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Item No. 13.1.3
North West Community Council
October 4, 2021

TO: Chair and Members of North West Community Council

SUBMITTED BY: - Original Signed -
Kelly Denty, Executive Director of Planning and Development

DATE: September 21, 2021

SUBJECT: Case 23556: Amendments to the Sackville Drive Land Use By-law – Access to Multi-Unit Dwellings Across LS Zoned Properties

ORIGIN

On March 8, 2021, North West Community Council PUT and PASSED the following motion:

That North West Community request a staff report to consider amendments for the Sackville Drive Land Use By-law to allow access to multi-unit dwellings across LS (Large Scale Commercial) Zone lots.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that North West Community Council direct the Chief Administrative Officer to commence the planning process to consider amendments to the Sackville Drive Land Use By-law to allow access to new multi-unit dwellings across lots within the LS (Large Scale Commercial) Zone.

BACKGROUND

Motion

Council's motion of March 8, 2021 directed staff to prepare a report with respect to amending the Sackville Drive Land Use By-law to allow access to new multi-unit dwellings via lands within the LS (Large Scale Commercial) Zone.

History

Prior to the adoption of the Sackville Drive Secondary Planning Strategy (SSPS) and Land Use By-law (LUB), land use and development on Sackville Drive was regulated through the Sackville Municipal Planning Strategy. In 2002, the Sackville Drive SPS and LUB were adopted in response to the community's desire to provide more specific development guidance to ensure the successful and desired growth of this commercial destination. Existing developments that did not conform with the new land use designations and regulations provided by the Sackville Drive SPS and LUB were classified as "existing", indexed in an appendix to the LUB, and permitted within new zones. This appendix allowed the continued operation of these uses but prohibited their expansion.

Current Policy and LUB Context

The LS (Large Scale Commercial) Zone is established under the Downsview-Beaver Bank (DB) Designation. One objective of the DB designation is to encourage the creation of a large format retail power centre in proximity to the Highway 102 interchange and Beaver Bank Connector/Sackville Drive intersection. It attempts to achieve this by the following:

- permitting commercial and retail uses that typically require larger footprints (10,000 square feet or greater) as-of-right through the LS (Large Scale Commercial) Zone;
- requiring smaller scale commercial uses by development agreement; and
- prohibiting new multiple unit residential uses. While new multiple unit residential uses are discouraged within the LS Zone to ensure these lands are developed for commercial/retail purposes, existing residential uses developed before the adoption of the Sackville Drive SPS were permitted to continue.

Although not permitted in the LS Zone, new high-density residential uses are zoned within the DB designation as the SSPS acknowledges the market foundation they provide to support retail businesses. To encourage a broader range of land uses, increased density, and commercial and residential infilling within the DB designation, the Downsview Complex Zones 1, 2, and 3 were established and situated adjacent to the LS Zone.

DISCUSSION

Staff have evaluated Council's motion to amend the Sackville Drive Land Use By-law to allow access to new multi-unit dwellings on abutting or adjacent lands over LS (Large Scale Commercial) Zoned lands and advise that additional research and public consultation is necessary.

Access Constraints and Traffic Concerns

A key goal of the Sackville Drive SSPS is to improve traffic efficiency and vehicular movement. Preliminary examination with HRM Development Engineering and Nova Scotia Public Works staff indicate that locations suitable for permitting new access to provincial and municipal roadways in this area are limited and challenging. As such, the amendment could alleviate this concern by allowing a more efficient use of the land for traffic circulation and potentially eliminate the need for additional access points to municipal and provincial roadways.

Action Required in This Planning Process

If Council directs the Chief Administrative Officer to proceed with the by-law amendments outlined in this report, staff will work to determine the impact of the proposed LUB amendment to allow access to new multi-unit dwellings across LS (Large Scale Commercial) zoned lots by conducting a full policy and spatial analysis. In addition to this research, engagement with the public and Planning Advisory Committee would

also be warranted to gather feedback to the findings. As such, staff recommend that an amendment of this nature be considered through the planning application process which would identify to Community Council:

- If there has been a change in the area to warrant the amendment; and
- If the amendment would create conflict with other existing policy, or the surrounding community.

Conclusion

Staff advise that changes made to the Sackville Drive Land Use By-law should be based on a planning review involving evidence-based research and public engagement to ensure changes reflect the needs of the community, existing policy direction, and best planning practice. Therefore, staff recommend that the North West Community Council direct staff to begin a planning application to consider an amendment to the Sackville Drive Land Use By-law to allow access to new multi-unit dwellings across lots zoned LS (Large Scale Commercial).

