

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 14.1.9**  
**Halifax Regional Council**  
**October 2, 2018**

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

Original Signed by 

**SUBMITTED BY:** \_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** August 13, 2018

**SUBJECT:** **Case 21730: Proposed MPS and LUB amendments for 205 Bedford Highway, Halifax**

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## **ORIGIN**

Application by KWR Approvals, on behalf of Pathos Properties Incorporated

## **LEGISLATIVE AUTHORITY**

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

## **RECOMMENDATION**

It is recommended that Halifax Regional Council **refuse to** initiate the process to consider site-specific amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB) to permit an eight-storey building with ground floor commercial space and residential units above, at 205 Bedford Highway, Halifax.

## **BACKGROUND**

KWR Approvals, on behalf of Pathos Properties Incorporated, is applying to permit an eight-storey, mixed-use building, with residential units and ground floor commercial, at 205 Bedford Highway. This proposal cannot be considered under existing policies. The applicant is seeking amendments to the Municipal Planning Strategy for Halifax (MPS) and the Halifax Mainland Land Use By-law (LUB) to enable its proposal. These amendments include increasing the maximum building height, removing density limits and removing angle controls that limit building size.

### **Location**

The subject property is at the intersection of Flamingo Drive and the Bedford Highway. Existing uses in the subject area include residential uses, restaurants, repair shops, small grocery stores, coffee shops and institutional uses. The subject property is bordered to the west (across the Bedford Highway) by the neighbourhood of Rockingham and to the east by a railyard and the Bedford Basin.

<b>Subject Property</b>	205 Bedford Highway, Halifax
<b>Location</b>	The corner of Flamingo Dr. and the Bedford Highway, in Rockingham
<b>Community Plan Designation (Map 1)</b>	Minor Commercial
<b>Zoning (Map 2)</b>	C-2A (Minor Commercial) Zone
<b>Regional Plan Designation (Map 3)</b>	Halifax Harbour
<b>Size of Property</b>	1431 square metres (15402 square feet, or 0.32 acres)
<b>Street Frontage</b>	38 metres (125 feet)
<b>Current Land Use(s)</b>	2-storey, multi-unit residential building, with 13 units
<b>Surrounding Use(s)</b>	Mostly one or two storey commercial buildings. Some three and four storey residential buildings.

### **Proposal Details**

The applicant wishes to demolish the existing two-storey building, and construct an eight-storey, mixed-use building (Attachment A and B). The major aspects of the proposal are as follows:

- 26 metres (84 feet) in height
- 55 dwelling units, including 5 barrier free units
- 40 units would meet Canada Mortgage and Housing Corporation (CMHC) affordability requirements, for ten years. The rent on affordable units would be on average \$250 per month less than market rent in the area.
- Ground floor commercial space
- Underground parking, with 47 spaces

### **Regional Plan Context**

The Regional Plan designates the subject property as Halifax Harbour. Policy for this designation directs Council to consider potential nuisances when amending policy or by-laws to permit residential developments. The designation's purpose is to protect the viability of marine uses and related industries. Policy S-30 of the Regional Plan also identifies that when preparing any amendments to existing secondary planning strategies means of furthering housing affordability and social inclusion shall be considered.

### **MPS and LUB Context**

The subject property is designated Minor Commercial, under the Bedford Highway Secondary Planning Strategy (SPS), which is part of the MPS for Halifax. This designation's purpose is to provide appropriate areas for commercial uses serving adjacent neighbourhoods. Policy states that Minor Commercial areas "shall be regarded as medium-scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities."

SPS policy permits a range of commercial uses, as well as institutional, community and residential uses. Attachment C contains a policy review.

The subject property is zoned C-2A (Minor Commercial), under the Halifax Mainland LUB. This zone is applied throughout Halifax Mainland. The C-2A Zone permits a range of commercial, institutional and residential uses. Multi-unit residential buildings are permitted, subject to the requirements of the R-3 (General Residential and Low-Rise Apartment) Zone. In the C-2A Zone, building height is limited to 35-feet (11 metres). An exception is for C-2A properties in the Bedford Highway SPS, where buildings with commercial use on the entire ground floor can be built to a height of 50 feet (15 metres). This additional height is an incentive for multi-unit buildings to provide commercial space, in keeping with the policy intent of the Minor Commercial designation.

The residential components of mixed-use buildings are subject to the requirements of the R-3 Zone, including angle controls, open space requirements and density limits. Residential density on the subject site is limited to 75 people per acre; the applicant is proposing between 200 - 300 people per acre. The proposal is unlikely to meet the open space requirements in the R-3 Zone. The R-3 Zone requires landscaped open space to be provided, primarily at ground level. Landscaped open space is required based on the number of units in a building; buildings with more units require more open space. One effect of these requirements is to limit the lot coverage of any building. The proposal would not meet the R-3 angle controls; it is taller than would be allowed under the angle controls. Angle controls are a method to regulate the height and bulk of a building.

#### **History of Building Heights on the Bedford Highway**

The building heights allowed on the Bedford Highway have been reviewed several times, including:

- In 1985 the Bedford Highway SPS was created. It allowed multiple-unit dwellings up to a height of 50 feet, in the C-2A and C-2B Zones. Several multiple-unit dwellings were built in these commercial zones.
- In 2005, the former Chebucto Community Council reduced the maximum height in the C-2A and C-2B Zone from 50 feet to 35 feet.
- Aspects of the Bedford Highway SPS were updated in 2011, through the Land Use Planning Study, Western Shore Bedford Basin. This update created Schedule R, where higher density buildings can be considered by development agreement. Schedule R applies to two nodes where mixed-use redevelopment is expected. One node is near the intersection of Larry Uteck Boulevard and the Bedford Highway. The second node is near the boundary between Bedford and Halifax. The subject property was not included in Schedule R.
- In 2015, Halifax and West Community Council increased height limits in the C-2A Zone from 35 feet to 50 feet.
- In May of 2017, Regional Council directed staff to review Schedule R policies. The ongoing review is considering maximum height, density and built form requirements. It will consider opportunities to expand Schedule "R" onto properties located between the existing segments of Schedule "R".

#### **Bedford Highway Land Use and Transportation Study**

On August 2, 2018, HRM released a request for proposals (RFP) to prepare a joint land use and transportation study for the Bedford Highway corridor. This study is a deliverable of the Integrated Mobility Plan (IMP), which directs HRM to produce plans for major regional corridors. The study will identify options to improve transit speed and reliability on the corridor, and will identify options to provide better active transportation. The study will also provide functional designs and cost implications to improve the corridor. Based on the potential transportation options, which include commuter rail, the study will propose land use planning options to support transportation options. This study will contribute to, and may include, the ongoing review of Schedule R.

#### **Affordable Housing**

As a member of the Housing and Homelessness Partnership, HRM is working towards a five-year affordable housing targets of creating 3,000 new affordable homes and preserving 2,000 existing affordable homes. While concerted efforts from all partners are needed to meet the agreed upon targets, HRM is

working on a series of initiatives to support the provision of affordable housing<sup>1</sup>. As part of this work program, HRM has been working on expanding a density bonus planning tool to allow an increase in built area in exchange for public amenities or benefits. While originally limited to downtown Halifax, in 2014, the Province extended HRM's ability to use the density bonus tool to the Centre Plan Area. In spring 2018, the Province amended the HRM Charter to enable the Municipality to use the density bonus tool in all areas of HRM. To date, however, the density bonus tool has not yet been used outside of downtown or in support of affordable housing due to several factors, including the lack of an administrative approach for calculating and monitoring affordable housing benefits.

## **DISCUSSION**

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in Municipality. The MPS provides broad direction, but Regional Council may consider MPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an MPS are significant undertakings; Council is not obliged to consider these requests. Amendments should only be considered within the broader planning context, when there is reason to believe there has been a change in circumstances since the MPS policies were adopted, or last reviewed.

