. Minimum Lot Area ..... 185.8 m<sup>2</sup> (2,000 ft<sup>2</sup>) per dwelling where each dwelling unit of a townhouse dwelling is located on a separate lot
- Minimum Lot Frontage ..... 6.1 metres (20 feet) per dwelling where each dwelling unit of a townhouse dwelling is located on a separate lot or 18.2 metres (60 feet) per lot with two (2) or more units
- Minimum Front or Flankage Yard Setback ..... 6.1 metres (20 feet)
- Minimum Rear Yard Setback ..... 2.4 metres (8 feet)
- Minimum Sideyard Setback ..... 3 metres (10 feet) or 0 meters (0 ft) from the side being common with another dwelling unit except 6.1m (20 ft) corner vision triangle required for corner lot
- Maximum Lot Coverage ..... 35 %
- Minimum Width of Main Building ..... 6.1 m (20 ft)
- Minimum Pervious Surface Area ..... 20 %

- 5. 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: 30 Old Sackville Road

- 6. Notwithstanding Part 14 Section 3, the property identified as 30 Old Sackville Road (PID# 40010241) shall be subject a minimum lot area of 558 m<sup>2</sup> (6,000 sq ft), if subdivided, rather than required 929m<sup>2</sup> (10,000 sq ft). In addition, PID# 40010241 shall

not be subject to the minimum landscape setback requirement of 4.6 m (15ft) but shall be subject all other applicable provisions of this Bylaw. (RC-Sep5/06;E-Oct7/06)

SPECIAL REQUIREMENTS: Multiple Unit Dwellings

7. Notwithstanding the provisions of Part 14, where any multiple unit dwelling is permitted (NWCC-Sep12/06;E-Sep29/06), the following shall apply:
- (1) 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

8. No development permit shall be issued within the Pinehill/Cobequid Zone (PC) for an outdoor display court 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. (RC-Sep5/06;E-Oct7/06)
9. 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

**HALIFAX REGIONAL MUNICIPALITY  
PUBLIC INFORMATION MEETING**

**CASE NO. 00963, 00994 and 01000 - Sackville Drive Land Use By-law Amendments**

7:00 p.m.  
Thursday, February 15, 2007  
Sackville Library, Fenerty Room

IN ATTENDANCE: Andrew Bone, Planner II, HRM Planning Services  
Leticia Smillie, Planner I, HRM Planning Services  
Cara McFarlane, Administrative Support, HRM Planning Services

ALSO PRESENT: Councillor Bob Harvey, District 20  
Ed Lake, Department of Community Services  
Lorna MacPherson, Department of Community Services  
Kevin Riles, Caohmin Consulting  
Kara Weatherby, Pinky's Skoopmore  
Walter Regan, a member of North West Planning Advisory (NWPAC)  
Committee and Sackville River Association (SRA)

PUBLIC IN  
ATTENDANCE: Approximately 6

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The meeting commenced at approximately 7:05 p.m.

Opening remarks/Introductions/Purpose of meeting

Leticia Smillie introduced herself as the Planner assigned to two of the applications being discussed (Cases 00963 and 00994) and Andrew Bone as the Planner assigned to third application (Case 01000); Councillor Bob Harvey, District 20; Ed Lake and Lorna MacPherson, Department of Community Services; Kevin Riles and Kara Weatherby, Pinky's Skoopmore; and Cara McFarlane, Administrative Assistant.

Ms. Smillie showed the agenda for the meeting on overhead.

The purpose of the meeting is to identify that HRM has received an application, to identify the scope of the proposal and to look for feedback of issues and concerns.

Overview of planning process

The application was received. A public information meeting is held and completed. The comments are taken back and reviewed in terms of planning policy for the Sackville Drive area. A staff report with a recommendation is created. This staff report is reviewed by advisory committees that are applicable to the area and then it moves forward to community council where a public hearing date would be scheduled.

Presentation of Proposal

All three applications involve a change of the specific regulations and permitted uses found in the zoning of the Land Use By-law (LUB) for Sackville Drive. The proposed changes are supported by policy under the Secondary Planning Strategy (SPS) but they were not considered at the time when the specifics of the LUB were being worked out.

a) Case 00963

This application was requested by North West Community Council (NWCC) to amend the Sackville Drive LUB to allow for personal service shops (massage therapy, hair salons, tailor shops, and retail services) in existing multi-unit dwellings found in the LS (Large Scale Commercial) Zone. NWCC is asking that existing retail uses be recognized as allowable uses in existing multi-unit dwellings.

