

North West Community Council  
July 20, 2006

TO: North West Community Council

SUBMITTED BY: Gail Harnish/for  
Barb Grant, Vice-Chair  
North West Planning Advisory Committee

RE: Case 00808 - Amendments to the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB)

DATE: July 11, 2006

**ORIGIN**

North West Planning Advisory Committee meeting - July 5, 2006

**RECOMMENDATION**

The North West Planning Advisory Committee recommend that:

North West Community Council recommend that Regional Council:

1. Give First Reading to consider amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law provided in Attachment A of the staff report dated June 16, 2006, and schedule a joint public hearing with North West Community Council;
2. Adopt the proposed amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law provided in Attachment A of the staff report dated June 16, 2006.

North West Community Council:

1. Give First Reading to consider amendments to the Sackville Drive Land Use By-law provided in Attachment B of the staff report dated June 16, 2006, and schedule a joint public hearing with Regional Council;



Approve the proposed amendments to the Sackville Drive Land Use By-law provided in Attachment B of the staff report dated June 16, 2006.

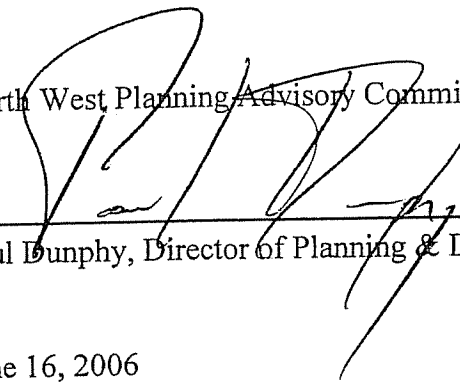
**ATTACHMENTS**

Staff report dated June 16, 2006

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: Barb Grant, Vice-Chair, North West PAC

North West Planning Advisory Committee  
July 5, 2006

**TO:** North West Planning Advisory Committee

**SUBMITTED BY:**   
Paul Dunphy, Director of Planning & Development Services

**DATE:** June 16, 2006

**SUBJECT:** Case 00808 - Amendments to the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB)

**ORIGIN:**

- A request from the Sackville Drive Business Association to review the building height and parking space requirements for the Sackville Drive SPS and LUB;
- Staff report dated September 8, 2005 and decision by Regional Council on October 18, 2005 to initiate the plan amendment process; and
- Public Participation meetings held by North West Planning Advisory Committee on December 5, 2005 and June 12, 2006.

**RECOMMENDATION:**

It is recommended that North West Community Council recommend that Regional Council:

1. Give First Reading to consider amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law provided in Attachment A of this report and schedule a joint public hearing with North West Community Council;
2. Adopt the proposed amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law provided in Attachment A of this report.

It is further recommended that North West Community Council:

1. Give First Reading to consider amendments to the Sackville Drive Land Use By-law provided in Attachment B of this report and schedule a joint public hearing with Regional Council;
2. Approve the proposed amendments to the Sackville Drive Land Use By-law as provided in Attachment B of this report.

## **BACKGROUND:**

In response to a request from the Sackville Drive Business Association, North West Community Council passed the following motion at its September 22, 2005 meeting:

*Recommendation that Regional Council approve the initiation of a process to amend the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB) to re-evaluate the height restrictions and parking requirements along Sackville drive and follow the Public Participation Program as approved by Council in February 1997.*

Consequently, Regional Council on October 18, 2005 initiated the plan amendment process to examine height restrictions and parking space requirements as advised by staff in the September 8, 2005 staff report.

Based on ongoing discussions with the Sackville Drive Business Association, comment from Public meetings, and concerns raised by several business owners, staff also evaluated the following:

- landscape setback and how it is measured;
- requirement for a minimum 10 degree pitch on all roofs (excludes Downsview Complex area);
- the rezoning requirement for new outdoor display courts in the Pinehill/Cobequid designation;
- land use options within the “transitional area” west of the Pinehill Drive along Sackville Drive; and
- signage provisions for existing buildings in the Acadia Village Centre (VC) Zone.

### Process

The SPS and LUB amendments addressed by this report fall under two broad categories:

- *Amendments to the Sackville Drive Secondary Planning Strategy, along with amendments to the Land Use By-laws required to implement SPS amendments.* As these amendments are matters of municipal policy, they require the approval of Regional Council. The legal resolution for these proposed amendments is provided in Attachment A of this report.
- *Amendments to the Sackville Drive Land Use By-law which do not entail SPS policy changes.* As these amendments do not entail policy changes, they are under the authority of North West Community Council and may be approved by the community council. The legal resolution for these proposed amendments is provided in Attachment B of this report. Following the joint public hearing, staff would bring these amendments back to community council for consideration.

## **DISCUSSION:**

The specific amendments that fall under these two categories are described below:

**SPS and LUB Amendments Requiring Approval by Regional Council (Attachment A)**

Following is a summary of the proposed SPS and LUB amendments which require **approval by Regional Council**:

1. *Building Height enabling policy and by-law provisions:*
  - Existing: The height of all main commercial and institutional buildings and multiple unit dwellings shall be no more than three (3) storeys within a maximum height of 45ft (13.7m) from established grade. The height of all main residential buildings excluding multiple unit dwellings, shall not exceed three (3) storeys within a maximum height of 40 feet (12.9m) from established grade. These height restrictions were adopted by Council in May 2005 as an interim measure to enable a more detailed review of the issues surrounding building height within the Sackville Drive Plan Area.
  - Recommendation: Permit medium rise form (up to 6 storeys) as of right. However, building height can generate a sense of street enclosure<sup>1</sup> and must be compatible with surrounding buildings and community character. Therefore, transitional measures, massing, and setbacks are required to reinforce human scale. The incorporation of building step-backs or transitions above 3 storeys is required to reduce the visual impact of the buildings height and mass in relation to the surrounding built form. High rise form (over 6 storeys) may be considered by development agreement. For larger properties, removal of the building step-backs or transitions above 3 storeys may be considered by development agreement.
  
2. *Outdoor Display Courts enabling policy and by-law provisions:*

*In the Pinehill/Cobequid Designation:*

  - Existing: New Outdoor Display Courts (i.e., car lots) are only permitted by rezoning to the Outdoor Display Court (ODC) zone (Policy LD-4). The rezoning process has not been the most effective planning tool in addressing the issues surrounding this land use.
  - Recommendation: The Outdoor Display Court (ODC) zone be removed from the Sackville Drive Plan and outdoor display courts become a permitted use in the Pinehill/Cobequid (PC) zone. However, outdoor display courts will only be considered by way of site plan approval through the Land Use By-law. Site plan approval criteria and general provisions will regulate the location of the building and structures, location of display areas, location of walkways and other means of pedestrian access to and through the site, location of outdoor lighting, and location of service bays.

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<sup>1</sup>Street enclosure is not the vision or intent of the Sackville Drive Secondary Plan.

*In the Pedestrian Retail Designation:*

- Existing: Existing Outdoor Display Courts are permitted with this designation and may be expanded by development agreement (Policy PR-5). No new outdoor display court are permitted.
  - Recommendation: Outdoor display courts and automotive repair outlets be a permitted use on properties located near Pinehill Drive on the north and south side's of Sackville Drive. However, outdoor display courts and automotive repair outlets will only be considered by way of site plan approval as described above.
3. *Landscape Setback enable policy and by-law provisions;*
- Existing: A 6.1m (20ft) landscaping setback is required for all other zones except the Downsview Complex Zones where 15.2m (50ft) landscape setback is required. The setback runs the length of and measured from the front property line.
  - Recommendation: The 6.1m (20ft) setback be reduced to 4.6m (15ft) and run the length of and measured from the outside edge of sidewalk nearest the front property line. This creates a consistent setback from a fixed feature rather than a setback from a irregular line.
4. *Relaxation of Parking Space Requirements by Variance enabling policy and by-law provisions:*
- Recommendation: Variances to the parking space requirements be possible in accordance with Section 235 of the Municipal Government Act. A variance process will enable someone who is unable to meet the parking space requirements to request the relaxation of the requirements through the variance process.

**LUB Amendments Requiring Approval by North West Community Council (Attachment B)**

Following is a summary of the proposed LUB amendments which require approval by **Community Council**:

1. *Amendments to Part 7 - General Streetscape Design to:*
- ensure ground signs are not placed in the HRM right-of-way portion of the landscape setback;
  - allow flat roofs provided architectural treatments are incorporated into the roof design to reduce the visual appearance of the flat roof;
  - reduce to parking space requirement for retail/office uses, restaurants, lounges, schools, practitioners and other general uses;
  - enable required watercourse setbacks to be calculated as a component of the 20% previous surface requirements.

2. *Amendments to the Downsview Complex (DC-1, DC-2 and DC-3) Zones to:*
  - rewording of amenity space requirements for multiple unit dwellings;
3. *Amendments to the Pedestrian Retail (PR) Zones to:*
  - rewording of amenity space requirements for multiple unit dwellings; and
  - remove maximum footprint and front facade requirement;
4. *Amendments to the Pinehill/Cobequid (PC) Zones to:*
  - rewording of amenity space requirements for multiple unit dwellings;
  - remove maximum footprint and front facade requirement; and
  - remove requirement for commercial use within multiple unit dwellings.
5. *Amendment to the Acadia Village Centre (VC) zone to:*
  - enable signage for existing uses.

#### Public Participation Meeting

In accordance with Regional Council's policy on public participation, the North West Planning Advisory Committee (PAC) held a public participation meeting (Workshop) on December 5, 2005. The PAC held a subsequent meeting (Open House) on June 12, 2006. Details of the proposed SPS and LUB amendments were discussed at both meetings. A summary of the meetings is provided in Attachment C of this report.