COMMUNITY ENGAGEMENT

At this time, no community engagement has been undertaken about an amendment to the Sackville Land Use By-law to allow access to new multi-unit dwellings across LS (Large Scale Commercial) Zone lots. Future engagement is a recommendation of this report, which would include a recommendation from the North West Planning Advisory Committee.

A public hearing would be required before Council could consider approval of any proposed LUB amendments. Changes to the land use by-law will potentially impact local residents, property owners, and business owners.

FINANCIAL IMPLICATIONS

Where this is a Council initiated application, the Municipality will be responsible for costs associated with its processing. A planning application fee will not be received, and newspaper advertisements / mail out notifications for any required engagement events or public hearings will need to be paid for by the Municipality. When combining the lost application fee revenue with the notification costs, it is anticipated that this application will cost the Municipality approximately \$8,000. All costs will be paid for within the approved 2021-2022 operating budget for C310 Planning Applications and using existing resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed LUB amendment are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

1. North West Community Council may defeat the staff recommendation and choose to not direct the Chief Administrative Officer to undertake a planning application amendment process to consider allowing access to new multi-unit dwellings across LS (Large Scale Commercial) Zone lots within

the Sackville Drive Land Use By-law.

2. North West Community Council may choose to direct the Chief Administrative Officer in a manner not identified in this report. In selecting this option, Council should be as specific as possible regarding the nature of change they are seeking to the existing policies.

