

**Fall River Community Planning Workshop  
Open Gate, Meeting No. 15  
June 1, 2009**

**Participants**

Michael Creighton	Andrew Jones	Keith Manchester
Betty Evans	Robin Stewart	Joy Goodgle
Paul Burris	Jacqueline Steudler	Gary Dease
Owen Evans	Bill MacKinnon	Rick Cruse
Charlie Baker	Jim Simm	

**Staff**

Maureen Ryan, HRM Senior Planner  
Alana Hines, HRM Planning Services  
Scott LeBlanc, HRM Planning Technician

**District Councillor**

Councillor Barry Dalrymple

**Presentation by Representatives of Sobeys**

Dave Wallace, Manager of ECL  
Melvin Reid, Property Manager

**Agenda Item No. 1** - A Presentation from Empire Group and Crombie on the proposed expansion of the Sobeys Development in Fall River.

Mr. Wallace opened the presentation by introducing himself and Melvin Reid, Property Manger for Crombie Reit and he looks after properties such as Penhorn Mall, Fall River Plaza, Elmsdale Shopping Center. Mr. Wallace advised that the rumors of Sobeys wanting to expand were true and that he and Melvin had met with Councillor Dalrymple, who suggested he come and give his presentation to the Fall River Community Planning Group.

Mr. Wallace gave a brief overview of the Sobeys Company.

Mr. Wallace indicated that Sobeys Land Holdings owns Sobeys in Fall River which opened in 1999. The site is just over 14 acres, total square footage of the site right now is 62,000 sq ft and is currently only utilizing 10% of the coverage. Sobeys requires 25% coverage to make money from this site. There are 315 parking spaces on site.

Mr. Wallace indicated that in 2000, Sobeys and HRM entered into a Development Agreement (DA) which allowed for as-of-right development. The DA allowed for a maximum of 100,000 sq

ft on the site and would allow Sobeys Land Holdings, as-of-right, to develop the site pads as shown in Schedule C of the DA (site plan with pads shown on screen). Mr. Wallace said as long as the criteria of the DA was met, Sobeys could put in a KFC, A&W, Dollarama, Staples, etc. Understanding that this is not the vision or goals for area, Sobeys wants to develop a new free standing, larger store on the site, as the existing store is too small (and was maybe too small when it was built). In order to do this, Sobeys wants to consolidate the pads and build a Sobeys. With the new Sobeys, the site would be 108,000 sq ft, which is larger than what the DA will allow for (100,000 sq ft). In order to meet the criteria of the DA, HRM would require a portion of the existing square footage, from the existing building, be removed. Sobeys doesn't really want to do this, but if they didn't they would have to go through a substantive amendment to the DA, which would involve public participation, hearings, etc. and they still may not get what they want with the proposed development.

Mr. Wallace indicated that instead of tearing off a portion of the existing building, Sobeys would like to find a use for that space. Sobeys could argue that all of the space should be kept for the use of the future tenants, such as for a local library. Even if the portion of the building had to be removed, a library could still go in the existing space (after the removal of the required square footage), however, it would be nice to leave the whole building there for this use.

Mr. Wallace indicated that any new tenants on the site would also have to follow the criteria that is in the development agreement.

With a development agreement there has to be certain criteria met, i.e. landscaping, pedestrian connections, and all of this will happen. In order for Sobeys to do the proposed development, they will have to go to the local Community Council and request a non-substantive amendment to the existing development agreement. This means that all the existing vacant pads would be consolidated and the existing building would go in.

Mr. Wallace indicated that the Penhorn Mall Sobeys is the latest design and the proposed site would be similar in nature. A committee member asked if the new Sobeys would have a community room. Mr. Wallace said it would. The proposed building would be 47,000 square feet (the existing is 37,000 square feet). The proposal would meet all the existing criteria of the DA. This project, the building itself will cost approximately \$4 million dollars, the equipment is around \$3 million dollars with another \$5-\$7 million in site works. The new Sobeys would also create new jobs for local employment. Mr. Wallace indicated that infrastructure improvements would include landscaping, improved parking, better vehicular movement within the site, and pedestrian connections in the site.

A member asked about access and whether the new development would consider the existing problems with the driveway. Mr. Wallace said there would be a traffic impact statement for the new development. Someone asked Mr. Wallace if Sobeys could look at opportunities that would fix or help the existing traffic problems. Mr. Wallace thought this would come out of the traffic impact statement.

Maureen asked Mr. Wallace if Sobeys would consider the results of the Transportation Study that is currently underway. Mr. Wallace believed that his group was talking with this group already.

A committee member asked about the acidic slate on site. Mr. Wallace said it would have to be removed from the site..

Another committee member asked how flexible Sobeys would be for the site location of the new store. Mr. Wallace indicated that due to the acidic slate and the conditions of the land in addition to the cost of setting the store back further than proposed, Sobeys has determined this is the best location on the site for the size of proposed building.

Someone mentioned that many people like the design features of the Clayton Park Sobeys and wanted to know if these were the design features for the proposed store in Fall River or would it be a more updated design version? Mr. Wallace indicated that changing the design features of the store is very costly, but Sobeys might be able to make small changes.

Someone asked how Sobeys would compensate by removing the pond. Mr. Wallace said that it would reviewed and addressed.

A member asked if the store would have “green” features. Mr. Wallace said possibly. Sobeys incorporates “green” components but it will not be totally “green”.