Notification for the Public Meetings was distributed by standard mail to property owners and business owners within Sackville Drive Plan Area (Map 1). The same notification area will be utilized for any future Public Hearing unless Council recommends a change at First Reading.

#### **BUDGET IMPLICATIONS:**

There are no budget implications at this time.

#### **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:**

The following alternatives are identified in conjunction with this report for consideration by Regional Council:

1. Regional Council may choose to approve the amendments provided in Attachment A of this report. Staff recommends this alternative for the reasons outlined;
2. Regional Council may choose not to approve the amend policy and by-law amendments provided in Attachment A. This is not recommended for reasons discussed above; or
3. Regional Council may choose to either adopt certain amendments but not others outlined in this report or alternatively request that additional amendments not identified in this report be made in which case an additional staff report(s) may be required.

The following alternatives are identified in conjunction with this report for consideration by North West Community Council:


1. Community Council may choose to approve the amendments provided in Attachment B. Staff recommends this alternative for the reasons outlined in this report;
2. Community Council may choose not to amend the Sackville Drive SPS and LUB as provided in Attachment B. This is not recommended for reasons discussed in this report; or
3. Community Council may choose to either adopt certain amendments but not others outlined in this report or alternatively request amendments in addition to those outlined in which case an additional staff report(s) may be required.

**ATTACHMENTS:**

- Map 1: Sackville Drive Secondary Planning Strategy and Land Use By-law Plan Area and Area of Notification.
- Map 2: Generalized Future Land Use Map
- Map 3: Existing Zoning Map
- Attachment A: Case 00808: Amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law Requiring the Approval of Regional Council
- Attachment A1: Amendment Schedule B: Proposed Zoning Map
- Attachment A2: Schedule D "Transition Area"
- Attachment B: Case 00808: Amendments to the Sackville Drive Land Use By-law Requiring Approval by North West Community Council
- Attachment C: Minutes of the Public Meetings held by North West Planning Advisory Committee on December 5, 2005 and June 12, 2006.

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: Thea Langille-Hanna, Senior Planner, 869-4262

Report Reviewed by:   
Ferdinand Makani, Financial Consultant, 490-6902



Map 1

Area of the Sackville Drive Secondary Planning Strategy  
and Land Use By-law and Area of Notification



June 14, 2006

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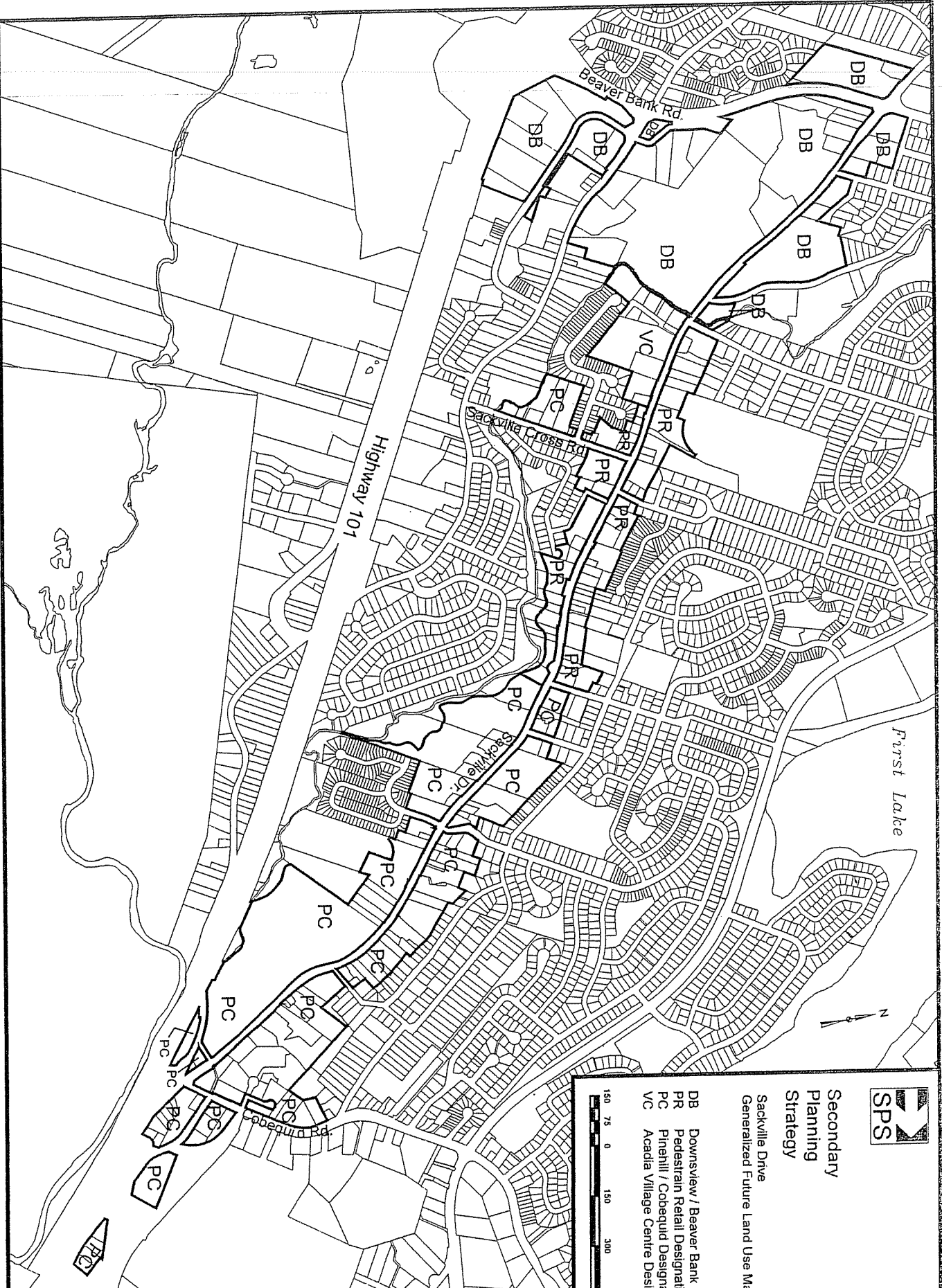
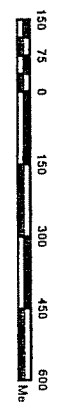




Secondary Planning Strategy

Sackville Drive Generalized Future Land Use Map

- DB Downsview / Beaver Bank Designation
- PR Pedestrian Retail Designation
- PC Pinehill / Cobequid Designation
- VC Acadia Village Centre Designation



Map 2 Existing Generalized Future Land Use

June 14, 2006

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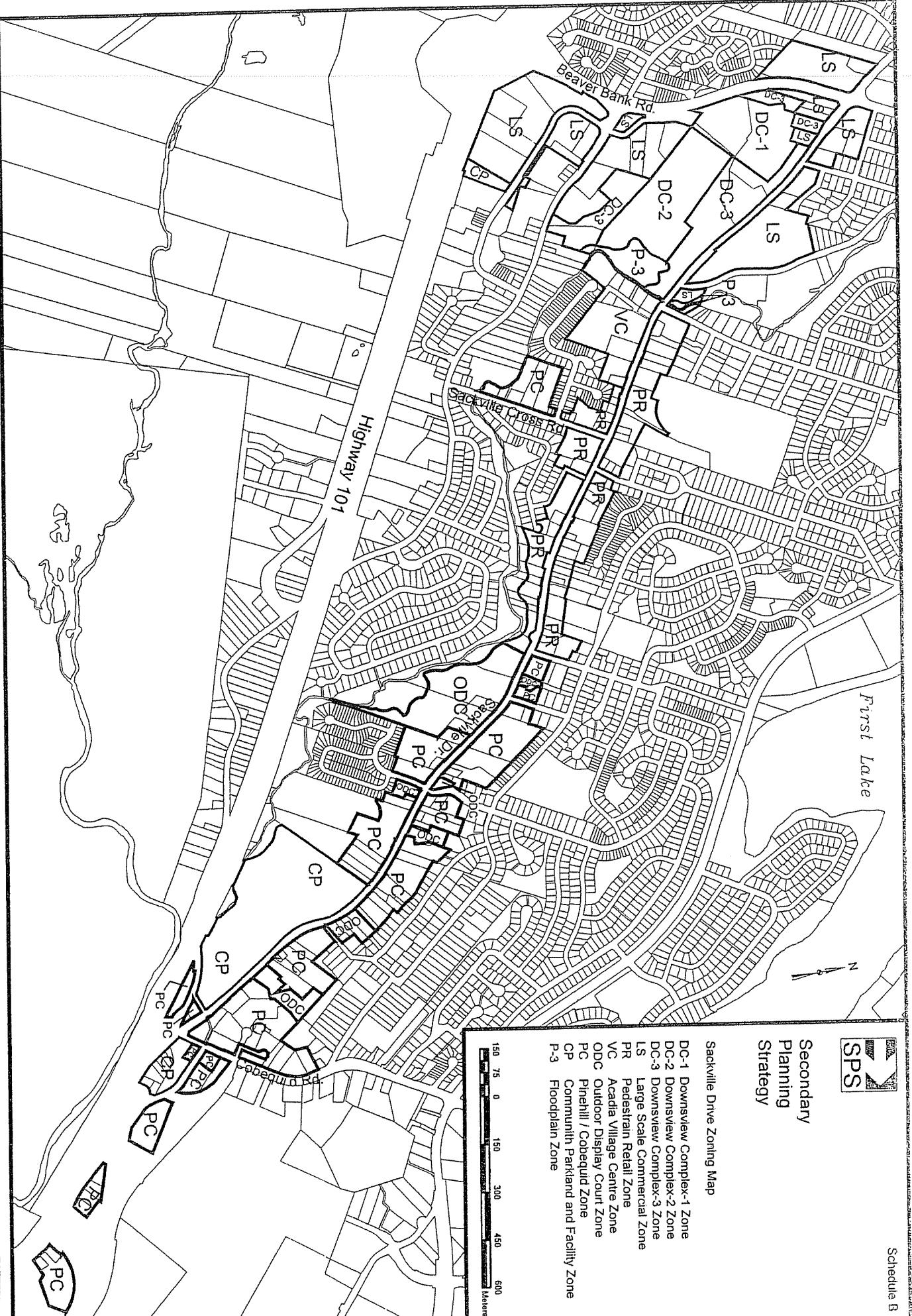