### **Applicant Rationale**

Attachment B contains the applicant's rationale in support of the proposed amendments. Staff have collected the following summary of the applicant's rationale:

- This location is a future transit node (commuter rail station) where higher residential densities are supported by the Integrated Mobility Plan (IMP). The site is served by many bus routes.
- The site is close to Mount Saint Vincent University and many services.
- The location is across from the intersection of Bedford Highway and Flamingo Drive, a well-known and recognizable location for the neighbourhood and general community.
- The proponent is working with Canada Mortgage and Housing Corporation (CMHC) to deliver 40 of 55 units (73%) as affordable units.
- New development will help revitalize the area, leading to more sustainable, livable and dynamic communities.

### **Staff Review**

Staff have reviewed the submitted rationale. Staff have considered surrounding land uses, the site's planning history and upcoming planning projects. Staff advise that the request for site-specific MPS amendments is premature, for the reasons discussed below.

#### *Existing Policy and Regulations*

Community Council reviewed the height limits for C-2A zoned properties within the Bedford Highway SPS area just three years ago. There has been no change in circumstance, and there are development options under the C-2A Zone. In 2015, the existing regulations for building height in the C-2A Zone were reviewed. At that time, Halifax and West Community Council amended the C-2A Zone by increasing the maximum height from 35 feet to 50 feet (for multi-unit residential buildings with ground floor commercial). The owner of 205 Bedford Highway (the applicant) requested and received these Land Use By-law amendments, to allow a 50-foot-tall, mixed-use building.

#### *Planning Exercises*

Studies and planning applications have repeatedly considered the height and location of development on the Bedford Highway. Attachment C contains a review of existing policy. These studies did not change the policies of the Minor Commercial designation. The Minor Commercial designation's main purpose is to provide medium-scaled commercial areas for the Bedford Highway. The applicant suggests that higher

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<sup>1</sup> <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/180731rc1423.pdf>



density development will revitalize the area and create a transit oriented node near a potential commuter rail station. While the subject site is near a potential commuter rail station, no agreement has been reached to operate commuter rail service. Higher densities could support transit oriented communities, which is a goal of the Integrated Mobility Plan. However, staff recommend deferring this site-specific decision and considering intensification and transit oriented development through the joint land use and transportation study for the Bedford Highway, instead of through a site-specific MPS amendment.

#### *Affordable Housing*

The building on the subject property has 13 units of rental housing. These units, which likely have modest rents, will be lost through any redevelopment. The applicant is proposing to work with CMHC to provide 40 new units of affordable housing. Staff caution that accepting affordable housing in exchange for applicant driven MPS amendments may spur other applicants to propose site-specific MPS amendments in exchange for affordable housing. While Regional Council wishes to encourage affordable housing, HRM currently lacks a planning framework to ensure affordable housing units are delivered in this area. Staff recommends that a planning framework for affordable housing should be looked at comprehensively, and not as part of a site-specific MPS amendment.

#### *Existing Development Options*

Under the current C-2A height limit, the applicant can build a mixed-use building up to 50 feet in height (provided there is ground floor commercial space). The size of the building is further limited by angle controls and density limits, but staff's opinion is that existing development rights are reasonable for a suburban commercial area.

#### *No change in circumstances*

Amendments to the MPS may be justified if circumstances have changed since the policy was adopted or reviewed. The subject property is within the Bedford Highway SPS area. This SPS was adopted in 1985, but has been reviewed multiple times. A broader study in 2011 amended the MPS to create two nodes (identified in the Land Use By-law as Schedule R) where higher density development is enabled, by development agreement. HRM is currently reviewing Schedule R policies.

As described in the Background section, the maximum height in the C-2A Zone has been amended several times. In 2015, nearby residents were strongly opposed to increasing the maximum height to 50 feet. Staff recommends that circumstances have not changed since 2015. Staff do not recommend revisiting the maximum height or density on a site-specific basis after only three years.

#### **Conclusion**

Staff have reviewed the proposed MPS amendment. Staff advise that the request is premature. Community Council reviewed the height limits for C-2A zoned properties within the Bedford Highway SPS area just three years ago. There has been no change in circumstance, and there are development options under the C-2A Zone. An MPS amendment is a major undertaking, which involves community engagement. Staff suggest there is limited value in public engagement for this request, as residents are unlikely to have changed their opinion since 2015.

Studies have repeatedly looked at appropriate height and development density on the Bedford Highway. In 2011, a comprehensive planning study created nodes for higher density development, known as Schedule R. HRM is now reviewing Schedule R policies. In addition, HRM has issued an RFP to begin a land use and transportation study along the Bedford Highway. The study will consider appropriate ways to increase density and to encourage transit oriented development. Staff recommend comprehensive planning projects over site specific MPS amendments.

Finally, HRM currently lacks a policy framework to ensure affordable housing units are delivered. Staff recommends that policy requiring affordable housing should be looked at comprehensively, and not as part of a site-specific MPS amendment.

## **COMMUNITY ENGAGEMENT**

Should Regional Council choose to initiate an MPS amendment process, the HRM Charter requires that Regional Council approve a public participation program. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are local in nature. This requires hosting a public meeting at a minimum, along with other measures deemed necessary to obtain public opinion.

Amendments to the MPS for Halifax will potentially impact the following stakeholders: residents and local business owners.

## **FINANCIAL IMPLICATIONS**

The HRM costs associated with processing this planning application can be accommodated within the approved 2018-2019 operating budget for C310 Urban and Rural Planning Applications.

## **RISK CONSIDERATION**

This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

## **ENVIRONMENTAL IMPLICATIONS**

No environmental implications are identified.

## **ALTERNATIVES**

1. Regional Council may direct staff to initiate, as part of the land use and transportation study for the Bedford Highway, a process to consider amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-law, to enable mid-rise, mixed-use development at 205 Bedford Highway.
2. Regional Council may direct staff to initiate a process to consider site-specific amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to enable a mid-rise, mixed-use development of up to eight floors, at 205 Bedford Highway, subject to:
  - a) creating a policy approach for the development approval process that mandates affordable housing units are delivered; and
  - b) staff following the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997;
3. Regional Council may choose to initiate the consideration of potential policy that would differ from those outlined in this report. This may require a supplementary report from staff.

## **ATTACHMENTS**

Map 1: Generalized Future Land Use  
Map 2: Zoning and Notification Area

Map 3: Regional Municipal Planning Strategy Generalized Future Land Use

Attachment A: Applicant's Proposed Building - Drawing Package  
Attachment B: Applicant's Rationale Letter  
Attachment C: Policy Review

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Sean Gillis, Planner 2, 902.490.6357

Original Signed

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Report Approved by:

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Financial Approval by:

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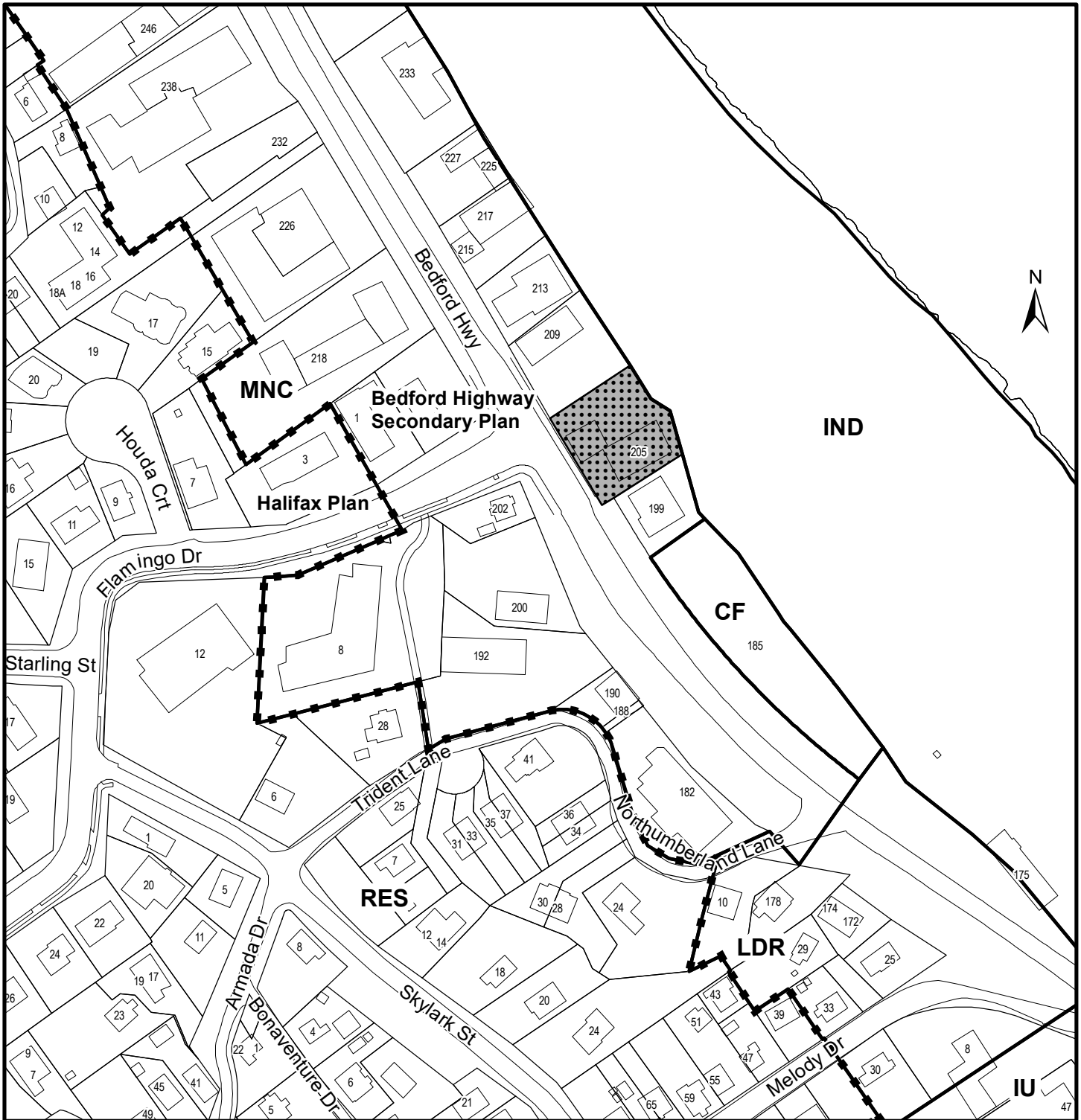
Report Approved by:

Original Signed

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Kelly Denty, Director, Planning and Development, 902.490.4800

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### Map 1 - Generalized Future Land Use

**HALIFAX**

205 Bedford Highway,  
Halifax

#### Designation

-  Area of Proposed Policy Amendment
-  Secondary Plan Area Boundary

Bedford Highway  
Secondary Plan

- LDR Low Density Residential
- MNC Minor Commercial
- IND Industrial
- IU Institutional-University



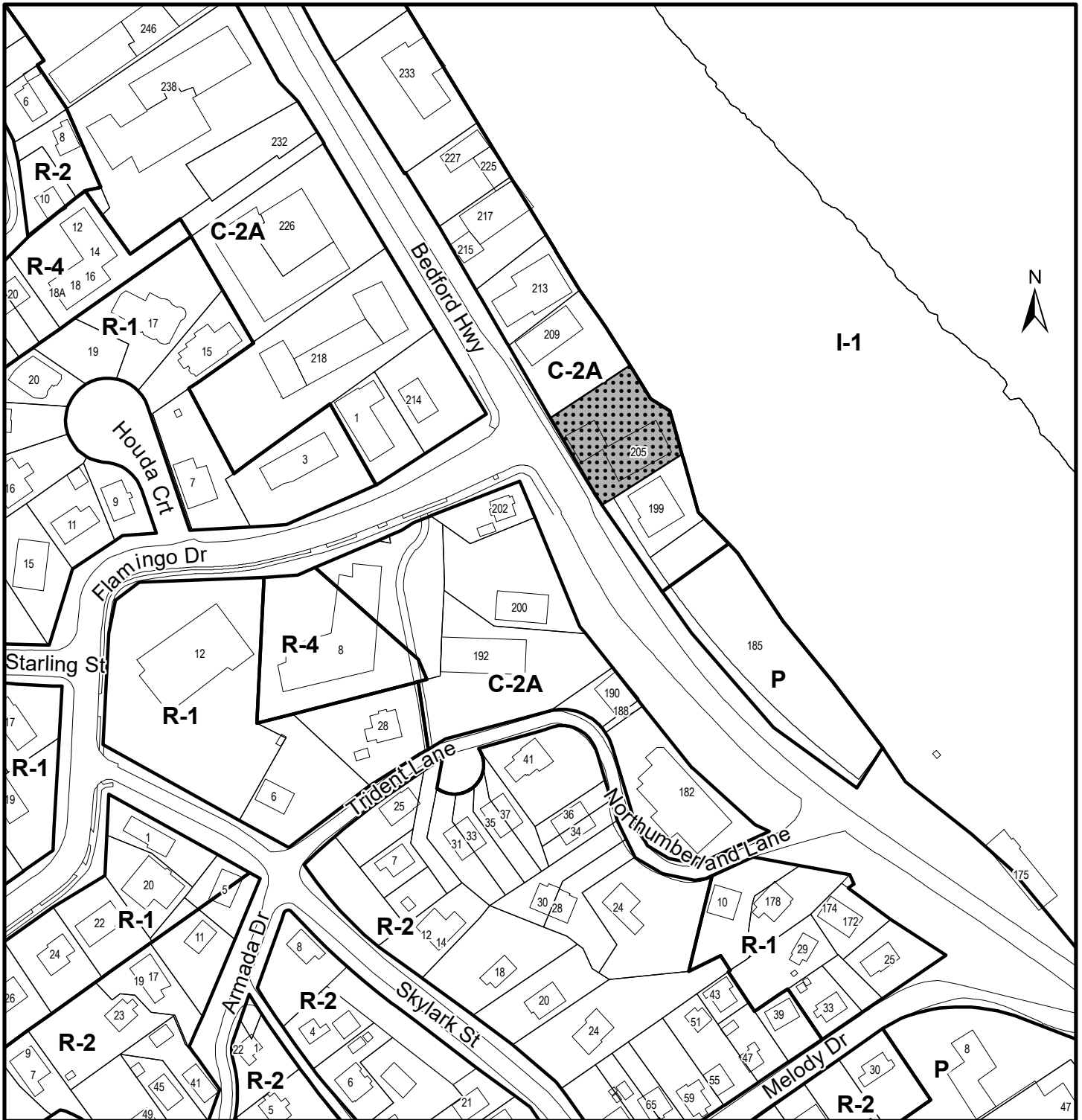
Halifax Plan Area  
Bedford Highway Secondary Plan Area

Halifax Plan

- RES Residential Environments

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.