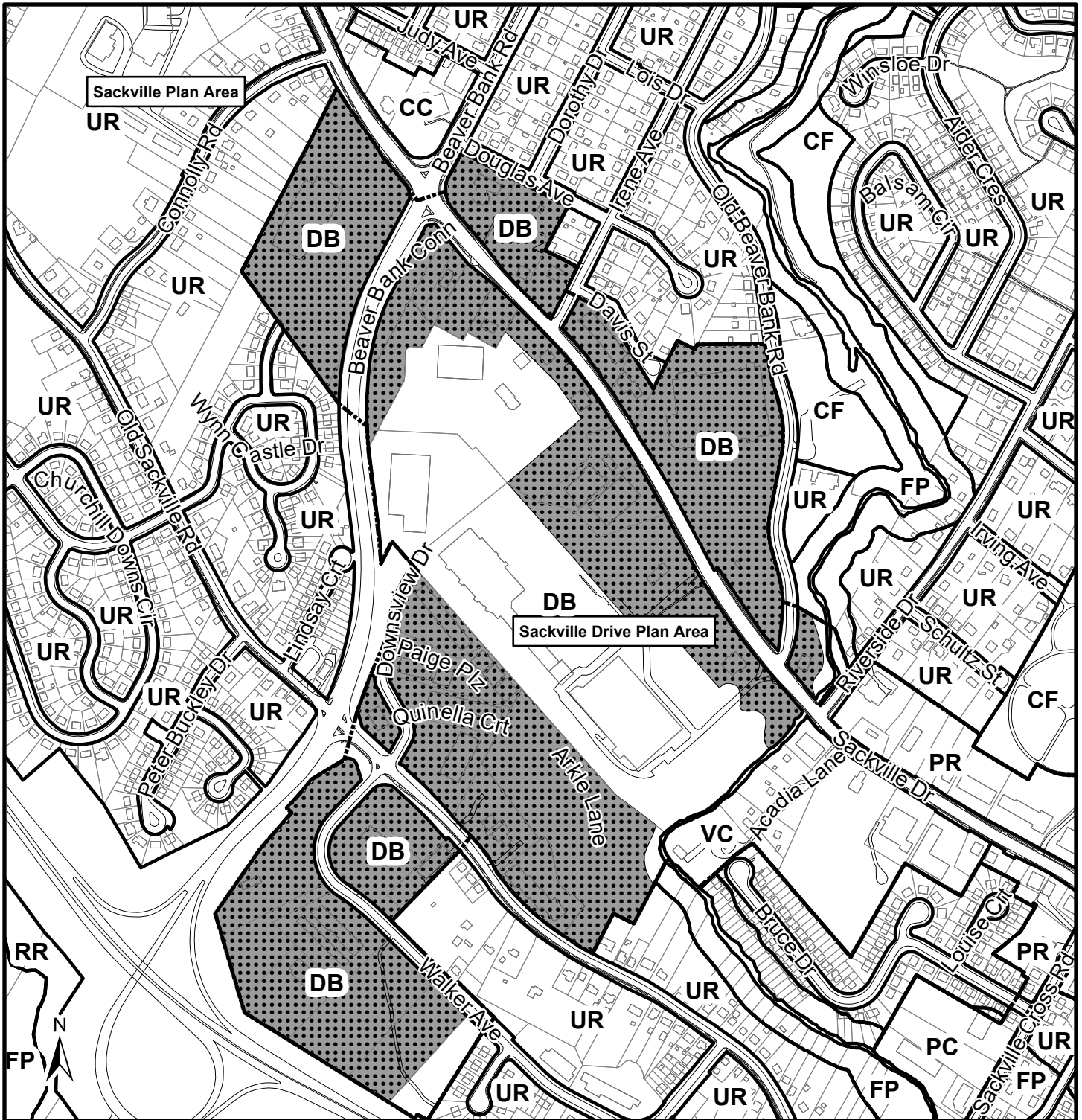
ATTACHMENTS

Map 1: General Future Land Use
Map 2: Zoning

Attachment A: Relevant Excerpts from Sackville Drive Secondary Planning Strategy
Attachment B: Relevant Excerpts from Sackville Drive Land Use By-law



A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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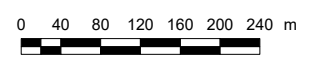


Map 1 - Generalized Future Land Use

HALIFAX

-  Subject Lands
-  Plan Area

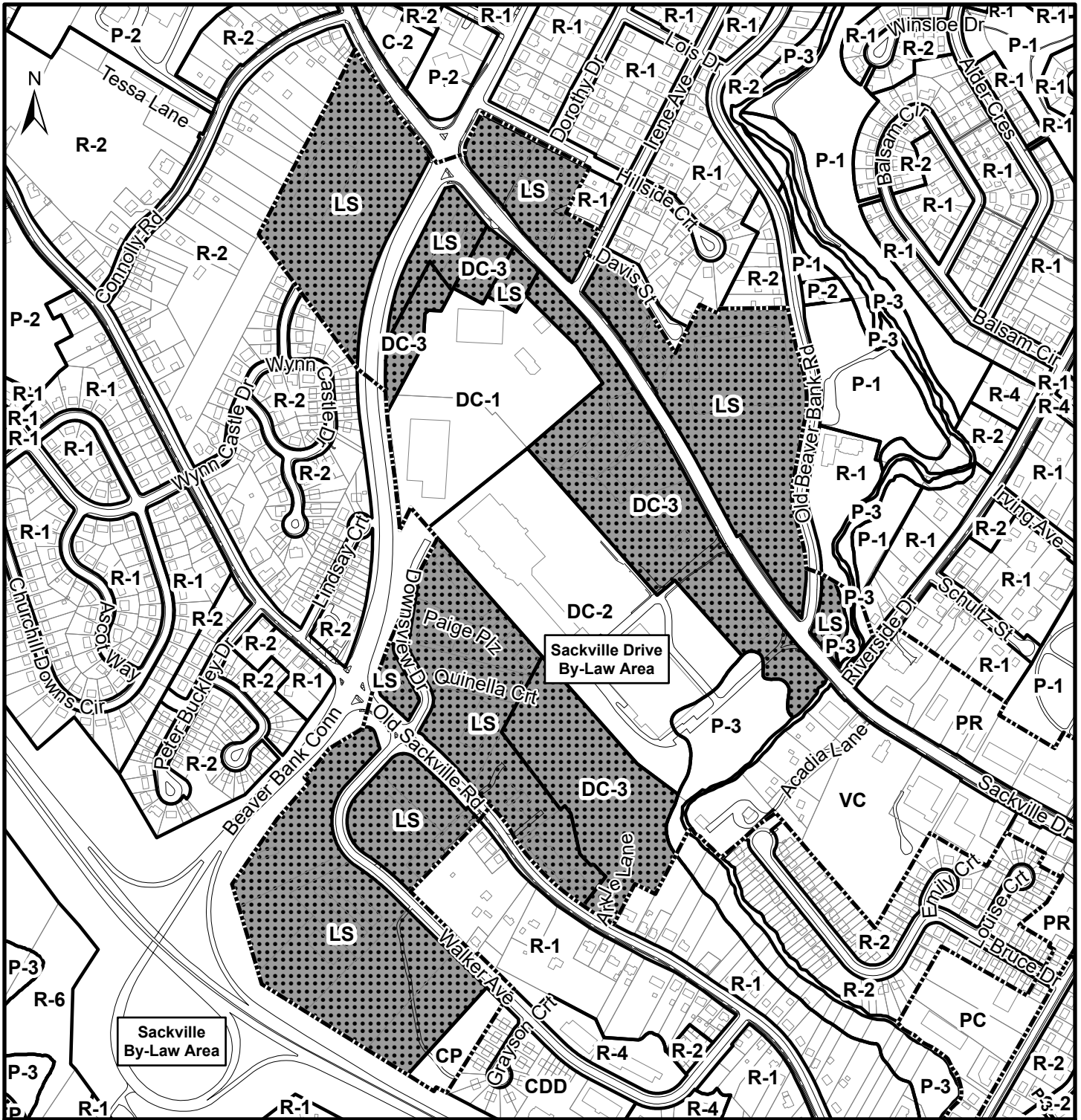
- Sackville Drive
 - Sackville
- Designation**
- DB Downview / Beaver Bank
 - PC Pinehill / Cobequid
 - PR Pedestrian Retail
 - VC Acadia Village Centre
 - CC Community Commercial
 - CF Community Facility
 - FP Floodplain
 - RR Rural Residential
 - UR Urban Residential