Secondary Planning Strategy

Sackville Drive Zoning Map

- DC-1 Downsway Complex-1 Zone
- DC-2 Downsway Complex-2 Zone
- DC-3 Downsway Complex-3 Zone
- LS Large Scale Commercial Zone
- PR Pedestrian Retail Zone
- VC Acadia Village Centre Zone
- ODC Outdoor Display Court Zone
- PC Pinehill / Cobequid Zone
- CP Community Parkland and Facility Zone
- P-3 Floodplain Zone



Map 3 Existing Zoning

June 15, 2006

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ATTACHMENT A

**Case 00808: Amendments to the  
Sackville Drive Secondary Planning Strategy and Land Use By-law  
Requiring the Approval of Regional Council**

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Secondary Planning Strategy of Sackville Drive 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, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 29<sup>th</sup> day of June, 2002, is hereby amended by repeal and replace the text identified in **bold** (to replace or add) **and strike out** (to repeal):

1. Section 6.4 Landscaping  
(Paragraph 4)

Specifically, a landscaped setback of ~~20 feet~~ should be established along Sackville Drive to create more continuity. Although this approach is completely contrary to that of an urban streetscape where setbacks as large as this are often discouraged, a wide buffer of this scale is generally more reflective of a suburban community

2. **6.3.4 Variance of Parking Space Requirements**  
**As a means of ensuring development is not limited or discouraged due to parking space requirements variances to these requirements may be considered in accordance with the Municipal Government Act.**

**Policy SS-5(a)**

**Within the Land Use By-law parking space requirements may be varied in accordance with Section 235 (2) of the Municipal Government Act.**

3. 5.3.4 Transitional Land Uses

Within the area defined as the Pedestrian Retail designation, near the Pinehill Drive intersection, remains several uses considered more conducive to the Pinehill - Cobequid designation. For instance, many used car lots and automobile repair and service shops are interspersed within this transitional area.

The intention of the Pedestrian Retail designation is to foster a greater pedestrian focus on the street, therefore, these type of car related uses are generally discouraged. However, In recognition of the transitional nature of ~~this the area~~ **near Pinehill Drive** existing used car lots and automobile repair uses should be permitted to continue to operate. Moreover, in recognition that these existing businesses may wish to expand sometime in the future **or sell to similar businesses given the nature of the property**, such ~~options~~ **expansions** should ~~exist. be permitted. although should be limited to properties that immediately abut the~~

existing use. Therefore, used car lots and automobile repair uses are permitted but shall be considered with a comprehensive approach and be sympathetic to the existing site characteristics to ensure the intent of the Pedestrian Retail designation is maintain. Therefore, a site plan approval process is required for used car lots and automotive repair outlets in the transitional area near Pinehill Drive.

Policy PR-5

~~Any "existing use" within the Pedestrian Retail Zone of the Land Use By-law located between civic numbers 412 and 476 on the north and south side's of Sackville Drive, may expand or encroach onto an abutting property in accordance with the development agreement provisions contained within the Municipal Government Act. In considering an agreement, Council shall have regard to the following:~~

- ~~(a) that the primary facade(s) of any new building(s) facing Sackville Drive does not exceed 40 feet in width;~~
- ~~(b) that any addition to an existing building does not increase the primary facade(s) facing Sackville Drive beyond 40 feet in width;~~
- ~~(c) that safe and comfortable internal pedestrian movement is provided;~~
- ~~(d) that outdoor pedestrian facilities, such as seating, lighting, water features, kiosks, open space, are provided;~~
- ~~(e) that existing significant vegetation stands are retained, where possible;~~  
~~and~~
- ~~(f) Policy I-5.~~

Policy PR-5

For properties within Pedestrian Retail Zone of the Land Use By-law located near Pinehill Drive on the north and south side's of Sackville Drive, outdoor display courts and automotive repair outlets shall be a permitted uses however shall be considered by way of site plan approval through the Land Use By-law. Site plan approval criteria and general provisions shall be established in the Land Use By-law to regulate the: location of the building and structures; location of display areas, location of walkways and other means of pedestrian access to and through the site, location of outdoor lighting, and location of service bays.

4. Policy LD-3

~~Within the Pinchill - Cobequid Designation, an Outdoor Display Court Zone shall be established. The Zone shall permit outdoor display court uses and the Pinchill - Cobequid Zone uses. The Zone shall be applied to any outdoor display court in existence as of May 7, 2002, and shall be applied to PID #'s 40819369, 40377137, and 00364307.~~

Policy LD-4

~~Within the Pinchill - Cobequid Designation, new outdoor display courts shall be considered by amending the Land Use By-law. In consideration of an amendment to the Land Use By-law, Council shall have regard to the following:~~

- (a) ~~shared driveways;~~
- (b) ~~that the visibility of outdoor display courts is minimized from Sackville Drive by way of effective and innovative site design;~~
- (c) ~~that landscaping is adequately provided to offset the perception of openness of the vehicle display parking areas;~~
- (d) ~~that adequate buffer is provided between adjacent residential uses;~~
- (e) ~~that perimeter fencing, security fencing, or gateways are provided and constructed of materials that are compatible with the design and materials used throughout the project;~~
- (f) ~~that existing significant vegetation stands are retained, where possible; and~~
- (g) ~~Policy I-5.~~

### **Policy LD-3**

**For properties within Pinehill-Cobequid designation outdoor display courts shall be a permitted uses however shall be considered by way of site plan approval through the Land Use By-law. Site plan approval criteria and general provisions shall be established in the Land Use By-law to regulate the: location of the building and structures; location of display areas, location of walkways and other means of pedestrian access to and through the site, location of outdoor lighting, and location of service bays.**

## **5. 6.2.2 Reinforcing a Sense of Human Scale**

The length of a building's facade significantly influences the perception of scale. For instance, where a wall is too long it creates an overwhelming sense of mass and scale. To reduce the sense of mass without actually limiting the size of the building, specific design features should be incorporated. For instance, wall plane projections or recesses should be provided for all building walls greater than 100 feet in length. Further, architectural features and patterns that provide visual interest at the pedestrian scale and incorporate local character detailing, while avoiding massive aesthetic effects, should be incorporated. Repetitive elements at intervals, either horizontally or vertically, should also be applied.

Consideration should also be given to the rear and side building walls adjacent to highly visible streets or public spaces. These elevations should show a level of articulation consistent with the front elevation by carrying the primary design features around all visibly exposed sides. Where these design provisions cannot be applied due to building codes or internal function, blank window or door openings should be used to articulate the walls.

Variations in the roof plane should be used to add interest to, and reduce the massive scale of large buildings. Roof shapes should be compatible with, and complement the character of neighbourhood buildings.

Roof offsetting should be encouraged to avoid the effect of long, single roof lines. Specifically, the use of parapet roofs would not only be an effective design tool for concealing rooftop equipment, but to add visual interest and to break up the monotony of long roof lines.

~~The height of a building will also influence one's perception of scale. To maintain a sense of human scale. To maintain a sense of human scale, the height of a building should be limited to three storeys and height restrictions applied. Creating a sense of human scale would also be accomplished by encouraging street level entry.~~

**The height of a building will also influence one's perception of scale. Medium rise form (up to 6 storey) is encouraged. However, building height generates street enclosure and must be compatible with surrounding buildings and community character. Therefore, transitional measures, massing and setbacks shall be utilized to reinforce human scale. The incorporation of building stepbacks or transitions at various levels will reduce the visual impact of the buildings height and mass in relation to the surrounding built form. High rise form (over 6 storey) may be considered for larger redevelopment sites, gateway intersections or near transit stations. However, high rise form shall only be considered subject to appropriate shadow impacts, wind analysis, views, skyline impacts, relationship to surrounding building and street proportion by a development agreement.**

**For large properties or buildings with significant setbacks from the street the building step-backs or transitions at various levels may not be necessary to reduce the visual impact of the buildings height and mass in relation to the surrounding built form. Therefore, the removal of the required step-backs or transitions for medium form (up to 6 storey) buildings shall only be considered by development agreement.**

Entry features should include canopies, porticos, overhangs, recesses, projections, peak roof forms and gables. To create a sense of individuality for strip malls, different architectural treatments should be applied for each individual store front including lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings and balustrades.

Facade treatments also influence the perception of scale. All facades should have arcades, display windows, canopies, awnings or similar features along their horizontal length.