**Map 2 - Zoning**

205 Bedford Highway,  
Halifax

**HALIFAX**

 Area of Proposed Policy Amendment

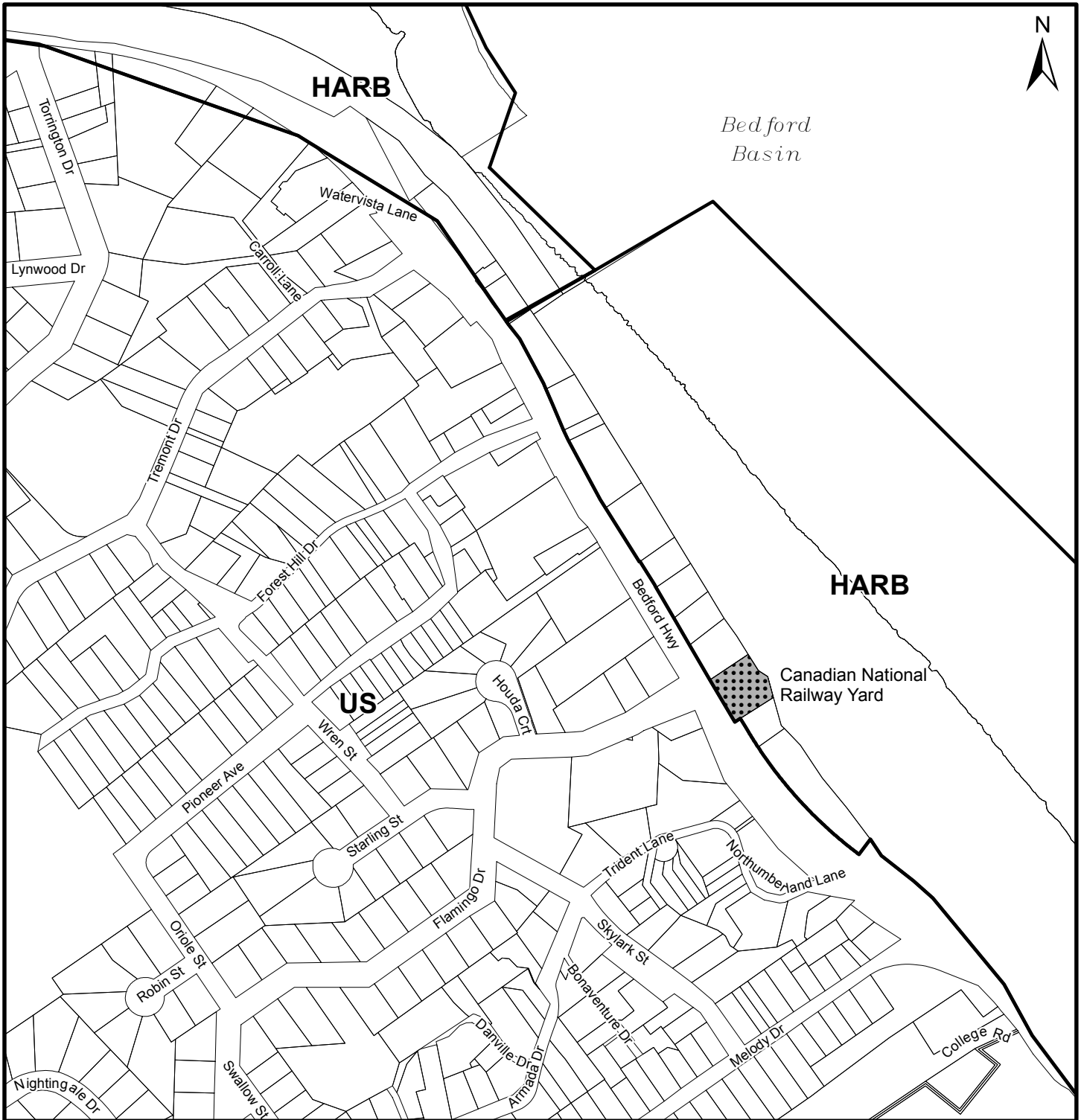
- Zone**
- R-1 Single Family Dwelling
  - R-2 Two Family Dwelling
  - R-4 Multiple Dwelling
  - C-2A Minor Commercial
  - I-1 General Industrial
  - P Park and Institutional



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.

Halifax Mainland  
Land Use By-Law Area



**Map 3 - Regional Plan Generalized Future Land Use**

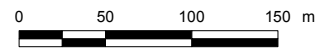
205 Bedford Highway,  
Halifax

**HALIFAX**

 Subject Property

**Designations**

HARB Halifax Harbour  
US Urban Settlement



Halifax Plan Area  
Bedford Highway Secondary Plan Area

This map is an unofficial reproduction of a portion of the Regional Plan Generalized Future Land Use Map.

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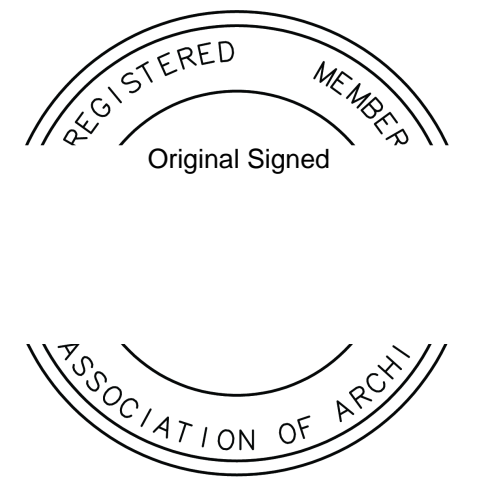
# FAIRWINDS ON THE BASIN

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 fax: 902-455-7778  
 email: drawing@pskerry.ca

### NOTES:

- 1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.
- 2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.
- 3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.
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No.	Description	Date
	Issued for Development Agreement	2/24/2017
1	Removed One Floor	3/20/2018

Proposed Comm. / Res.  
 "Fairwinds on the Basin"  
 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

### Cover

Scale	
Date	February 24, 2017
Drawn by	GJ
Checked by	PS
<b>A0</b>	
Project number	2877



**CONTENTS:**

- A0 COVER
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- A3.0 FIRST FLOOR PLAN
- A3.1 SECOND FLOOR PLAN
- A3.2 THIRD - FIFTH FLOOR PLAN
- A3.3 SIXTH FLOOR PLAN
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- A4.0 WEST ELEVATION
- A4.1 SOUTH ELEVATION
- A4.2 NORTH ELEVATION
- A4.3 EAST ELEVATION





Tim Hortons

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A modern multi-story building with a red brick and grey facade. The building features large windows and balconies. The ground floor has a white brick base with large glass windows. The upper floors are primarily grey with red brick accents. The building is situated on a city street corner.

ECTAROSSALON & SPA

Fourwinds On The Basin

A white SUV parked on the left side of the street.

A silver SUV driving on the street in the foreground.

A traffic light pole with a green light illuminated, located on the right side of the street.

Several bare trees are visible on the left side of the image, suggesting a winter or late autumn setting.

A body of water is visible in the background on the left side of the image.





① Site  
1" = 10'-0"

Building Code Data:  
Regulated by Part 3 of the National Building Code (NBC)