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


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

Sackville Drive Plan Area
Sackville Plan Area

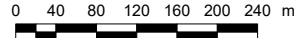


Map 2 - Zoning

HALIFAX

-  Subject Lands
-  By-Law Area
- Sackville Drive Land Use By-Law Area
- Sackville Land Use By-Law Area

Zone	Sackville Drive By-Law Area	Zone	Sackville By-Law Area
CP	Community Parkland and Facility	C-2	Community Commercial
DC-1	Downsview Complex-1	CDD	Comprehensive Development District
DC-2	Downsview Complex-2	P-1	Open Space
DC-3	Downsview Complex-3	P-2	Community Facility
LS	Large Scale Commercial	P-3	Floodplain
P-3	Floodplain Zone	R-1	Single Unit Dwelling
PC	Pinehill/Cobequid	R-2	Two Unit Dwelling
PR	Pedestrian Retail	R-4	Multiple Unit Dwelling
VC	Acadia Village Centre	R-6	Rural Residential



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

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

PART 5: THE POLICIES

5.1 Land Use Designations

Sackville Drive is defined by four distinct areas. Each displays unique and individual opportunities from which the following policies have been developed.

The first segment refers to all public and private lands found between the Beaver Bank Connector and Riverside Drive. This area's proximity to the regional transportation system and diversity of land uses provides both unique opportunities and challenges.

The middle segment includes all public and private lands found between Riverside and Pinehill Drives, with the Little Sackville River at either end creating a natural boundary. The sector includes public buildings, various restaurants, and strip malls. The area has a relatively low density form, with a limited amount of vacant land.

Near the Riverside Drive end of the middle segment is the third segment characterized primarily by the Acadia School building which is currently used as the Sackville Public Library and HRM municipal offices. The Acadia Hall building located next to the Acadia School also forms part of this area. The Acadia ballfields to the rear of the site, several small single unit dwellings, and various strip malls make up the remaining portion of this segment.

The fourth segment runs from Pinehill Drive to Sackville Heritage Park at Cobequid Road. This stretch of Sackville Drive serves as the second official entrance into Sackville. It can best be characterized by its small single dwelling residences, small scale offices and retail businesses, several large scale businesses such as Payzant's Home Hardware, Nothing Fancy Furniture Store, Farmer Clem's Farm Market, Access Cable, and Sports Traders, used-car dealerships, an auto auction, and a few large scale institutional uses (Rock Church, and the Gate of Heaven Cemetery).