#### **Policy SS-4 (a)**

**Within all designations, buildings over 6 (six) storeys in height above established grade shall only be considered by development agreement in accordance to the provisions of the Municipal Government Act. In considering any such agreement, Council shall have regard to the following:**

- (a) building shall be oriented to the street and transit services and primary entrances shall be orientated to the sidewalk and primary pedestrian ways;
- (b) in a multiple unit dwelling compatible commercial use may be required at street level and adequate recreation and amenity space shall be provided ;
- (c) compatibility and impact on the surrounding built form, lands uses and residential areas;
- (d) microclimate issues such as wind, solar orientation, and shadowing;
- (e) pedestrian street level activity shall be encouraged through, but not limited to, the incorporation of outdoor cafes and ground floor uses. Consideration shall be given to weather protection for pedestrians;
- (f) incorporation of building stepbacks at various levels to reduce the visual impact of the height and mass in relation to the surrounding built form;
- (g) landscaping complements shall reinforces circulation paths, highlights entrances, provides shade, and add seasonal interest and designed for appreciation by pedestrians, bicyclists and motorists. Adequate landscaping features and/or streets trees should be provided around the perimeter and throughout the site of the development to enhance the aesthetics of the site;
- (h) incorporation of streetscape elements and furniture;
- (i) traffic circulation and access to an from the site should be designed to minimize adverse impacts on the adjacent residential uses and street network;
- (j) significant natural and cultural features on the site should be identified and protected where appropriate;
- (k) lighting shall be designed to provide security, safety, and visual appeal for both pedestrians and vehicles while ensuring minimal impact on adjacent properties;
- (l) the provisions of Policy I-5 be met.

**Policy SS-4 (b)**

Within all designations, the removal of the required building stepbacks or transitions at various levels for buildings up to 6 (six) storeys in height shall only be considered by development agreement in according to the provisions of the Municipal Government

**Act. In considering any such agreement, Council shall have regard to the following:**

- (a) the bulk, scale, and massing of any proposed development to ensure it does not significantly alter the character of this area, provide a sense of human scale, and is compatible with surrounding buildings,**
- (b) minimize visual impact of the buildings height and mass in relation to the surrounding built form;**
- (c) the relevant provisions of Policy SS-4 (a) be met; and**
- (d) the provisions of Policy I-5 be met.**

6. **Delete: Policy I-3 (a)**

7. Policy I-4

The following uses shall be considered subject to the entering into a development agreement:

(b) Within the Pedestrian Retail Designation

- 1. All commercial developments containing a building footprint of 5,000 square feet, or more. (Policy PR-4).
- 2. Acadia Village Centre Uses (Policy AVC-5).
- 3. Existing uses “automotive related” between 412 and 476 Sackville Drive (Policy PR-5).

(e) **Within all Designations**

- 1. **Buildings over 6 storeys in height above established grade (Policy SS-4(a)); and**
- 2. **Remove the required building step-backs or transitions at various levels for buildings up to 6 (six) storeys in height (Policy SS-4 (b)).**

8. Policy I-6

The following uses shall only be considered subject to the entering into a Site Plan Approval:

(a) Within the Downsview Complex Zones 1, 2, and 3

- 1. All shopping centres, commercial institutional and multiple residential uses, where a new building(s), expansions and/or renovations , excluding internal renovations with no external renovation or modifications, (RC-Apr 12/05;E-May 7/05) to existing buildings are proposed (Policy DB-4).



(b) **Within the Pedestrian Retail Designation**

1. **Outdoor display courts and automotive repair outlets for properties within Pedestrian Retail Zone located near Pinehill Drive on the north and south side's of Sackville Drive,**

(c) **Within the Pinehill/Cobequid Designation**

1. **Outdoor display courts.**

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law of Sackville Drive 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, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 29<sup>th</sup> day of June, 2002, is hereby further amended by repeal and replace the text identified in **bold (to replace or add) and strike out (to repeal):**

1. In Part 4: Zones & Zoning Map Section 1 repeal the following words "**Outdoor Display Court Zone: ODC**"
2. Repeal: Part 5: Uses Permitted by Development Agreement, Section 1, Subsection 4.
3. Add in Part 5: Uses Permitted by Development Section 9 Within any designation the following:
  - (10) **Buildings over 6 storeys with a maximum height of 75 (22.8m) in height in accordance with Policy SS-4(a).**
  - (11) **Removal of the required building setbacks or transitions at various levels for buildings up to 6 (six) storeys in height in accordance with Policy SS-4 (b).**
4. Repeal Part 6: General Provisions for All Zones Section 31a. and replace with the following provision:
  - 31(a) **The height of a building in the all zones shall be not more than 3 storeys within a maximum height of 45 ft (13.7m) from established grade. However, this height may be increased to not more than 6 storeys with a maximum height of 75 ft (22.8m) provided that above 3 storeys within a maximum height of 45 ft (13.7m), the building face when fronting a street, a residential use, and a residential zone is stepped back. The step back shall be a minimum of 10ft (3m).**

On corner lots where there is a difference in existing grade on each lot frontage at the street line, the height requirement shall be measured from the street frontage with the lower grade.

On lots where there is a difference in existing grade, the height requirement shall be measured from the lower grade.

Further, the maximum permitted height may be exceeded to accommodate a roof on the top storey of a building provided that no additional habitable space is created above the established height limit of 75 ft (22.8m).

Notwithstanding the aforementioned, chimneys, antennae, flag poles, belltowers, spires, steeples, vents or other roof or building appurtenances extending from the surface of a roof shall not be measured in calculating building height; however, such appurtenances shall not:

- 1) be habitable living space,
- 2) extend more than ten (10) feet above the building height.

Further, any such building appurtenance shall be integrated with the architectural treatments of the buildings and roof structure.

5. Repeal Part 6: General Provisions for All Zones Section 37 (4) and replace with the following provision:
  - 37 (4) **exceed the height of the building it is accessory to with a maximum height of 35 ft (10.7m).**
6. Add a Section 16(a) to Part 7: General Streetscape Design, Section 16 Parking Space Requirements, as described below in bold:
  16. For every building or structure to be erected or enlarged, off-street parking located within the same zone and same lot (except in accordance with Part 7 Section 23 (12) and (13), as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:
    - 16 (a) **Notwithstanding, the requirements for parking spaces in this By-law, the Development Officer may grant a variance from the parking space requirements detailed below provided there is no intentional disregard from this By-law or for the intent of the By-law and the difficulty is not general to the area.**

7. Repeal and replace Part 7: General Streetscape Design, Section 41, 42, 43, and 45 Landscaping, as described below in strikeout and bold:
41. In all zones, except the Downview Complex Zones (DC-1, DC-2, DC-3) and Large Scale Commercial (LS) Zone, a landscaped area a minimum of ~~6.1 metres (15-20 feet)~~ **4.6metres (15ft)** in depth running the length of and directly abutting the front lot line (measured from the **outside edge of sidewalk nearest to property line** front property line), excluding driveway openings, shall be provided. **Where a sidewalk does not exist the landscape setback shall run the length of directly abutting the front line (measured from the property line).**
42. Within the Large Scale Commercial (LS) Zone, a landscaped area of a minimum of 15.2 metres (50 feet) in depth running the length of and directly abutting the front lot line (measured from the front property line), excluding driveway openings, shall be provided. Notwithstanding, a landscaped area of a minimum of ~~6.1 metres (15-20 feet)~~ **4.6metres (15ft)** in depth running the length of and directly abutting the lot line (measured from the **outside edge of sidewalk nearest to property line** property line) shall be provided on any property with frontage on Douglas Avenue. (NWCC-May26/05;E-May28/05). **Where a sidewalk does not exist the landscape setback shall run the length of directly abutting the front line (measured from the property line).**
43. Within the Downview Complex Zones (DC-1, DC-2, DC-3), a landscaped area of a minimum of 15.2 metres (50 feet) in depth running the length of and directly abutting the front lot line (measured from the **outside edge of sidewalk nearest to property line** front property line) parallel to Sackville Drive, excluding driveway openings, shall be provided. **Where a sidewalk does not exist the landscape setback shall run the length of directly abutting the front line (measured from the property line).**
45. Notwithstanding Part 7 Section 44, existing trees and shrubs shall be incorporated in to the ~~6.1 meter (20 foot)~~ landscaping **strip setback**, and where possible may be calculated as part of the one (1) tree and tree (3) shrubs per 4.6 metres (15 feet) requirement.
8. Repeal and replace text in Part11: Downview Complex-3 (DC-2) Zone, as described below in strikeout and bold:

Additional Requirements:  
Multiple Unit Dwelling, Seniors Residential Complex and  
Residential Care Facilities

10. Where any multiple unit dwelling, seniors residential complex or residential care facility is erected in the DC-3 Zone, the following shall apply:
- ~~(1) — the maximum height of the building does not exceed four (4) storeys;~~
9. Repeal and replace text in Part12: Pedestrian Retail (PR) Zone, as described below in strikeout and bold:

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 m<sup>2</sup> (800 ft<sup>2</sup>) 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 D**
- **Outdoor Display Courts within the area identified on Schedule D**
- 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 m<sup>2</sup>), or any expansion to a building or structure which currently exceed a footprint of 5,000 square feet (464.5 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 5,000 square feet (464.5 m<sup>2</sup>) 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 m<sup>2</sup> (4,000 ft<sup>2</sup>)  
Minimum Lot Frontage 12.2 m (40 ft)

Minimum Front/Flankage Yard Setback	<del>6.1m (20 ft)</del> <b>4.6m (15ft)</b>
Minimum Rear Yard Setback	<b>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.</b>
Minimum Sideyard Setback	0 m (0 ft), except 6.1m (20 ft) corner vision triangle required for corner lot. <b>Where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building which ever is greater.</b>
Maximum Height	<del>four (4) storeys above grade of Sackville Drive</del>
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 erected in any PR zone, 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) ~~a maximum building footprint of 2,787 m<sup>2</sup> (30,000 sq. ft.);~~
  - (3) the front facade of the building facing Sackville Drive does not exceed 12.9 m (40 ft) in length;
  - (4) recreation space shall be provided at not less than 9.3 m<sup>2</sup> (100 sq. ft) per unit and a space set aside for recreational purposes such as

common recreational areas, play areas, recreational rooms, rood decks, swimming pools and tennis courts. The landscape setback required in accordance with this By-law may be calculated as a component of this required recreation space; and

- (5) the recreational space shall have no dimension less than 30 feet (9.1 m) and a minimum of 50 percent (%) of the outdoor recreational space shall have grades between 0-8 percent (%).