Major Occupancy: C (Residential) D or E  
Non-Combustible Construction

Lot: BB-1  
PID: 00291641  
Zone: C-2A

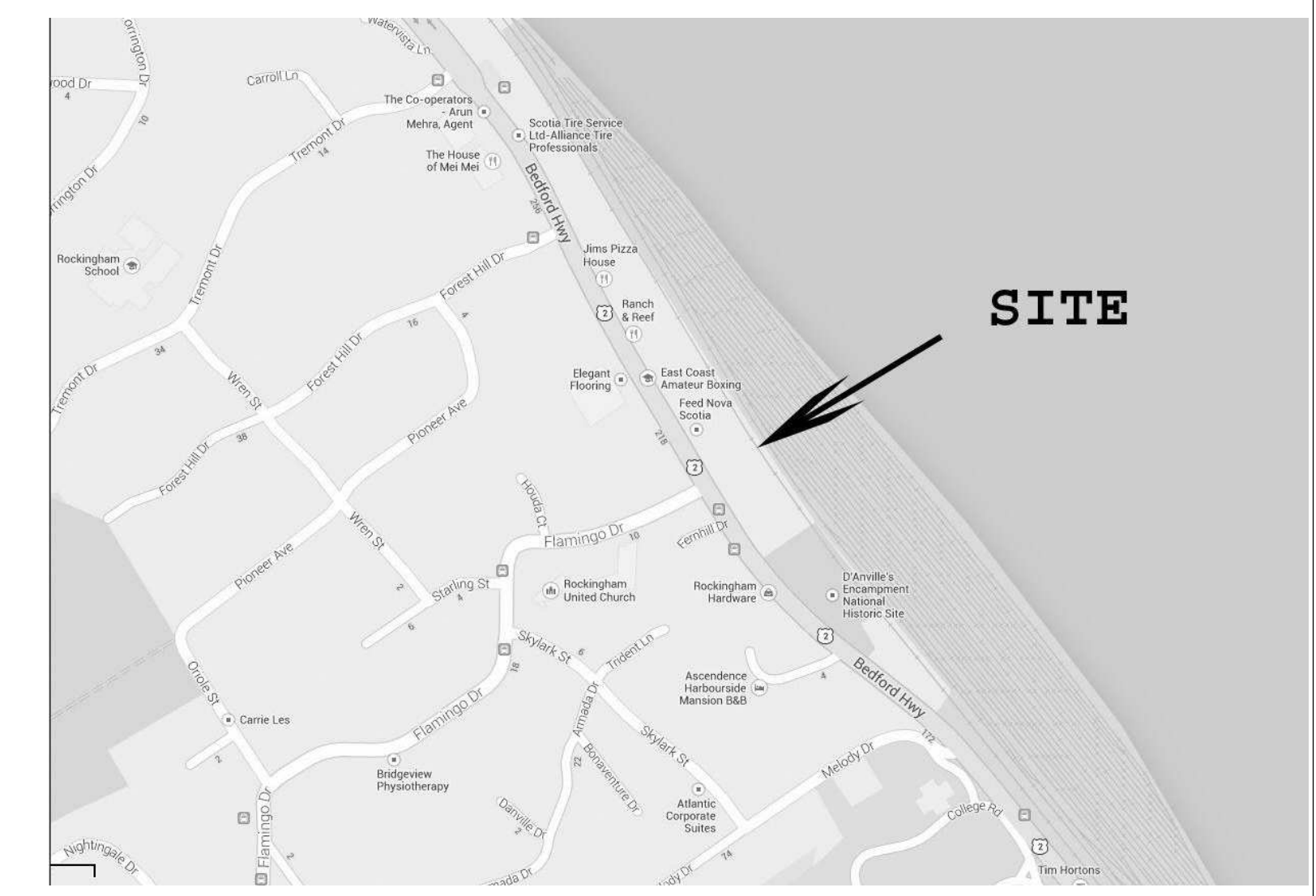
Total Lot Size: 15,410 sqft. (1431.6 sqm.)  
Building Footprint: 8,336 sqft. (774.4 sqm.)

Number of Stories: 7+PH Above Grade, 1 Below Grade  
Height of Building: 86'-8" (26.4m)

Total Residential Units: 55  
3 Bedroom Units: 1  
2 Bedroom Units: 26  
1 Bedroom + Den Units: 16  
1 Bedroom Units: 12

Building Elevations  
Parking Garage: 22.6' (6.9m)  
First Floor: 32.8' (10.0m)  
Second Floor: 44.8' (13.7m)  
Third Floor: 54.5' (16.6m)  
Fourth Floor: 64.0' (19.5m)  
Fifth Floor: 73.8' (21.5m)  
Sixth Floor: 83.5' (24.5m)  
Seventh Floor: 93.0' (28.3m)  
Penthouse Floor: 102.8' (31.3m)

Parking  
Parking Garage: 34  
Exterior Parking: 2  
Total: 36 spaces (4 Handicapped)



LEGEND:  
32.1' EXISTING GRADE  
32.1' PROPOSED GRADE

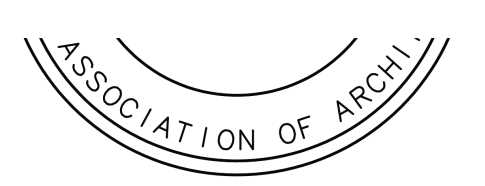
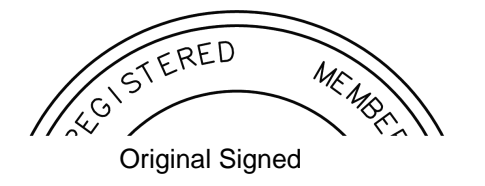
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	Removed One Floor	3/20/2018

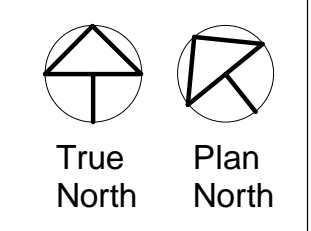
Proposed Comm. / Res.  
"Fairwinds on the Basin"  
Lot B & B1  
Saul Garson Subdivision  
Halifax, Nova Scotia  
For: Pathos Properties

Site Plan

Scale 1" = 10'-0"  
Date February 24, 2017  
Drawn by GJ  
Checked by PS

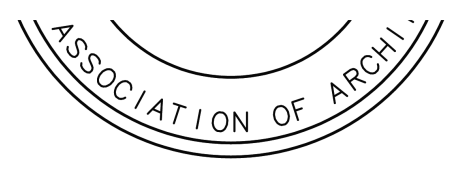
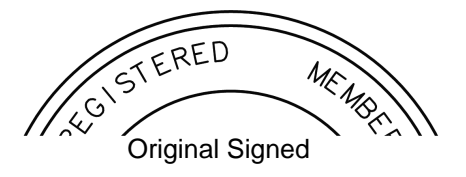
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Project number 2877



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"Fairwinds on the Basin"  
Lot B & B1  
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Halifax, Nova Scotia  
For: Pathos Properties

**West Elevation**

Scale	1/8" = 1'-0"
Date	February 24, 2017
Drawn by	GJ
Checked by	PS

**A4.0**

Project number	2877
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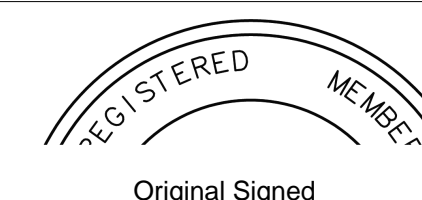
- Legend:
- A Architectural Masonry - Type 1
  - B Architectural Masonry - Type 2
  - C Architectural Masonry - Type 3
  - D Ceramic/Metal Panels - Type 1
  - E Ceramic/Metal Panels - Type 2
  
  - G Aluminum / Glass 42" H. Railing
  - H Vinyl Door / Window
  - J Aluminum Glazing System
  - K Canopy
  - L Architectural Light Fixture
  - M Sign Band



① West (Front)  
1/8" = 1'-0"

**NOTES:**

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No.	Description	Date
	Issued for Development Agreement	2/24/2017
1	Removed One Floor	3/20/2018

Proposed Comm. / Res.  
 "Fairwinds on the Basin"  
 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

**South Elevation**

Scale	1/8" = 1'-0"
Date	February 24, 2017
Drawn by	GJ
Checked by	PS

**A4.1**

Project number	2877
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- Legend:**
- A Architectural Masonry - Type 1
  - B Architectural Masonry - Type 2
  - C Architectural Masonry - Type 3
  - D Ceramic/Metal Panels - Type 1
  - E Ceramic/Metal Panels - Type 2
  - G Aluminum / Glass 42" H. Railing
  - H Vinyl Door / Window
  - J Aluminum Glazing System
  - K Canopy
  - L Architectural Light Fixture
  - M Sign Band



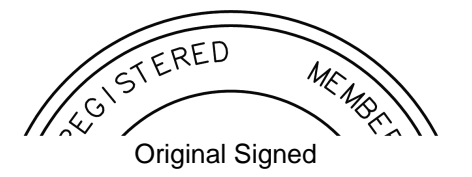
1 South  
 1/8" = 1'-0"

pskerry@pskerry.ca

**PAUL SKERRY ASSOCIATES**  
 5514 Livingstone Place  
 Halifax, Nova Scotia B3K 2B9  
 ph: 902-455-4361  
 fax: 902-455-7778  
 email: drawing@pskerry.ca

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	Issued for Development Agreement	2/24/2017
1	Removed One Floor	3/20/2018

Proposed Comm. / Res.  
 "Fairwinds on the Basin"  
 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