Future land uses along Sackville Drive will be guided by these four areas and more specifically by the designation map - Generalized Future Land Uses - as follows:

Downsview-Beaver Bank Designation
Pedestrian Retail Designation
Acadia Village Centre Designation
Pinehill - Cobequid Designation

5.2 The Downsview-Beaver Bank Designation

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

Policy DB-1

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

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

5.2.1 Develop a Large Format Retail Power Centre

Within the Downsview-Beaver Bank district, Sackville's only shopping centre and most of big box retail uses such as Kent Home Building, WalMart, Sobeys, Super Store, Blockbuster, and Canadian Tire can be found. In general terms, these stores are large-format stores that typically range in size from 20,000 to more than 80,000 square feet. The definition of "big" is relative, however, and must be related to the product category in question. For instance, a large format supermarket/grocery sector would normally be in the 50,000 to 100,000 square foot range. For warehouse operations, such as Kent or Home Depot, a large format store would normally contain 100,000 square feet. In contrast, for book retailers, 25,000 to 50,000 square feet would qualify as a big-box operation. For other specialty retail categories, for example, eye glasses, a 5,000 square-foot store would qualify as a large format store. The key point is that "large format" stores are several times the size of traditional outlets in their category.

Although conventional wisdom dictates that "large-format" commercialism creates a lose-lose outcome to the community in that such uses tend to "squeeze" out the small retail market, this is not always the case. In fact, large-format stores are integral to the viability of Sackville Drive, and Sackville overall. These stores have broad market appeal drawing on both local and non-local consumer markets, which tend to spillover into the smaller retail uses, benefiting the entire street.

The long term viability of the large-format stores depends significantly on grouping the uses together, and ensuring they are within proximity to the regional transportation system in areas of high visibility and high traffic counts. Therefore, given the amount of vacant, highly visible, serviced commercial land near the interchange, the existing cluster of big box uses in this area, and the growing demand for new big box development, the creation of a "largeformat power centre" shall be encouraged in this area of Sackville.

5.2.1.1 Multiple Dwelling Uses

The Downsview-Beaver Bank designation supports most of the high density residential uses within Sackville. These uses are near the interchange and are within walking distance to the shopping centre and other major retail uses. The large population base residing within proximity to the retail centre provides a solid market foundation to support existing and new retail projects in this area. Although high intensity residential uses have coexisted with the retail development in the

designation with minimal conflict, the amount of high density residential is adequate. The high concentration and segregation of such uses have created a somewhat displeasing effect.

Consequently, to ensure opportunity for new big box retail development and to avoid further concentration of high density residential uses, new multiple residential uses should be discouraged within the Large Scale Zone.

Notwithstanding the above, a residential redevelopment replacing the existing land uses at 8 Walker Avenue and 732 Old Sackville Road with a mixed use multiple unit development is in keeping with the Urban Settlement Designation under the Regional MPS to provide for a diverse, vibrant and liveable urban environment. Furthermore, Sackville is identified as an Urban District Growth Centre under the Regional MPS where the land use is envisioned to be a mix of low, medium and high density residential, commercial, institutional and recreation uses with a connecting point for transit routes to other Centres and the Regional Centre. With the development of the Halifax Transit Sackville Terminal at 7 Walker Avenue, across the street from 8 Walker Avenue, the location of the mixed use multiple unit development seems appropriate as supported by plan policies. (RC-Jul 21/15;E-Sep 12/15)

Policy DB-2

Within the Downsview-Beaver Bank Designation, a Large Scale Commercial Zone shall be established under the Land Use By-law and applied to a portion of the lands as shown on Schedule B. The Large Scale Commercial Zone shall permit a range of commercial and retail uses that typically require buildings of 10,000 square feet, or greater, in size, including but not limited to, retail, office, hotel and motels, self storage facilities, commercial entertainment, commercial recreation, automobile rental, motor home sales. Institutional and community uses shall be permitted. New multiple residential uses shall be prohibited in the Large Scale Zone. All residential, outdoor display, trade and contracting uses in existence as of May 7, 2002, shall be permitted within the Zone.

Policy DB-2(a) (RC-Jul 21/15;E-Sep 12/15)

Within the Downsview-Beaverbank Designation a mixed use multiple unit development at 8 Walker Avenue and 732 Old Sackville Road shall be considered by development agreement in accordance with the provisions of the Halifax Regional Municipality Charter. The location, scale, height, building materials and architectural character of the proposed building and the existing surrounding built environment are factors to be considered in evaluating this proposal along with land use, pedestrian connections, landscape design and traffic implications. The location of the Halifax Transit terminal across Walker Avenue from the proposed development and the well-developed regional traffic network supports multiple unit dwelling development at this location. In considering any such development agreement, Council shall have regard to the following:

- (a) building walls shall be oriented to the street(s) and main building entrances shall be safely oriented to the sidewalk system and primary pedestrian ways;**
- (b) compatible retail commercial and personal service use may be provided at main level;**
- (c) compatibility with surrounding built form and lands uses. Utilization of architectural design approaches to reduce perception of visual impact of the height, scale and mass in relation to the surrounding built form;**
- (d) pedestrian activity shall be encouraged through, but not limited to, provision of outdoor cafes, ground floor uses and landscaped amenity areas. Consideration shall be given to weather protection for pedestrians;**
- (e) landscape architectural details shall reinforce pedestrian circulation, highlight**

- entrances, and provide shade. Landscaping features and/or street trees should be safely provided around the perimeter and throughout the development to enhance site aesthetics;
- (f) traffic access to and from the site should be designed to safely minimize adverse impacts on the adjacent residential uses and street network;
 - (g) lighting shall be designed to provide security, safety, and visual appeal for both pedestrians and vehicles while ensuring minimal impact on adjacent properties; and
 - (h) the provisions of Policy I-5.

5.2.2 Limit Small Scale Buildings and Strip Malls

The success of the big box retail power centre will undoubtedly be influenced by the manner in which traffic is managed in this area. The significant volumes of traffic that are currently drawn to Downsview-Beaver Bank area, and any additional traffic drawn by the big box power centre, could be detrimental to the success of this area.

One means to ensure the effective management of traffic is to generally discourage small scale uses within this area. The traditional combination of large and small scale uses have fostered a scattered patchwork of varied lot sizes and building scales, creating an overall dysfunctional traffic system. Inappropriately spaced driveways and poorly planned and spaced turning lanes have only exacerbated the situation.

Consequently, new small scale, pedestrian oriented uses should be discouraged. However, where it can be shown that a small scale development would further the intent of traffic access management principles and efficiency in this area, such uses could be considered. Specifically, small scale uses should prove that they will not complicate the task of driving, increase overall travel times, and necessitate the need for additional travel lanes. Moreover, small scale uses should be sited to ensure the predictability of motorist travel patterns is easily discernable. Small scale uses should also demonstrate that they would not decrease the capacity of existing transportation system.

Policy DB-3

To foster a well-functioning, traffic efficient, retail power centre, within the Large Scale Zone, new commercial developments with building footprints of less than 10,000, or any proposed expansion to existing commercial developments that would have a total building footprint of less than 10,000 square feet, may only be considered by the development agreement provisions contained within the Municipal Government Act. In considering such agreements, Council shall have regard to the following:

- (a) that the proposed use is permitted within the Large Scale Commercial Zone;
- (b) that in lieu of direct access onto Sackville Drive, alternative access and egress options have been considered, such as shared driveways or parking lot easements;
- (c) notwithstanding (b), where alternative accesses are considered infeasible, that the use can be accommodated by a maximum of one driveway opening per 100 feet of street frontage;
- (d) that any new driveway is located so that its opening abuts an existing driveway;
- (e) that traffic access management principles are applied so to improve existing traffic circulation and efficiency, to reduce the task of driving, to reduce the need for additional travel lanes, to maintain or improve existing local travel times, and increase the predictability of motorist travel patterns;
- (f) that significant vegetation stands are retained, where possible and;

(g) Policy I-5.**5.2.3 Reinvalidate the Downsview Shopping Centre**

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

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

In response to the decline of the traditional shopping centre format, many centres have been reinvented. Specifically, with major structural renovations and fresh approaches to retailing, many failing centres have become true success stories. The Sunnyside Mall in Bedford is a good example of a mall reinvented.

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

5.2.3.1 Land Uses

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

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

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

5.2.3.2 Internal Circulation and Access

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

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

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

5.2.3.3 Site Plan Approval

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

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

Policy DB-4

Within the Downsview-Beaver Bank Designation, Downsview Complex Zones 1, 2 and 3 shall be established and applied to the lands shown on Schedule B. The Zones shall facilitate a comprehensive approach to shopping centre redevelopment by encouraging: a broader range of land uses; increased density; commercial and residential infilling; improved internal vehicular and pedestrian movement and improved accessibility to the site. Within the Zones, permitted uses shall include, but not be limited to, commercial, institutional, community, and residential uses, including new multiple dwelling uses. All uses in existence of as May 7, 2002, shall be permitted. Site Plan Approval shall be required for all uses, *excluding internal renovations with no external renovation or modifications (RC-Apr 12/05; E-May 7/05)*, within the Downsview Complex Zones 1, 2 and 3. Site Plan approval criteria and

general provisions shall be established in the Land Use By-law to regulate the: location of all building and structures; location, number and width of driveway entrances; location of parking and loading facilities; type, location and height of walls, fences, hedge; the location of shrubs groundcover or other landscaping elements; retention of existing vegetation; location of walkways and all other means of pedestrian access; type and location of outdoor lighting; location of service easements; grading and alteration for the management of stormwater and surface waters; type, location and number of signs or sign structures; location of solid waste facilities; maintenance; and architectural controls.