Special Requirements: One and Two Units in conjunction with a commercial use

6. Notwithstanding the provisions of Part 12, where any multiple unit dwelling is erected in any PR zone, the following shall apply:
  1. where a lot has frontage on Sackville Drive, commercial uses shall be provided and located at street level facing Sackville Drive; (RC-Apr12/05;E-May7/05)

SITE PLAN APPROVAL: Outdoor Display Court and Automotive Repair Outlets

7. No development permit shall be in issued within the area illustrated on Schedule D for an outdoor display courts or an automotive repair outlets 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.
8. 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 is 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 be not 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.

10. Repeal and replace text in Part14: Pinehill/Cobequid (PR) Zone, as described below in ~~strikeout~~ and bold:

**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**
- 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	<del>6.1 m (20 ft)</del> <b>4.6 metres (15ft)</b>
	Minimum Rear Yard Setback	<b>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.</b>
	Minimum Sideyard Setback	<b>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.</b>
	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 6.1m (20 feet) **4.6 m (15ft)** but shall be subject all other applicable provisions of this By-law.

Special Requirements: Multiple Unit Dwellings

7. Notwithstanding the provisions of Part 14, where any multiple unit dwelling is erected in any PC zone, 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) a maximum building footprint of 2,787 m<sup>2</sup> (30,000 sq. ft.); and
  - (3) the front facade of the building facing Sackville Drive does not exceed 12.9 m (40 ft) in length.
  - (4) recreation space shall be provided at not less than 9.3 m<sup>2</sup> (100 sq. ft) per unit and a space set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, rood decks, swimming pools and tennis courts. The landscape setback required in accordance with this By-law may be calculated as a component of this required recreation space;

- (5) the recreational space shall have no dimension less than 30 feet (9.1 m) and a minimum of 50 percent (%) of the outdoor recreational space shall have grades between 0-8 percent (%).

**SITE PLAN APPROVAL: Outdoor Display Court**

8. No development permit shall be issued within the Pinehill/Cobequid Zone (PC) for an outdoor display courts 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.
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 be not 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.
11. Repeal: Part 15: Outdoor Display Court (ODC) Zone

12. Replace Schedule B with the attached Schedule B.
13. Add Schedule D as attached.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of Halifax Regional Council held on the \_\_\_\_ day of \_\_\_\_\_, 2006.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_\_, 2006.

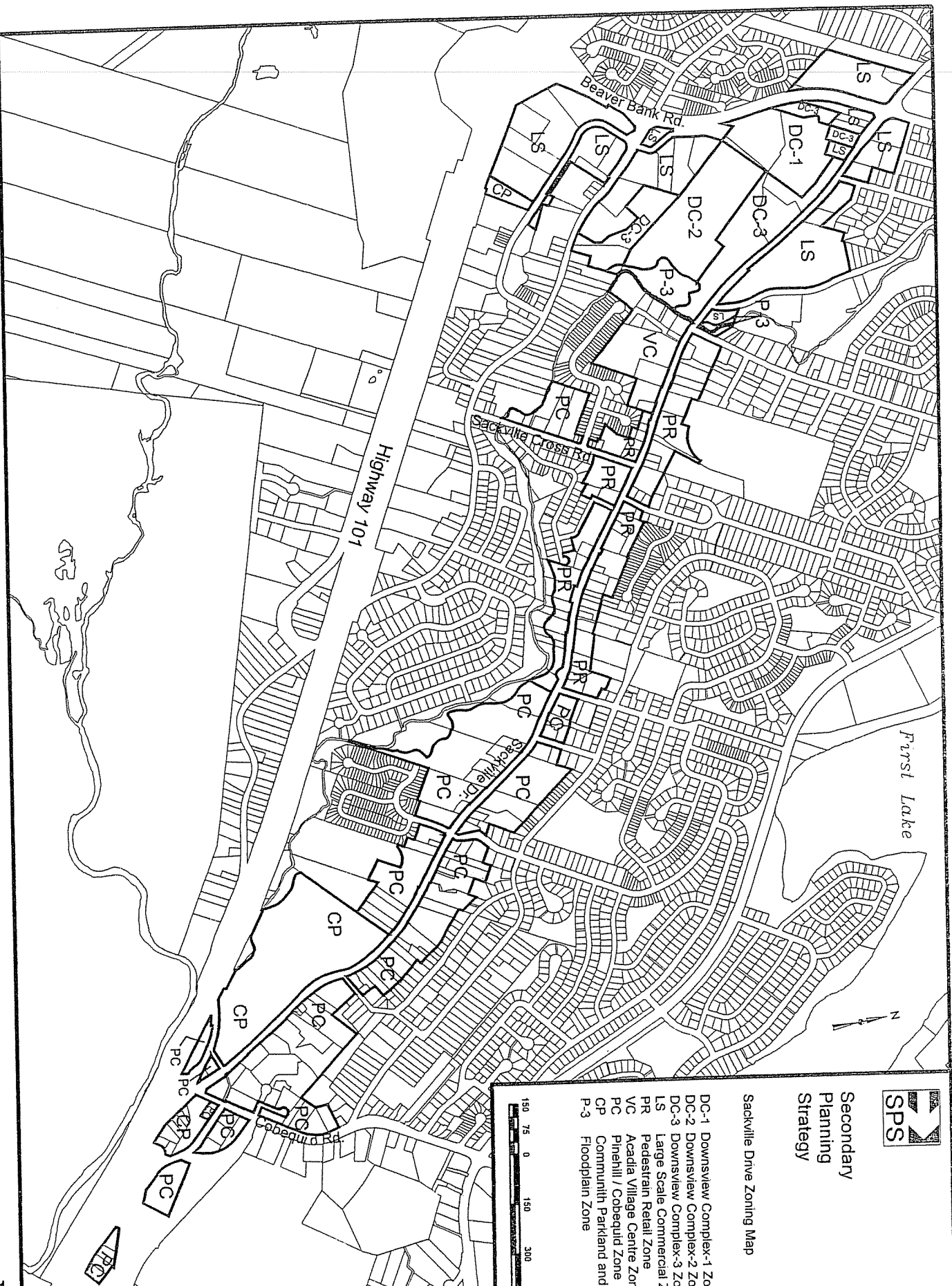
\_\_\_\_\_  
Jan Gibson, Municipal Clerk



### Secondary Planning Strategy

#### Sackville Drive Zoning Map

- DC-1 Downstown Complex-1 Zone
- DC-2 Downstown Complex-2 Zone
- DC-3 Downstown Complex-3 Zone
- LS Large Scale Commercial Zone
- PR Pedestrian Retail Zone
- VC Acadia Village Centre Zone
- PC Pinehill / Cobequid Zone
- CP Community Parkland and Facility Zone
- P-3 Floodplain Zone