Large scale apartment buildings often have these types of uses on the ground floor to provide services for people within the apartment building and the surrounding area.

The Sackville Drive LUB was recently adopted in 2002. At that time, staff did not include existing retail uses in multi-unit dwellings under allowable uses. These existing uses are then turned into non-conforming uses which was not the intent at the time.

There are a small number of properties that would be affected by this proposal. A survey will be conducted to find out exactly how many multi-unit dwellings have these existing uses and the results will be included in the staff report.

Sites with existing multi-unit dwellings that will be affected by the proposed changes were shown on the map.

Questions and Comments

Walter Regan, a member of NWPAC and SRA, wondered about multi-unit dwellings that will be built in the future. Mr. Bone is not sure if this zone allows it as a new use. The information will be verified in the staff report and a recommendation will be provided to Council. The impact of the proposal is primarily in the LS Zone which is located at the north end of Sackville Drive. Outside the LS Zone within the Sackville Drive plan area, first floor commercial is permitted. There is an option for new buildings to have these uses (if over a 2,500 square feet) by development agreement.

Mr. Regan wondered about businesses coming in after the existing one is gone. Mr. Bone said as long as the use is permitted in the zone.

Mr. Regan asked if new businesses will have to follow the streetscape requirements. Mr. Bone said if proposed tenancy activates those requirements under the plan they would have to follow the streetscape requirements but if there is no change to the building then there would be no activation of the plan.

Councillor Harvey was under the impression that the purpose of the proposal was to broaden out the existing uses. Mr. Bone said this will allow staff to identify through the LUB where there are units.



Provided these buildings are adequate for personal use, they would allow personal service shops, food stores or retail stores. The same use in the unit would not have to be maintained.

Councillor Harvey suggested taking out the word “existing” from line 2 of the description of the proposal.

Mr. Regan asked if they would have to follow the sign by-law. Mr. Bone said existing signs on the building would likely be permitted, for example: reuse of the frames (grandfathering for existing signs).

b) Case 00994

An application by HRM to include residential care facilities under the PC (Pinehill/Cobequid) Zone within the Sackville Drive LUB. This zone has a number of different uses.

There are a small number of sites that would be affected by this proposal (shown on the map). Residential care facilities should not have much of an impact as there are not many properties that would be suitable for this use. This application was prompted by an inquiry from the Nova Scotia Department of Community Services regarding the former Cobequid Centre site. They are proposing to convert the existing building into a care facility for approximately 25 residents. An internal renovation is proposed to provide appropriate facilities for residents and support staff with potential of maybe a few offices on the second floor for similar type agencies.

Presentation - Ed Lake

The Province is proposing to develop the former Cobequid Centre for approximately 25 beds in a residential care facility which would be a full-time supportive care facility. The Province already owns the property. The Province would contract a service provider for full-time care to the residents who would be mentally disabled individuals.

The existing building is currently vacant and has two levels. There is a large amount of paved parking around the structure. A concept plan is being developed but not finalized. Primarily the plan is aimed to put as much of the residential components on the main level of the building. The building itself is an office type layout and would be renovated to suit the needs for the programs. The second level of the structure is also an office type layout and in the future would be redeveloped for office use associated with the residential care facility or some other type of use that Community Services may have or anything else permissible under the LUB. The plan is to gut the entire floor but maintain special elements such as the elevators. The building will not be expanded.

This setting would be a permanent home for the residents; therefore, the building should be as much of a home setting, both inside and out, as possible. Much effort is being put into making the grounds as hospitable as possible to the residents and staff.

The only change to the outside at this time would be to change the windows. There may be a few other little things to dress the outside of the building. The structure of the building would remain the same. The grounds would include some garden and sitting space. Security would be provided for the

facility. If the application is approved by council, the demolition would be expected to begin sometime in the Spring and construction would begin soon after with the expectation that the facility would be completed by the end of this year.

### Questions and Comments

Tara Hill, Sackville Drive Business Association (SDBA) and Subway owner, is concerned about the safety of the residents where the building is in close proximity to the highway. Also, the site is a window coming into Sackville. If there is fencing erected it will need to look attractive. She is also concerned about transportation issues in the case of a major highway accident.

Walter Regan, NWPAC and SRA, mentioned that any security fence that would replace the rose bush hedge would go against the Sackville business group's wishes unless some landscaping was done to make it attractive. Mr. Lake agreed.