North Elevation

Scale	1/8" = 1'-0"
Date	February 24, 2017
Drawn by	GJ
Checked by	PS

**A4.2**

Project number	2877
----------------	------

- Legend:**
- A Architectural Masonry - Type 1
  - B Architectural Masonry - Type 2
  - C Architectural Masonry - Type 3
  - D Ceramic/Metal Panels - Type 1
  - E Ceramic/Metal Panels - Type 2
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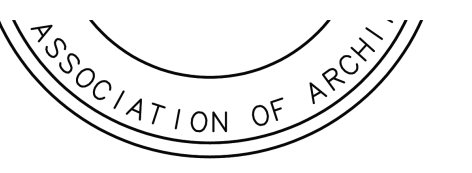
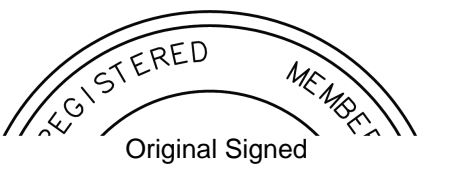
① North  
 1/8" = 1'-0"

3/2/2018 9:56:55 AM



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No.	Description	Date
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Proposed Comm. / Res.  
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 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

**East Elevation**

Scale	1/8" = 1'-0"
Date	February 24, 2017
Drawn by	G.J
Checked by	PS

**A4.3**

Project number	2877
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- Legend:
- A Architectural Masonry - Type 1
  - B Architectural Masonry - Type 2
  - C Architectural Masonry - Type 3
  - D Ceramic/Metal Panels - Type 1
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① East  
 1/8" = 1'-0"

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Original Signed



No.	Description	Date
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	Removed One Floor	3/20/2018

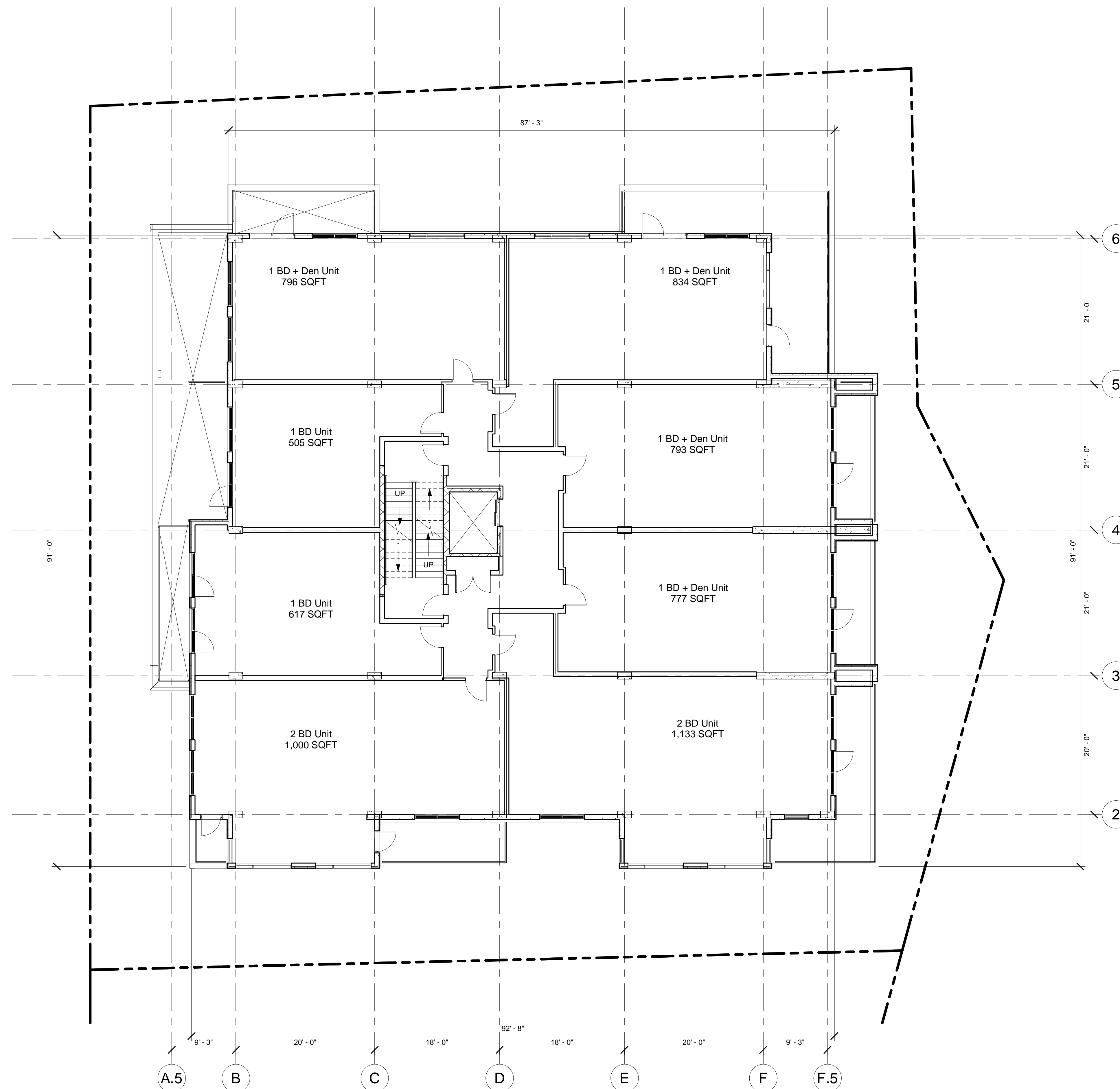
Proposed Comm. / Res.  
 "Fairwinds on the Basin"  
 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

**Level 6**

Scale	1/8" = 1'-0"
Date	February 24, 2017
Drawn by	GJ
Checked by	PS

**A3.3**

Project number	2877
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① Level 6  
 1/8" = 1'-0"

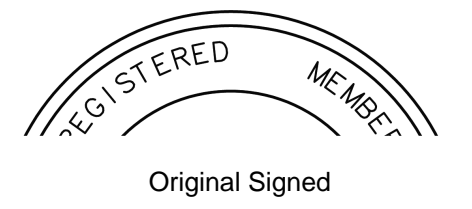
NOTE:  
 -STRUCTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS.  
 (REPORT ANY DISCREPANCIES IMMEDIATELY)  
 -SEE MECHANICAL & ELECTRICAL DRAWINGS FOR LOCATION & SIZE OF ALL HOLES IN FOUNDATION  
 WALLS & STRUCTURAL SLABS. (SOME HOLES ARE INDICATED ON ARCHITECTURAL, FOR FINAL LOCATIONS/SIZE SEE MECH/ELECT. DWGS.)

pskerry@pskerry.ca

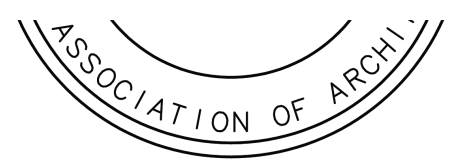
**PAUL SKERRY ASSOCIATES**  
 5514 Livingstone Place  
 Halifax, Nova Scotia B3K 2B9  
 ph: 902-455-4361  
 fax: 902-455-7778  
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Original Signed



No.	Description	Date
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1	Removed One Floor	3/20/2018