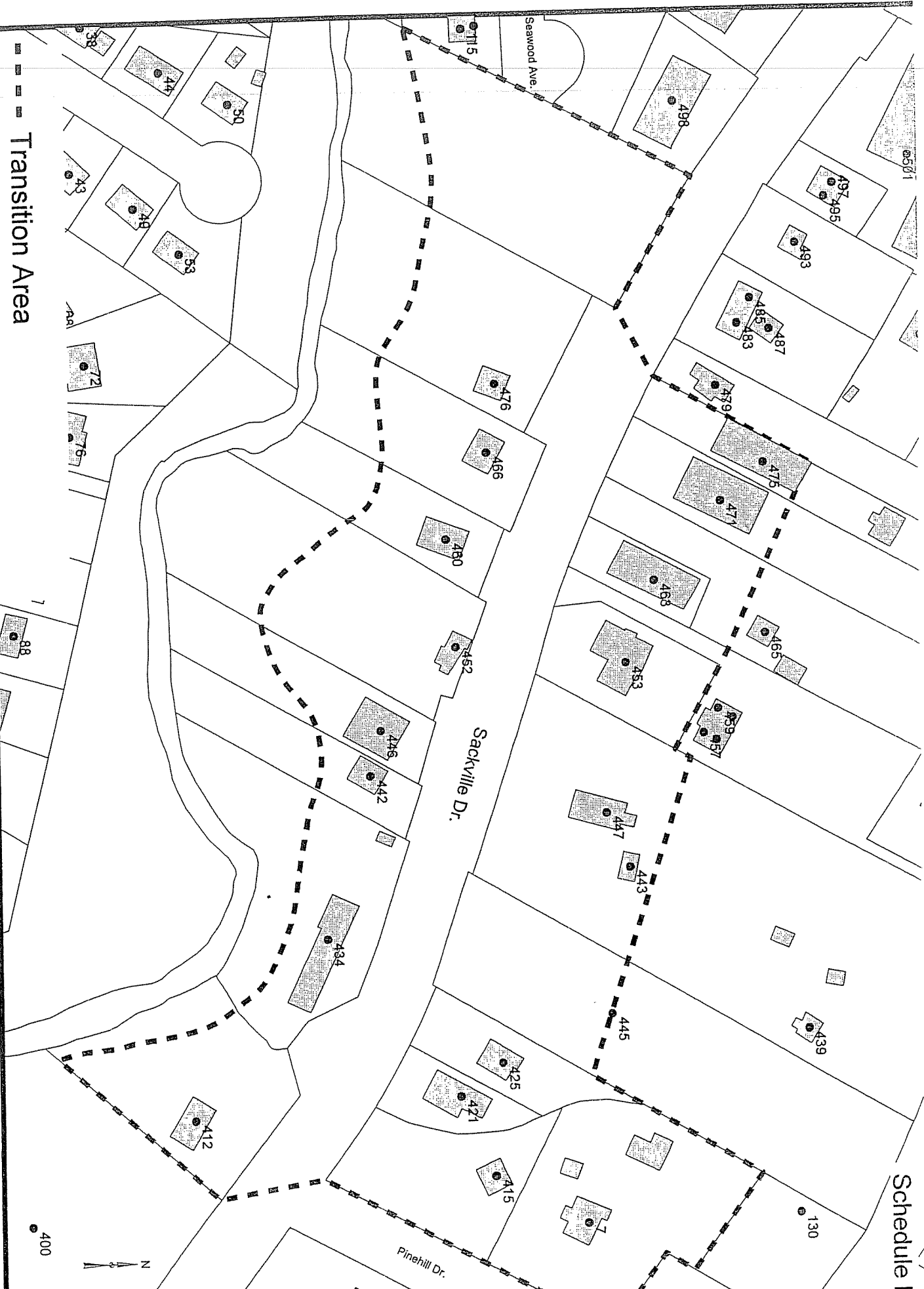
## Attachment A1 Proposed Zoning

11/14/2006

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

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Transition Area

Attachment A2  
Transition Area



June 15, 2006

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

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Schedule D

ATTACHMENT B

**Case 00808: Amendments to the  
Sackville Drive Land Use By-law  
Requiring Approval by North West Community Council**

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Sackville Drive 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, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 29<sup>th</sup> day of June, 2002, is hereby amended by repeal and replace the text identified in **bold (to replace or add) and strike out (to repeal)**:

1. Repeal and replace Part 7: General Streetscape Design, Section 9 Ground Sign, Subsection (7) as described below in strikeout and bold:
  - (7) A ground sign and required landscaping as described above may be placed within the required landscaping setback as specified in Part 7 Section ~~7-Subsections~~ 41 to 45. **This provision does not apply to the HRM right-of-way portion of a landscape setback;**
  
2. Repeal and replace Part 7: General Streetscape Design, Section 11 Architecture, Subsection (8) as described below in strikeout and bold:
  - (8) within all zones, ~~except the Downsview Complex Zones (DC-1, DC-2, DC-3), roofs shall be pitched with a minimum slope of 10 degrees and all roofs shall be articulated with a minimum of one of the following features repeated at a rate of one per 6.1 meters (20 feet), horizontally:~~
    - (a) dormers
    - (b) parapets
    - (c) bay windows
    - (d) sheds
    - (e) roof windows
    - (f) roof terraces
    - (g) **cornices**
    - (h) or any other similar architectural treatment deemed to be an acceptable;

**Where a flat roof or horizontal roof form is proposed the above elements or any similar architectural treatment shall be incorporated into the roof design to reduce the visual appears of the flat roof or horizontal roof form from the street (any street) or abutting residential property.**



3. Repeal and replace Part 7: General Streetscape Design, Section 16 Parking, as illustrated below in ~~strikeout~~ and **bold**:

<b>SPACES</b>		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Any dwelling except as specified below:	1	Per each dwelling unit
• Multiple Unit Dwelling	1.5	Per each dwelling unit
• Seniors or Active Living Multiple Unit Dwelling	1	Per each dwelling unit
Retail Stores, <b>Office, Financial Institutions</b> , Service and Personal Service Shops:		
• exceeding 5,000 sq ft (464.5m <sup>2</sup> ) of gross floor area	<del>5.5</del> 4	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
• not exceeding 5,000 sq ft (464.5m <sup>2</sup> ) of gross floor area	<del>3.3</del> 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Banks and Financial Institutions	<del>3.3</del>	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Motels and Hotels	1	Per sleeping unit plus requirements for associated uses such as restaurants or other facilities contained therein
<del>Office</del>	<del>3.3</del>	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
<del>Shopping Centres or other similar multiple tenant retail centres and buildings (i.e. Strip Malls)</del>	<del>5.5</del>	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Grocery Store		
• up to 10,000 sq ft	1	Per 200 sq ft (18.6m <sup>2</sup> ) of gross leasable floor area
• from 10,000 sq ft to 30,000 sq ft	1	Per 300 sq ft (27.9m <sup>2</sup> ) of gross leasable floor area

Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
• greater than 30,000 sq ft	1	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Restaurants		
• Full Service	20 10	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area devoted to public use (NWCC-May26/05;E-May28/05)
• Drive Thru (NWCC-May26/05;E-May28/05)	27 8	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area devoted to public use (NWCC-May26/05;E-May28/05)
• Take Out - exceeding 300 sq ft (28m <sup>2</sup> ) of gross floor area	16 10	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area devoted to public use
• Take Out - not exceeding 300 sq ft (28m <sup>2</sup> ) of gross floor area	5	
Lounges, Taverns and Beverage Rooms	20 10	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor
Warehouses	2	Per 1,000 sq ft (92.9m <sup>2</sup> ) or 1 space per every 4 employees - whichever is greater
Self-Storage Units		1 space for each employee if full service office is located on the lot and 1 space for every 100 storage units. Driveway aisles shall be a minimum of 20 feet where access to storage units is only on one side of the aisle, and 24 feet where access to storage units is on both sides of the aisle. (NWCC-May26/05;E-May28/05)
Automotive Repair	1	Per 400 sq ft (37.2m <sup>2</sup> ) of office/reception area and 1 space per service bay
Automotive Sales and Outdoor Display Courts	1	Per 3,000 sq ft (37.2m <sup>2</sup> ) of outdoor sales area, and Per 400 sq ft (37.2m <sup>2</sup> ) of indoor sales and office area
Theaters	1	Per 5 seats

Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Institutional Uses except as specified below:		the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3m <sup>2</sup> ) of gross floor area where there are no fixed seats, or 1 space per 4 persons which can be accommodated at any one time
• Government Offices	4.5	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor
• Schools		
- Elementary School	11	Each employee and per classroom 6 spaces for use of visitors in addition to the greater of 1.5 spaces per classroom or 1 parking space per 32.3 sq ft (3m <sup>2</sup> ) of floor area in the gym or auditorium
- Junior High School	12.5	Each employee and per classroom 8 spaces for use of visitors in addition to the greater of 4 spaces per classroom or 1 parking space per 32.3 sq ft (3m <sup>2</sup> ) of floor area in the gym or auditorium
- High School	16	Each employee and per classroom 8 spaces for use of visitors in addition to the greater of 4 spaces per classroom or 1 parking space per 32.3 sq ft (3m <sup>2</sup> ) of floor area in the gym or auditorium
- Other	3	Per classroom
Hospital, Multiple Service Centre	2	Per bed
Medical, Dental, or any Health Practitioner (including Veterinary Clinic)	5.2	Per consulting room
Day Care Facilities	1.5	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Funeral Homes	15	
Library, Museum or similar use	1	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Any uses not specified above	3.3 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area

4. Add text to Part 7: General Streetscape Design, Section 48 Landscaping, as described below in bold:

46. Within all zones, the twenty percent (20%) pervious surface requirement pursuant to this By-law may be included as a component of the landscape requirement identified in Part 7 Section 41 through to 45 **and Part 6 Section 6** . The 20% pervious surface requirement shall not include heavy soils, gravel or other similar materials.

5. Repeal and replace text in Part 11: Downsview Complex-3 (DC-2) Zone, as described below in ~~strikeout~~ and bold:

Additional Requirements:  
Multiple Unit Dwelling, Seniors Residential Complex and  
Residential Care Facilities

10. Where any multiple unit dwelling, seniors residential complex or residential care facility is ~~erected in the DC-3 Zone~~ **permitted**, the following shall apply:

(2) ~~recreation space shall be provided at not less than 9.3 m<sup>2</sup> (100 sq. ft) per unit and a space set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools and tennis courts. The landscape setback required in accordance with this By-law may be calculated as a component of this required recreation space;~~

**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.**

(3) ~~the recreational space shall have no dimension less than 30 feet (9.1 m) and a minimum of 50 percent (%) of the outdoor recreational space shall have grades between 0-8 percent (%).~~

6. Repeal and replace text in Part 12: Pedestrian Retail (PR) Zone, as described below in strikeout and bold:

Special Requirements: Multiple Unit Dwellings

5. Notwithstanding the provisions of Part 12, where any multiple unit dwelling is erected in any PR zone ~~permitted~~, 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) ~~a maximum building footprint of 2,787 m<sup>2</sup> (30,000 sq. ft.);~~
  - (3) ~~the front facade of the building facing Sackville Drive does not exceed 12.9 m (40 ft) in length;~~
  - (4) ~~recreation space shall be provided at not less than 9.3 m<sup>2</sup> (100 sq. ft) per unit and a space set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools and tennis courts. The landscape setback required in accordance with this By-law may be calculated as a component of this required recreation space; and~~
  - (5) ~~the recreational space shall have no dimension less than 30 feet (9.1 m) and a minimum of 50 percent (%) of the outdoor recreational space shall have grades between 0-8 percent (%).~~
- (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.**

7. Repeal and replace text in Part 14: Pinehill/Cobequid (PR) Zone, as described below in strikeout and bold:

Special Requirements: Multiple Unit Dwellings

7. Notwithstanding the provisions of Part 14, where any multiple unit dwelling is erected in any PC zone ~~permitted~~, 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) a maximum building footprint of 2,787 m<sup>2</sup> (30,000 sq. ft.); and~~
- ~~(3) the front facade of the building facing Sackville Drive does not exceed 12.9 m (40 ft) in length.~~

- ~~(4) recreation space shall be provided at not less than 9.3 m<sup>2</sup> (100 sq. ft) per unit and a space set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools and tennis courts. The landscape setback required in accordance with this By-law may be calculated as a component of this required recreation space;~~

- ~~(3) the recreational space shall have no dimension less than 30 feet (9.1 m) and a minimum of 50 percent (%) of the outdoor recreational space shall have grades between 0-8 percent (%).~~

- (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:**

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

**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.**

8. Add text in Part13: Acadia Village Centre (VC) Zone, as described below in bold:

2.