Mr. Regan mentioned that many people, including himself, are upset that Service Nova Scotia is not part of this facility.

Mr. Regan asked if the Province will have to follow the streetscape guidelines. Mr. Bone explained that the Province has the power, if they so wished, to ignore any guidelines. In order to do so, they would have to have the Minister override them. To date, the Province wishes to cooperate with HRM and as a result of that they have filed an application. They would have to meet the requirements of the zone. Mr. Lake said the Province's intention is to comply with HRM's regulations and guidelines.

Mr. Regan mentioned that SRA is already on the record for saying that there should be no more development, or increase in development, until the overflow of sewage has been fixed. He urges the Province to seriously look at putting a holding tank on the property to help rectify the problem. Mr. Lake said they will comply with HRM's engineering department.

Michelle Champniss, SDBA, wondered if any other part of the property will be developed. Mr. Lake cannot guarantee no other development at this point, but the plans for now are to renovate the existing building. There is not a lot of interest in giving up any land on the property as it would take away from the lands for the care facility.

Ms. Champniss wondered what type of feedback the Province has received from mental health groups.

Ms. Hill asked if the Province has considered another building in the area or building a new facility. Mr. Lake said this proposal would cost approximately 2.5 to 3 million dollars which would be more economical. This site also provides a large amount of land needed for this type of facility.

Ron Cooper, Cole Harbour, mentioned that this facility would be secure and the residents within the facility would take part in the community events. The facility would also create many job opportunities. The site is large and will provide an opportunity for the residents to enjoy the outdoors.

Councillor Harvey is surprised with the institutional approach as opposed to the small options housing. Mr. Cooper mentioned that many of the residents from institutions are now living in small options homes. Lorna MacPherson explained that the Province, for the past 15 years, has been working towards de-institutionalization. For some individuals, this is the type of structure they currently need. The intervention and support that they need to enable them to move back into the community will be provided through this program.

Mr. Regan was hoping that an oil/grit separator would be installed to capture the oil running off the cars that would be parked on the lot as all the stormwater goes into the Sackville River. Mr. Lake said the specifics for the grounds have not been discussed yet but Mr. Regan's point will be considered.

Mr. Regan asked if there will be any design in the parking lot to retain water on site. Mr. Lake said it has not been decided.

Mr. Regan asked what type of heating system will be installed. Mr. Lake said that the building is electrically heated. The engineering hasn't been done yet.

Mr. Regan mentioned that Remembrance Day ceremonies draw crowds of 10 000 people are held on this site every year. Mr. Lake was not aware of that and could not comment.

Mr. Regan asked if a reputable architectural firm will be hired to do the landscaping around the site. Are there plans to construct a green roof on the building? Mr. Lake mentioned that all work will be done by reputable firms. There haven't been any specifics worked out yet.

Mr. Regan asked if a second access will be built. Mr. Lake said a second access is not required for this facility.

Ms. Hill wondered how the residents will be transported to different outings and community events. It is a long walk to public transit from the building and there are no sidewalks. Mr. Cooper mentioned that transportation is provided.

c) Case 01000

An application by Pinky's Ice Cream to amend the Sackville Drive LUB to identify ice cream stands as a temporary use for up to six months, exempt them from certain landscaping and pervious surface requirements and exempt them from front and side yard requirements. The use will be placed on an existing site, in the parking lot.

Tentatively this change could apply to all zones on Sackville Drive.

Presentation - Kevin Riles

Pinky's was founded in 2003 and currently has four locations. The company is heavily involved in community events. It is a family-oriented business and provides employment opportunities for students.

Rob LeBlanc, a well known landscape architect from Ekistics and worked with HRM on the Sackville Drive Business Association, is assisting with this proposal. Pinky's is proposing to put a 12 x 10 foot building with a pitched, shingled roof on the existing parking lot of the Knox United Church. The building consists of pink and white stripes and will have two windows facing the street. This particular building was built in 2006 and has its own security system.

There are a couple of picnic tables on site. The garbage receptacle will be locked and a local company will come twice a week to pick up the garbage. It runs on it's own water system which also consists of hot water. The only thing mixed in with the water is ice cream and a company comes by to take care of that a couple of times a week. The water is all self-contained. Power is connected through Nova Scotia Power. A physically challenged parking space will be available as well as a bike rack. A flower box is proposed. The season is usually May to September. A donation would be given to the church. The only signage would be a sandwich board sign during business hours.