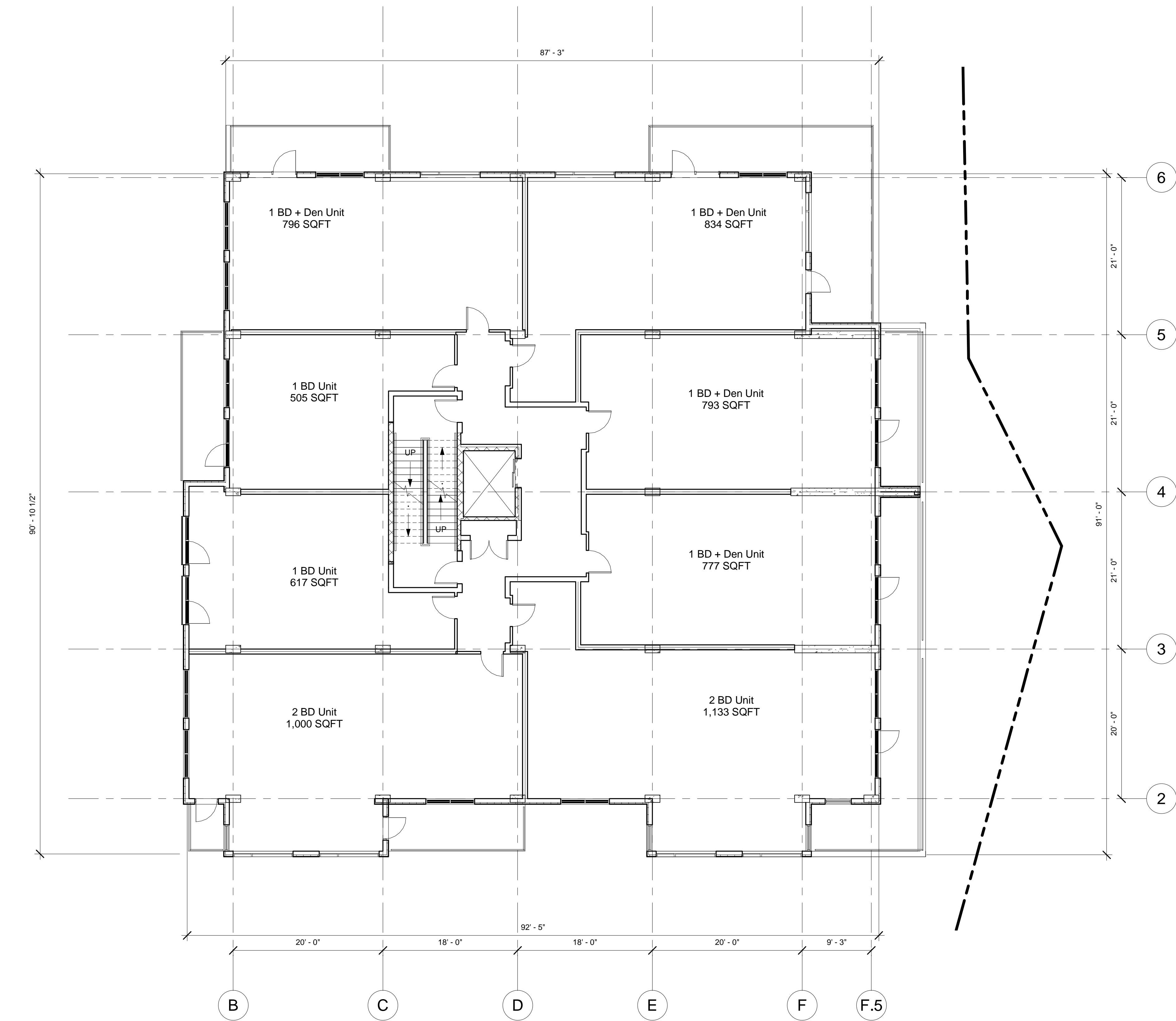
Proposed Comm. / Res.  
 "Fairwinds on the Basin"  
 Lot B & B1  
 Saul Garson Subdivision  
 Halifax, Nova Scotia  
 For: Pathos Properties

**Level 7**

Scale: 1/8" = 1'-0"  
 Date: February 24, 2017  
 Drawn by: GJ  
 Checked by: PS

**A3.4**

Project number: 2877



① Level 7  
 1/8" = 1'-0"





April 9, 2018

Hand Delivered and E-Mailed

**Miles Agar**

Principal Planner

Planning & Development | Policy & Strategic Initiatives | Urban Plan Amendments

**Halifax Regional Municipality**

40 Alderney Drive, 2<sup>nd</sup> Floor (Alderney Gate)

Dear Miles:

**Re: Formal Application for Amendments to Bedford Highway Secondary MPS – 205 Bedford Highway, Rockwinds on the Basin (PID 00291641)**

As a follow up to our recent discussion, KWR Approvals Inc., the Professional Development Team and our client, Pathos Properties Inc., have met to review the re-development of the noted subject property known as **Rockwinds on the Basin**, located in the Rockingham neighbourhood of Halifax. We believe that the proposed development, consisting of eight storey including penthouses as a mixed-use development will integrate and enhance both the local neighbourhood of Rockingham and the Bedford Highway corridor.

In particular, the proposed re-development, given its strategic community and specific site location, has the opportunity to be a signature landmark diverse affordable housing project for the area, as well as a benchmark to revitalize a mixed-use neighbourhood that, respectfully, has old and tired architecture going back to the 1950's – 1970's. The following application is in addition to previous submissions and discussions with HRM Planning Staff and explains further justification for amendments that would permit the re-development. We thank you in advance for your consideration of the original application and this supplemental letter we are combining into one full updated submission.

To date CHMC has approved \$70,000 in funding to Pathos Properties to research the unprecedented affordable housing opportunity for this neighbourhood and has indicated their support for financing the project (i.e. mortgage) once approved by HRM. Their funding for the 2017/2018 fiscal year begins on April 23<sup>rd</sup>, 2018 and we are attempting to show progress with the application in the HRM approval process to protect this important funding. Therefore, we respectfully ask HRM Planning & Development Department to recommend that Regional Council initiate the MPS amendment process for this application as soon as possible.

**Site Description and Context**

The subject property is located at 205 Bedford Highway in Halifax. The site is 15,402 square feet in size with 250 feet of street frontage and backs onto CN Rail marshalling yards. It is currently developed with a 13-unit apartment building that is at the end of its life, consisting of a two-storey building that was added to an old home in the 1960's. There are no commercial uses and parking covers all areas of the lot not used for the building. The site is flanked on each side by older commercial buildings, while across the street is a Tim Hortons with a drive-through. The broader area consists of a mix of older commercial buildings of one or two floors, with several small four-storey residential or mixed-use buildings. Buildings are normally set back with paved parking in front. To the west and at much higher elevations up the hill along and radiating from Flamingo Drive are low density neighbourhoods.

**KWR Approvals Inc.**

P.O. Box 44153 Bedford  
Bedford, Nova Scotia  
B4A 3Z8 Canada  
1323 Hollis Street (Office)  
KWRApprovals.com

**Kevin W. Riles**

President & CEO  
tel. 902-431-1700  
cell 902-403-7847  
fax 902-444-7577  
kevin@kwrapprovals.com

Municipal Approvals  
Project Management  
Community Consultation  
SWOTT-ROI-Market Analysis  
BID Packages  
Urban Planning

The site is located at the signalized three-way intersection of Bedford Highway and Flamingo Drive, forming the core of the commercial node.

### **The Proposal**

The developer is proposing a building of eight stories with penthouses that would include 55 housing units and ground floor commercial space. There is a mix of unit types and, most importantly, the project will provide affordable housing with 40 units meeting CMHC affordability standards in addition to five barrier free dwelling units for physically challenged tenants. The majority of the barrier free units will be on the ground floor. There will be five fully accessible units provided as well. Residential underground parking is proposed for a minimum of 47 spaces, with some surface parking for commercial uses. The building will be a high-quality concrete building with attractive exterior finishes that will complement the area. Lot coverage would be 54%.

### **Public Benefits and Amenities to Rockwinds**

The 40 affordable dwelling units average below market rent by \$250.00 per month that, over a minimum ten-year period, would result in a public benefit of **\$1,200,000**.

The average rent savings per unit for the 40 affordable housing units is \$250.00 and, over a guaranteed minimum of ten years of these units being affordable, this equates to \$1,200,000 (10 years x 12 months = 120 months x \$250.00 (below market rent = \$30,000 per dwelling unit over the decade x 40 affordable housing dwellings equals \$1,200,000).