- (5) **Notwithstanding Part 13 Section 2(1), a permit may be issued for signage relating to an existing building by the Development Officer without being subject to the development agreement requirement provided the signage complies with the provisions for all signage in the Pedestrian Retail (PR) zone.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of North West Community Council held on the \_\_\_\_ day of \_\_\_\_\_, 2006.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_\_, 2006

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

**ATTACHMENT C**

**HALIFAX REGIONAL MUNICIPALITY  
PLANNING SERVICES - SACKVILLE OFFICE  
PUBLIC MEETING**

**CASE NO. 00808 - Height Provisions and Parking Requirements on Sackville Drive**

7:00 p.m.

Monday, December 5, 2005

Fenerty/Program Room, Acadia School

**STAFF:** Thea Langille-Hanna, Planner  
Cara McFarlane, Administrative Support

**NWPAC  
MEMBERS:** Walter Regan, North West Planning Advisory Committee  
George Murphy, North West Planning Advisory Committee  
Ann Merritt, North West Planning Advisory Committee  
Joel Matheson, North West Planning Advisory Committee

**OTHERS:** Councillor Brad Johns, District 19  
Councillor Bob Harvey, District 20

**MEMBERS OF  
THE PUBLIC:** Approximately 7

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The meeting commenced at approximately 7:03 p.m.

**1. Call to Order/Purpose of the Meeting - Joel Matheson**

Mr. Matheson introduced himself as the Chair of North West Planning Advisory Committee (NWPAC); Ann Merritt, NWPAC; George Murphy, NWPAC; Walter Regan, NWPAC; Thea Langille-Hanna, HRM Senior Planner; and Cara McFarlane, Administrative Support.

The purpose of the workshop is a result of a request by the Sackville Drive Business Association to the North West Community Council on May 26, 2005, to initiate a public process to examine height restrictions and parking requirements along Sackville Drive.

**2. Overview of Planning Process/Policies and Regulations/Request - Thea Langille-Hanna**

The Sackville Drive Secondary Plan guides the revitalization of Sackville Drive to a safe, well functioning, and driving retail destination. The plan is needed as the primary tool for addressing



functional and visual problems. In May 2002, Regional Council adopted the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB). The adoption of the document came after approximately 1 ½ to 2 years of work with an area advisory committee. Members of the committee came up with a vision for Sackville which was then implemented through the SPS and LUB.

A coloured copy of the zoning map for Sackville Drive and the surrounding areas that are within the SPS was shown on overhead. The red area, Beaver Bank/Sackville Drive intersection, is intended for Large Scale Commercial. It encourages existing development that is there now.

The blue area is the Downsview Complex which has become a major commercial node for Sackville. A specific zone was created to help accommodate that particular growth anticipated in that area.

The next area is referred to as the Acadia Village Centre. It was thought that at some point in time there may be some interest in developing the lands around the centre. If not, the lands should remain the same as today, but if land ownership did change, protection is in the document as to what future land uses could occur around the municipal building.

The next portion of the street runs basically from Riverside Drive to Pinehill. It is referred to as the Pedestrian/Retail Zone. There are smaller lots with smaller commercial business.

The next portion runs from Pinehill Drive through to Cobequid Road. This is referred to as the Pinehill/Cobequid Zone. This area has taken existing economic driven businesses (outdoor display courts) and the idea is to encourage this use in this area with the ability for enhancement. The existing used car lots were given the proper zoning but any future ones will have to go through a rezoning process to the Outdoor Display Court Zone. In this particular area, there is more of a variety of lot sizes and quite a range of commercial activity.

When the SPS was adopted, staff had indicated to Regional Council that a review would be necessary in order to address any inconsistencies, omissions and housekeeping matters. When creating a new document, there is always a possibility that things were missed and some issues may need to be reviewed at a later date. In March 2005, Regional Council approved amendments to Sackville Drive SPS and LUB. Those amendments primarily addressed any inconsistencies, omissions or housekeeping matters, but also included new height provisions for the area.

Prior to the adoption of the Sackville Drive SPS (May 2002), land use and development on Sackville Drive was regulated through the Sackville Municipal Planning Strategy (MPS). At that time, the Sackville MPS contained no restrictions on the maximum height of buildings within the C-3 (Commercial Corridor) Zone. Similar approach was taken when looking at the Sackville Drive SPS.

In late 2004, a development application was received for an 18 storey building which caused concern in the community and resulted in staff re-evaluating this issue. It was also discussed at a public

information meeting which was held in January 2005. As a result of those concerns, the amendment package included some policy and land use by-law provisions that would limit height in buildings in the Sackville Drive SPS. This was intended to be an interim measure and to simply provide an opportunity so the issue could be explored.

Staff looked at the existing lot pattern and height of buildings along the street and the type of inquiries received over the past several years with questions in respect to height. As a result, looking at all the information received and the national building code, the recommendation that was implemented by Regional Council was to limit height for all main commercial buildings and multiple unit dwellings be a maximum of three storeys up to the maximum height of 35 feet at established grade. The other provision was for residential buildings, which would exclude multiple units, was also three storeys but a maximum height of 40 feet. There was also limit on height for all accessory buildings or structures to ensure they do not exceed the height of the main building.

The other issue that came up was due to a request of the Sackville Drive Business Association (SDBA). Staff has been asked to review parking requirements specific to the parking space requirements as they link to certain land uses. In this particular situation, staff would like for the community to have some input.

### 3. Breakout into Workshop Format

The group broke up into two tables. There were two large maps of the Sackville Drive SPS, a flip chart to gather thoughts, a copy of the Sackville Drive LUB and SPS, and a copy of the parking space requirements for each table. The groups were asked to explore new height and parking requirements for Sackville Drive.

### 4. Presentation/Questions/Comments (See Attachment A for point-form discussion)

John Murphy presented for the first group. In general, the height for most of Sackville Drive should be six storeys by right provided all other requirements are met. The Downsview and Large Scale Commercial area should probably be eight storeys. Anything beyond either one of those should be by development agreement only.

Parking and height are tied together as you need the parking to accommodate the size of the building; however, these requirements do have to be addressed. Parking requirements for a full serviced restaurant and residential uses were used as examples.

Ms. Langille-Hanna asked if there was some discussion behind the number of sites for six storeys. Mr. Murphy said there was a lot of discussion because there are a lot of areas where six storeys would be too much, but when the other requirements were included those concerns were eliminated.

Michelle Champniss presented for the second group. In the Downsview area the height should be ten storeys. The building could go higher than ten storeys but only by development agreement as long as all other requirements are met. The rest of the area should be a maximum of seven storeys. It was suggested that a certain setback distance be established depending on the number of storeys the building will be so there will not be any shadowing on residential properties in behind the Sackville Drive commercial area.

There was some discussion about the need for a hotel/convention centre in the Downsview area.

Some concern was shown for lack of a buffer zone between Sackville Drive businesses and the residential areas directly behind Sackville Drive.

A discussion about apartment buildings had begun but not completed. It was discussed that apartment buildings should not have the same height provisions as commercial buildings. Ms. Champniss said it was suggested that apartment buildings be a maximum of five storeys in height. A variety of commercial and residential uses would be nice.

Mr. Regan feels in the SC and PC sections the height should be limited to five storeys and a development agreement must be entered into for anything above that. In the LS section height should be maximum of eight storeys and anything above by development agreement only. Where possible, a step system of the buildings should be done, two storeys in front then the others set back. He would also like for by-right development be closely looked at and controlled.

There are a lot of questions when it comes to the parking requirements on Sackville Drive.