5.3 Pedestrian Retail Designation

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

Policy PR-1

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

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

5.3.1 Encourage Pedestrian Oriented Uses

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

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

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

PART 8: LARGE SCALE COMMERCIAL (LS) ZONE

Permitted Uses

1. No development permit shall be issued in any LS (Large Scale Commercial) Zone except for the following:

Commercial Uses

- Big Box (Large Box Retail)
- Retail Stores
- Food Stores
- Building Supply Outlets
- Offices
- Banks and Financial Institutions
- Restaurants (full service, drive-thru and take-out)
- Commercial Entertainment Uses
- Commercial Recreation Uses
- Garden Market and Nurseries associated with Retail Stores
- Automotive Rental Facilities/Car Rental Agency
- Automotive Service Stations
- Taxi and Bus Depots
- Commercial Parking Lot
- Automotive Repair Outlets
- Self Storage Facilities
- Motel/Hotel
- Funeral Home
- Motor Home Sales and Service
- Shopping Centre
- Strip Mall/Shopping Plaza
- Equipment Rental
- Bakeries (including wholesale)
- Service and Personal Service Shops contained with a Big Box (Large Box Retail), **Strip Mall/Shopping Plaza or Existing Multiple Unit Dwelling. (NWCC-May 10/07;E-May 26/07)**
- Existing Outdoor Display Courts
- Existing welding, plumbing and heating, electrical, automotive and other trade contracting services & shops • Existing Autobody Shop

Institutional and Community Uses

- Educational Institutions (including commercial schools)
- Denominational Institutions excluding cemeteries
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
- **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- Civic Buildings including by not limited to public office, post office, fire station, police station, library, museum, gallery
- **Public Transit Terminal (NWCC-May 26/05;E-May 28/05)**

- Community/Recreational Centre
- Community Parkland and Facility uses

Residential Uses

- Existing Single Unit Dwellings
- Existing Two Unit (detached and semi-detached) Dwellings
- Existing Townhouses
- Existing Multiple Unit Dwellings

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Part 8 Section 1, in any LS Zone, no development permit shall be issued for new commercial developments with building footprints of less than 10,000 square feet (929 m²) or any proposed expansion to existing commercial developments which would maintain a total building footprint of less than 10,000 square feet, (10,000) square feet (929 m²) **in any LS zone except (NWCC-May 26/05;E-May 28/05) by development agreement in accordance with the Municipal Government Act.**

A service station of any gross floor area shall be exempted from this development agreement provision. **In accordance with Policy DB-2 (a) of the Sackville Drive SPS a mixed use multiple unit development is permitted at 8 Walker Avenue and 732 Old Sackville Road by development agreement. (RC-Jul 21/15;E-Sep 12/15)**

Lot Provisions

3. Minimum Lot Area2,787 m² (30,000 ft²)
Minimum Lot Frontage30.50 m (100 ft)
Minimum Front/Flankage Yard Setback15.25 m (50 ft)
Minimum Rear Yard Setback6.09 m (20 ft), except 18.28 m
(60 ft) where abutting any residential zone
Minimum Sideyard Setback6.09 m (20 ft), 18.28 m
(60 ft) where abutting any residential zone or use
Maximum Lot Coverage50 %
Minimum Pervious Surface Area20 %
Number of DrivewaysOne per lot with frontage less than 30.5 m (100 ft)
4. No Development Permit shall be issued until all provisions of Part 8, the provisions of Part 6 (general provisions) and Part 7 (streetscape provisions) have been satisfied.