Mr. Bone mentioned that this is a permitted use in the area but the question is whether it is reasonable to have it as a temporary use. Currently, temporary structures are only permitted for 30 days. Temporary uses doesn't necessarily exclude ice cream stands but it doesn't mention them specifically; therefore, 30 days is what is allowed in the plan. If this is permitted, is it reasonable for a use to be there for a six month period and is it reasonable to share a parking lot with another use? Is it reasonable to make them meet all the landscaping requirements of the MPS? This would require a reduction in the size of the Knox Church parking lot in order to meet those requirements. The uses are relatively compatible (they don't operate at the same hours).

#### Questions and Comments

Ms. Hill mentioned that Pinky's has asked for the support of SDBA but they would prefer businesses to come to Sackville on a permanent basis. There are also some concerns that the Pinky's trademark colours will not fit in with the whole Sackville Drive SPS. Mr. Bone mentioned that any building that goes on site would have to meet the architectural requirements of the Sackville Drive Plan. There is no proposal to exempt Pinky's from those type of requirements. Those current requirements allow for a variety of siding types and do not regulate colour but do require pitched roof and windows facing the street. Mr. Riles explained that if the business thrived it would be desirable for the business to become permanent on Sackville Drive. Ms. Hill asked if Pinky's has investigated an opportunity to lease a storefront space on Sackville Drive temporarily. Mr. Riles explained that Pinky's has it's own leasing agent and a lot of research has been done but it is helpful to be on the right-hand side of the road to be successful. At this point, without having a food operation involved it doesn't make sense. A lot of time and money has been spent on the architectural site plan and flower boxes because it is appreciated how much Sackville put into the SPS.

Ms. Champniss asked if the shrubbery that is shown on the plan is existing or new. Mr. Riles said that the trees are existing but the flower boxes and picnic tables would be new.

Mr. Riles explained that a transportation engineer has looked at the traffic counts to see what the impact would be. It was determined that there would be very little to no impact.

Mr. Regan is concerned that this will open the door for other uses from the 30 day limit to six months. What other temporary uses could come in after Pinky's? Mr. Bone is not aware of any other large scale temporary uses that is seasonal like ice cream. Mr. Regan asked if there are any regulations to control this if it happened. Mr. Bone suggested that clarification of what a temporary use is will be done and potentially exclude or only allow for certain uses.

Mr. Regan asked if there will be a composting and recycling facility. Mr. Riles said there will be handcrafted garbage receptacles. EnviroWaste picks this up and recycles what can be.

Mr. Regan asked if there are any public washrooms. Mr. Riles said that the health requirement states that there must be access to washrooms within 1000 feet. An arrangement is made with an existing business.

Mr. Regan asked that if business does increase and Pinky's starts a food line would they relocate? Mr. Riles mentioned that the ultimate plan is to find permanency.

Mr. Regan asked if there are any plans to put in an oil/grit separator. Mr. Riles said no.

Mr. Regan asked if Pinky's plans to put more than planters around. Mr. Riles mentioned that it would be nice to keep the planters year-round with a perennial in it. It would be up to the church and staff.

Mr. Regan asked if the church entrance will be used. Mr. Riles said the church entrance off Sackville Drive would be used.

Ms. Champniss asked if fish and chip trucks would be permitted on a six month basis if the zoning requirements are changed. Mr. Bone said the wording has yet to be worked out. Staff will provide advice to council. If there is an issue it can be dealt with through the land use by-law. Ms. Hill mentioned that there are vegetable stands and landscaping companies that could be permitted.

Mr. Regan asked if there will be a propane tank on site. Mr. Riles said Nova Scotia Power would hook them into the Sackville Drive line. At the end of the season it would be unhooked. Everything will be electric.

Councillor Harvey wondered what happens to the building during off-season. Mr. Riles said that the building is moved and stored at the Farmer's Dairy site.

Mr. Regan asked if the sandwich sign fits into the Sackville Drive Streetscape Design and will it cover the new Sackville Drive Signage By-law. Mr. Bone said this will be discussed in the staff report. Mr. Riles mentioned that this is why Rob LeBlanc was hired. He will ensure that the sign will fit within the regulations.

Teunis Voerman, Connolly Road, Trustee of United Knox Church, has heard nothing but positive responses and hopes it will attract more people to the area.

Adjournment

Mr. Bone thanked everyone for coming to the meeting and expressing their comments and concerns.

The meeting adjourned at approximately 8:20 p.m.