The following are proposed changes to the parking requirements:

SPACES		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Any dwelling except as specified below:	± 2	Per each dwelling unit
• Multiple Unit Dwelling	±.5 1.1	Per each dwelling unit
• Seniors or Active Living Multiple Unit Dwelling	1	Per each dwelling unit
Retail Stores, Service and Personal Service Shops:		

• exceeding 5,000 sq ft (464.5m <sup>2</sup> ) of gross floor area	5:5 4	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
• not exceeding 5,000 sq ft (464.5m <sup>2</sup> ) of gross floor area	3:3 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Banks and Financial Institutions	3:3 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Motels and Hotels	1	Per sleeping unit plus requirements for associated uses such as restaurants or other facilities contained therein
Office	3:3 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Shopping Centres or other similar multiple tenant retail centres and buildings (i.e. Strip Malls)	5:5 4	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area
Grocery Store		
• up to 10,000 sq ft	1	Per 200 sq ft (18.6m <sup>2</sup> ) of gross leasable floor area
• from 10,000 sq ft to 30,000 sq ft	1	Per 300 sq ft (27.9m <sup>2</sup> ) of gross leasable floor area
• greater than 30,000 sq ft	1	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Restaurants		
• Full Service	20 15	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area <b>devoted to public use (NWCC-May26/05;E-May28/05)</b>
• Drive Thru (NWCC-May26/05;E-May28/05)	27 15	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area <b>devoted to public use (NWCC-May26/05;E-May28/05)</b>
• Take Out - exceeding 300 sq ft (28m <sup>2</sup> ) of gross floor area	16 10	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area devoted to public use
• Take Out - not exceeding 300 sq ft (28m <sup>2</sup> ) of gross floor area	5	
Lounges, Taverns and Beverage Rooms	20 15	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor

Warehouses	2	Per 1,000 sq ft (92.9m <sup>2</sup> ) or 1 space per every 4 employees - whichever is greater
Self-Storage Units		1 space for each employee if full service office is located on the lot and 1 space for every 100 storage units. Driveway aisles shall be a minimum of 20 feet where access to storage units is only on one side of the aisle, and 24 feet where access to storage units is on both sides of the aisle. (NWCC-May26/05;E-May28/05)
Automotive Repair	1	Per 400 sq ft (37.2m <sup>2</sup> ) of office/reception area and 1 space per service bay
Automotive Sales and Outdoor Display Courts	1 (groups thought this would best be answered by Kevin Kingston)	Per 3,000 sq ft (37.2m <sup>2</sup> ) of outdoor sales area, and Per 400 sq ft (37.2m <sup>2</sup> ) of indoor sales and office area
Theaters	1	Per 5 seats
Institutional Uses except as specified below:		the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3m <sup>2</sup> ) of gross floor area where there are no fixed seats, or 1 space per 4 persons which can be accommodated at any one time
• Government Offices	4.5 (the groups that this should be eliminated)	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor
• Schools		
- Elementary School	<del>11</del> 10	Each employee and per classroom
- Junior High School	<del>12.5</del> 10	Each employee and per classroom
- High School	<del>16</del> 15	Each employee and per classroom
- Other	3	Per classroom
Hospital, Multiple Service Centre	2	Per bed
Medical, Dental, or any Health Practitioner (including Veterinary Clinic)	5	Per consulting room
Day Care Facilities	1.5	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Funeral Homes	15	

Library, Museum or similar use	1	Per 400 sq ft (37.2m <sup>2</sup> ) of gross leasable floor area
Any uses not specified above	<del>3-3</del> 3	Per 1,000 sq ft (92.9m <sup>2</sup> ) of gross leasable floor area

The second group eliminated Office and Shopping Centres (i.e. Strip Malls) under Retail Stores, Service and Personal Service Shops as it is already included in the above and below 5,000 square feet section.

The parking under Grocery Store was left alone as the square footage was confusing. Mr. Regan would like to see large parking lots like Downsview be reduced to a more practical number to avoid the look of a moonscape.

Theaters were left at one but the group suggested comparing to other theaters.

Automotive Repair was referred to Kevin Kingston.

Hospital, Multiple Service Centre has two parking spaces per bed, but the parking requirements for those uses should be higher.

Ms. Langille-Hanna said that all the parking will be revisited and discussed with Development Services staff.

Ms. Langille-Hanna found the workshop format very helpful and a lot of information was gathered.

The information will be reviewed with other internal/external staff for their comments. Environment Services will be asked for their comments as there are some sanitary problems along Sackville Drive.

Mr. Matheson's group focused on the vision statement and the philosophy behind creating a pedestrian friendly unique mainstreet. One concern expressed was not to become a clone of Halifax and Bedford, but to create a uniqueness.

Ms. Merritt believes that the Sackville Drive SPS lays out what should happen in certain areas and some precaution has to be taken when it comes to by-right developments. She would like to see some care taken when wording the revisions.

Ms. Langille-Hanna thanked everyone for coming to the workshop and expressing their views and comments.

5. Closing Comments - Joel Matheson

Mr. Matheson thanked staff for holding the workshop and everyone who attended the workshop.

6. Adjournment

The workshop adjourned at approximately 9:03 pm.

Comments from Flip Charts

**Group 1:**

Height:

- Most of Sackville Drive - 6 storeys
- Downsvew and Big Box - 8 storeys
- Beyond those by development agreement only

Parking:

- Need to be addressed
- 20/1000
- 1 residential

**Group 2:**

Height:

- Downsvew - needs hotel/convention centre
- Not much of a buffer between Sackville Drive and residential
- High-rise buildings (eg: 18 storeys) would be out of place
- Could add setback to back of building above 7 or 8 storeys (for structure). Could be used for other uses (eg: parking)
- Downsvew Zone - base 10, public consultation above 10 storeys
- Everywhere else 7 storeys (no development agreement)
- Apartment buildings - **the group didn't get to finish their discussion on this issue.**

**Comment of the Public Open House held by the  
North West Planning Advisory Committee on June 12, 2006  
Sackville Library (Fenerty/Program Room)**

**The Proposed Changes to the Sackville Drive Plan**

**Height Provisions:**

1. Possible exemptions for lands zoned for large scale commercial areas. Areas for commercial use near Highway 101 could be allowed to have more than six storeys for office towers without affecting Sackville Drive skyline.
2. The three storey (45 ft) height is too low. Our December meeting showed a near unanimous decision (direction) to look at six storeys by right of use (see roof design).
3. I am in favour of the proposed provision which will allow more flexibility in building use and design while avoiding the effects of wind tunnelling, shadowing and the urban canyon look.
4. Okay. Buildings above six storeys are okay if done with class.
5. I agree with these. More green roofs and runoff collection and storage, must not maximize hard surface. On-site stormwater collection and retention.

**Landscaping Setback:**

1. Where is the 50 ft landscaping in the Downsview area that is currently called for?
2. I am in favour of the proposed provision to allow more flexibility in site design; however, promote tree planting more strongly within the new zone.
3. Okay. Should be reinforced.
4. I agree with Pinehill/Cobequid changes but not Downsview Mall area leave as is. We need more green space not less. We must retain on-site storage. Do not increase hard surface at cost of green area and ground water recharge.

**Roof Design:**

1. Why just one proposal? Where is the choice of the land owners? Three storeys with a step-back is one option. Why not set the entire building back further on the lot to accommodate six storeys.



2. Proposed provision is an excellent idea for architectural interest.
3. No peaks. Variable roof line okay.
4. I agree. I do not want to see UGLY roof tops from street, also must hide all roof equipment from view to give better site appearance and in keeping with streetspace.

**Parking Space Requirement:**

1. A step in the right direction.
2. Don't forget medical/dental/chiropractic offices. Two parking spots/treatment rooms is sufficient (not five).
3. Allow development officer to consider variances.
4. Okay
5. Generally I agree. Anything to reduce parking hard surface, to increase green core - more landscaping. Why build parking lots that are hardly ever used or fully filled. More green, less parking. Put some planning and reason in the number of parking spaces.

**Car Lots:**

1. Should have been done years ago. It would have saved a lot of headaches and a lot of money out of the land owners pockets.
2. By site design only in current zone. Environmental design should be part of any site plan considering the storm run off from the large display areas characteristic of an outdoor display court - require oil/grit separators.
3. Limit car lots.
4. No change to existing provisions, they can always go DA. What we have now is more than enough - no changes. No site approval. Under site approval if approved, item (6) all parking lot run-off be retained e.g. oil/grit separator, retention pond.

**General Feedback or Comment:**

1. You guys have been listening to us at SDBA. It's good to see.
2. HRM staff - stay the course - Sackville is starting to green up nicely - now if only the traffic can be calmed somewhat! Don't forget about our bridge!

3. Mostly okay.
4. When are the boulevards on Sackville Drive going in?
  - We need more trails/bike ways
  - The lights at Raymond/Leeside (one set) must be removed.
  - When is the bridge going in on Sackville Drive, over the Little Sackville River?
  - Something must be done to reduce traffic on Sackville Drive
  - Intersection built to accommodate turning circles for large trucks (55' trailers)
  - What is being done with the Irving at Beaver Bank to give 50' set back of green space?

8.1



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Halifax Regional Council  
August 8, 2006  
September 5, 2006

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:** Brad Johns  
Councillor Johns, Chair  
North West Community Council

**DATE:** July 21, 2006

**SUBJECT:** Case 00808: Amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-Law

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**ORIGIN**

North West Community Council Meeting July 20, 2006.

**RECOMMENDATION**

It is recommended that Regional Council :

1. Give First Reading to the proposed amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law as provided in Attachment "A" and set a joint public hearing with North West Community Council on September 5, 2006.
2. Approve the proposed amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-Law as provided in Attachment "A" of the June 16, 2006 staff report.

**Case 00808: Amendments to the Sackville Drive  
Secondary Planning Strategy  
and Land Use By-Law**

- 2 -

**July 21, 2006**

**BACKGROUND**

See staff report dated June 16, 2006.

**DISCUSSION**

At the July 20, 2006 meeting of North West Community Council First Reading was given to consider amendments to the Sackville Drive Land Use By-law provided in **Attachment B**.

Following the Joint Public Hearing and contingent upon the adoption by Regional Council of the amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-Law provided in **Attachment A**, staff will bring forward the amendments as proposed in Attachment B to North West Community Council for consideration.

**BUDGET IMPLICATIONS**

There are no budget implications associated with this report.

**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**

As proposed in the staff report dated June 16, 2006.

**ATTACHMENTS**

1. A report from North West Planning Advisory Committee dated July 11, 2006 with an attached staff report dated June 16, 2006.

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:	Stephanie Parsons, Legislative Assistant
Financial Review:	Not Applicable
Report Approved by:	Brad Johns, Chair, North West Community Council