PART 11: DOWNSVIEW COMPLEX-3 (DC-3) ZONE

Permitted Uses

1. No development permit shall be issued in any DC-3 (Downsview Complex-3) Zone except for the following:

Commercial Uses

- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- Banks and Financial Institutions
- Restaurants (full service, drive-thru and take-out)
- Commercial Entertainment Uses
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Commercial Recreation Uses
- Transit (Taxi and Bus) Terminals
- “Park n Ride” Facilities
- Garden Market associated with Retail Stores
- Automotive Repair Outlets in conjunction with retail store
- Self Storage Facilities
- Automotive Service Stations
- Motel/Hotel/Guest Home
- Commercial Parking Lots

Institutional and Community Uses

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

Residential Uses

- Seniors Residential Complex
- Residential Care Facility
- Multiple Unit Dwellings

Uses Permitted by Site Plan Approval

2.
 - all Commercial Uses
 - all Institutional and Community Uses
 - all Residential Uses

Lot Provisions

- 3. Minimum Lot Area..... 557.4 m² (6,000 ft²)
- Minimum Lot Frontage..... 18.3 m (60 ft)
- Minimum Front/Flankage Yard Setback..... 0 m (0 ft) unless otherwise specified in this Bylaw
- Minimum Rear Yard Setback..... 0 m (0 ft) unless otherwise specified in this Bylaw
- Minimum Sideyard Setback..... 0 m (0 ft) and 18.28 m (60 ft) where abutting any residential zone or use, unless otherwise specified in this Bylaw
- Maximum Lot Coverage..... 80 %
- Number of Driveways..... One per lot with frontage less than 30.5 m (100 ft)

SITE PLAN APPROVAL

- 4. No development permit shall be issued in the DC-3 (Downsview Complex-3) Zone prior to the Development Officer granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section.
- 5. Where provisions of the Site Plan Approval conflict with Part 6 and Part 7, the Site Plan Approval provisions shall prevail.

General Requirements for Site Plan Approval:

Commercial, and Institutional and Community Uses

- 6. All commercial, institutional and community uses, within this zone shall be subject to the approval of a Site Plan.
- 7. The Development Officer shall approve a site plan where the following matters have been addressed:
 - (1) the building is located and orientated within the building envelope as to ensure the primary facade of the building fronts the internal circulation network (inward focus) of the Downsview Complex area. Notwithstanding, all buildings located within 30.5 m (100 ft) of Sackville Drive shall be located and orientated within the building envelope as to ensure primary facades of the building front both the internal circulation network of the Downsview Complex area and Sackville Drive;
 - (2) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;

- (3) sidewalks are be provided along the entire front facade of any stand alone building.
- (4) safe pedestrian linkages connecting the proposed building to the parking lots, public transit system, the Plaza, the Mall and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
- (5) at intersections, crosswalks and main building entries, a change in sidewalk color, texture, raised or material has been utilized. Paint striping to accentuate these areas shall be prohibited;
- (6) the building is accessed by the internal circulation network only and that there is no direct access to Sackville Drive; and
- (7) all of the items required by this policy shall be adequately maintained.

General Requirements for Site Plan Approval:

Residential Uses

8. All residential uses, within this zone shall be subject to the approval of a Site Plan.
9. The Development Officer shall approve a site plan where the following matters have been addressed:
 - (1) the building is located and orientated within the building envelope as to ensure the primary facade of the building fronts the internal circulation network (inward focus) of the Downsview Complex area. Notwithstanding, all buildings located within 30.5 m (100 ft) of Sackville Drive shall be located and orientated within the building envelope as to ensure primary facades of the building front both the internal circulation network of the Downsview Complex area and Sackville Drive;
 - (2) safe pedestrian linkages connecting the Multiple Unit Dwellings, Seniors Residential Complex, or Residential Care Facility to the parking lots, public transit system, the Plaza, the Mall and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
 - (3) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building (i.e. Downsview Plaza) and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;
 - (4) the building is accessed by the internal circulation network only and that there is no direct access to Sackville Drive;
 - (5) a minimum of 20% of the total land area is grassed or otherwise landscaped; and
 - (6) all of the items required by this policy shall be adequately maintained.

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 **permitted (NWCC-Sep 12/06;E-Sep 29/06)**, the following shall apply:

- (1) Deleted (RC-Sep 5/06;E-Oct 7/06)**
- (2) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:**
 - (a) One Bedroom/Bachelor: 18.6 sq m (200 sq ft)**
 - (b) Two Bedroom: 53.4 sq m (575 sq ft)**
 - (c) Three Bedroom: 88.2 sq m (950 sq ft)**
 - (d) Four or more Bedroom: 123.1 sq m (1,325 sq ft)**

For the purposes of determining amenity space, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on; (NWCC-Sep 12/06;E-Sep 29/06)

- (3) Deleted (NWCC-Sep 12/06;E-Sep 29/06)**