Another member asked about time lines associated with construction/opening of the new store. Mr. Wallace said that the application for a non-substantive amendment to the DA will probably be put in next week. He was not sure about time lines with HRM, but guesses the process will likely take 3 months. It would go to Community Council, which is a public meeting, and if Council chooses to approve this under resolution, there would be a 14 day appeal period after the approval, once this appeal period lapses, Sobeys will be looking to get their permits. Sobeys would like to start the store as soon as possible (approx. 6 months).

Michael asked if the tearing down of the portion of the current store means this will happen at the back? Mr. Wallace said it would depend on a number of things, i.e. future tenant.

A member asked where the new waste would be going? Where will the water come from? Mr. Wallace said the existing Sobeys allowed 9,000 imperial gallons per day as a maximum, they are currently using 6,000 imperial gallons per day. Mr. Wallace said he is not sure of the answer right now. Maureen said that this is going to be a subject of consideration by Halifax Water. The sewer charge agreement allows for 50,000 sq ft. Mr. Wallace has an email from Andrew Bone which came Kenda MacKenzie that says 7,000 imperial gallons. Maureen said yes, 7,000 imperial gallons per day or much greater amount as the Municipality may allow in circumstances where sewer is being discharged to the extension line is from the shopping center having a square footage of not more than 50,000 square feet and the owner is unable, taking reasonable and appropriate measures to maintain the greater flow. The is the current sewer discharge agreement

between Sobeys and the Municipality (Halifax Water on the Municipality's behalf). This is going to be a point of discussion between Sobeys and Halifax Water and opportunities for services will have to be examined.

Mr. Wallace believes consultation has began between their consultants and Halifax Water. Maureen said that she was reading from an agreement, as supplied to her one month ago, there may have been amendments to this agreement.

Councillor Barry Dalrymple said that maybe a Library for example, which would have low usage compared to a restaurant, would be more suitable for the location. Mr. Wallace agreed, and said going back to the existing DA, they could try and bring in tenants to full fill the existing DA, should this proposal not go forward. In order to expand Sobeys, without a new store, they would have to consider bumping out the Liquor Store and expanding into that space, or look at other options.

A member asked if Sobeys considered to have the parking behind their building? Mr. Wallace said no, due to safety issues, especially at night, and at the back is the loading area, and there is a bank in the back of the store.

Would a promenade be considered? This is a feature the public would really like to see. Mr. Wallace said it would be taken into consideration. Mr. Reid said the main access into their store is very important and visibility to the front of the store is important, however, there is a conservative effort to blend the two together.

Maureen said realizing an existing agreement, is an existing agreement, the promenade is creating a place where people want to go and access - a community center. A promenade could still maintain the visibility to the store.

Someone asked where are the loading doors and how the trucks would get to the loading area. Mr. Wallace said he doesn't know for sure, but believes they would be using the current access and backing into the loading area, but he doesn't know that for sure.

Michael asked about the parking lot lighting or look at non-polluting lighting. Mr. Reid said that the lighting will be similar to the newer stores, as a green initiative. Maureen indicated that we are heading in towards downward directive light. Mr. Reid said Sobeys is very conscious of these types of things.

Michael thanked Mr. Wallace and Mr. Reid for coming to the meeting and making the presentation and advised that the CPG would get back to them on their thoughts in the coming weeks.

- The CPG took a 5 minute break -

Discussion took place on the Sobeys presentation.

Councillor Dalrymple asked the group why they seem to be upset by the presentation that Sobeys gave and wanted to know what the group expected. The members expressed they felt threat in the presentation, where Sobeys would fill the pads with franchises such as KFC, A & W, etc. if their proposal for the new store does not go ahead, and this would not be in accordance with current visioning of the community. Councillor said that Sobeys came and laid out their plan and what they have a legal right to do. They came to the meeting because they want endorsement from the Fall River CPG, not because they need to have this group's endorsement, but because they want this groups endorsement and want to work with the visioning group where they can.

Robin said he believes Sobeys representatives came to the group tonight because the group has something in value to offer them - endorsement for their proposal, knowing that they have an as-of-right agreement in place, and do not need the groups endorsement to do anything. They were here because the groups endorsement has value, therefore, this creates an opportunity. Robin asked the group what they can ask Sobeys to consider in return for the groups endorsement.

Someone asked about the water/sewer capabilities and if Sobeys can help fix some of these issues. Maureen said this has to be reviewed by Halifax Water.

Everyone agreed they would like to ask Sobeys to seriously consider a promenade and landscaping at the new store.

Robin suggested that he would take some pictures of existing Sobeys in HRM and in other communities and the group would look at the pictures to see what they like and dislike at the next meeting.

The group discussed other ideas that they would like Sobeys to consider, i.e. outside rink, park & ride, complying with future Land Use Bylaws, and consider leasing space to Halifax Libraries.

Councillor Dalrymple made a few points for the group to consider:

- Sobeys came not because they have to, but because they want to have the groups endorsement
- In regards to the water issue, they do not need to bring in water right now, to do what they want to do tomorrow.
- Sobeys will need Municipal water to do what they would like to do in the future.
- Councillor Dalrymple asked Sobeys to consider a library in the existing location.
- Other opportunities will arise from this development down the road.

At 9:30 pm the group agreed to review the remaining agenda items at a special meeting next week.

**Next Meeting:** Monday, June 8, 2009, location TBA.