### **Applicable MPS Policy**

The site is within the Bedford Highway Secondary Planning Area and is designated Minor Commercial, as part of the broader commercial node that is focused in the area around the Bedford Highway/Flamingo Drive intersection. This is the only designated Minor Commercial area in the secondary plan area, while there are several designated Highway Commercial areas. The Minor Commercial designation is oriented more toward neighbourhoods within walking distance as opposed to the Highway Commercial designation, which is heavily car oriented. Relevant MPS policy for this specific area states:

*2.2 Areas shown as minor commercial centres on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be regarded as medium-scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities.*

*2.2.1 In minor commercial centres, the City shall permit retail shops, personal services, offices, specified entertainment uses, institutions, restaurants including convenience restaurants, community centres, and residential uses.*

These policies in the Bedford Highway SPS establish general parameters for commercial land use within this Minor Commercial node. Importantly, there are no limiting parameters regarding residential uses, which provides broad leeway as to the scale and density of residential that can be enabled by Community Council through the Land-Use Bylaw.

### **Existing Land-Use Bylaw Provisions**

Policies 2.2.1 and 2.2 above enables the establishment of a unique zone that could apply to the designated Minor Commercial node on Bedford Highway. Such a zone is justified given its unique neighbourhood-oriented characteristics in the community. However, at the time of Secondary MPS adoption under the Halifax Mainland Land-Use Bylaw, the site was zoned C-2A (Local Commercial), which is a zone used more generally in several areas of the mainland.

This generic C-2A zone attempts to provide appropriate regulations for a number of diverse areas and enables lower density housing (single-unit, two-unit, townhouse, etc.) and apartment buildings, as well as a range of neighbourhood-based commercial uses all within a height limit of 35 feet. Additionally, any residential or mixed-use building in the C-2A zone is limited by reference to the requirements of the Mainland R-3 zone, which contain provisions that limit density and building massing through complex angle controls.

In 2015, the C-2A zone was amended to recognize the specific characteristics and provide unique provisions for this area of Bedford Highway. The purpose of the very limited amendments was to enable slightly taller apartment buildings to a height of 50 feet, where the entire ground floor is devoted solely to commercial purposes. This represented an initial attempt at encouraging revitalization of the area through allowing slightly more intensive development. The hope was this extra 15' feet in height might provide a much needed spark to see architecture and/or economic revitalization to an old neighbourhood with tired architecture that is 50+ years in age on average and witnessing significant office and commercial closures or vacancy's. Unfortunately since the 2015 amendments have been in place, they have not provided the spark needed to be the catalyst for a much desired architecture and economic revival in this community.

### **Result of 2015 Amendments**

It had been the intent of the owner (Nick Stappas) and his family for 205 Bedford Highway to develop a five-storey building (32 units bachelor and one-bedroom units on four floors of residential atop one commercial floor) to replace the dated obsolete structure that exists which is over a hundred years old. However, the project was not financially feasible or market viable due to the low unit yield that was created by a number of clauses in the C-2A and the R-3 zones:

- the 50-foot height limit and ability to have only four residential floors (C-2A and R-3 zones);
- a maximum lot coverage limit of 50% (R-3 zone);
- the requirement to use the entire ground floor for commercial use (C-2A zone); and
- the density limitations of 75 persons per acre (**R-3 zone**)

The owner wished to provide a mix of unit types, but the density limits of the R-3 zone at 75 persons per acre favour the provision of the smallest possible units due to how density is allocated by the LUB on the basis of habitable rooms. The design prepared under current zoning, therefore, included only one-bedroom units. The requirement for the entirety of the ground floor causes concerns due to the limited demand for large commercial spaces in this area. In the broader context, no other redevelopments have taken place in the area since the amendments, despite the clear need for major revitalization that exists. The goal of improving the character and amenity of this commercial area can be achieved by relaxing zone standards further to allow reasonably-scaled intensification beyond the current limits of the zone.

### **HRM's Integrated Mobility Plan (IMP)**

Regional Council has recently adopted the IMP to provide a clear and strong framework for changes to the regional transportation system and to provide for new opportunities. The IMP seeks to place a stronger emphasis, in particular on transit, cycling and walking. One of the key sections of the IMP relates to commuter rail. A rail corridor extending from Fall River to Downtown Halifax is planned, with general station locations identified. Around these stations, it is the intention that transit-oriented development be encouraged. This effectively creates higher density residential nodes that are needed to support ridership. One of the station sites is located just south of 205 Bedford Highway, with the subject property being within the mapped node, and many of the C-2A zoned properties along Bedford Highway are located within the defined node. Based on this important plan endorsed by Council, it is vital to begin supporting higher residential densities around the future transit nodes and rail station sites.

Existing MPS policy for this Commercial-designated area under the local and City-wide plans gives Community Council the ability to approve LUB amendments in support of this goal. Other transit and rail nodes, because of existing restrictive land-use policies, need to be dealt with through MPS amendments, or through secondary planning processes such as Centre Plan, but there is no need here. This node is unique in that simple LUB amendments can be implemented to support transit-oriented development in this area. Developments such as that proposed for 205 Bedford Highway are exactly the density and form needed to support higher order transit but the existing C-2A rules are a strong disincentive to development.

### **Requested Amendments – Site Specific MPS Change vs. LUB Amendments**

In order to make it financially viable for the owner to remove the existing apartment building with its existing cash flow, the zone on the property needs to allow greater height and density, as well as some residential use at ground floor level due to limited demand for commercial space in this area. Changes to the zone would allow a high-quality concrete structure that will kick start reinvestment in the area and allow equal opportunity to landowners in the area. This important commercial node would then be invigorated and developed as a pedestrian-oriented core of a unique character area that includes the commercial core and surrounding neighbourhoods, as envisioned by MPS policy. The desired outcome for the site can be achieved through site-specific MPS changes as we request through this letter, although it could also be achieved by Community Council approving amendments to the Land Use By-law for this whole C-2A area. Community Council could consider the creation of a new zone that is specific to this area, as supported by MPS policy, as perhaps the best route, although there is also the option of select text amendments to the C-2A zone which can also achieve the desired result. If HRM were to prefer to enable this project via LUB amendments intended to benefit the whole area, the necessary changes are to delete limiting Sections 38C (2) and 38C (3) and to adopt new requirements. In general terms these amendments should:

- establish a maximum height of 85 feet instead of 50 feet (the 85 feet could be limited to where there is no abutting R-1 or R-2 zone to address compatibility, so typically on the Basin side of the road);
- enable ground floor residential uses, except on that portion of the building fronting Bedford Highway, to ensure a strong pedestrian-oriented commercial character (excepting residential entrances and lobbies); and
- notwithstanding the provisions of 38B (2), which implements the requirements of the R-3 zone such as a density limit of 75 persons per acre, a height limit of 50 feet, and angle controls and instead insert requirements for at-grade setbacks and step backs above the 2<sup>nd</sup> or 3<sup>rd</sup> floors, such as those used in the new Fairview zones for Dutch Village Road.
- Increase maximum lot coverage to 55%.

### **Summary**

The developer is proposing a high-quality, mixed-use development that would include 40 affordable housing units out of 55 units total, a range of unit sizes and quality ground floor commercial space. However, in order for this or any redevelopment in the area to succeed as a transit-oriented development, reasonable height and density limits need to be in place. The requested amendments are enabled by existing MPS policy, would benefit other owners in the area and would contribute to a meaningful revitalization of the area while also supporting higher order transit and all the social, environmental and economic benefits that entails.

## **Bedford Secondary MPS Extract re Commercial Facilities**

**Objective:** The provision of commercial facilities in appropriate locations on the Bedford Highway to serve adjacent neighbourhoods and highway uses.

2.1 For the purposes of this Bedford Highway Strategy, the City shall define commercial facilities as comprising two categories:

- (i) minor commercial; and
- (ii) highway commercial.

2.2 Areas shown as minor commercial centres on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be regarded as medium-scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities.

2.2.1 In minor commercial centres, the City shall permit retail shops, personal services, offices, specified entertainment uses, institutions, restaurants including convenience restaurants, community centres, and residential uses.

2.2.2 In minor commercial centres in the Bedford Highway Area the City shall require sufficient parking to accommodate employees and customers.

## **Halifax MPS Extract re City-wide Policies for Commercial Uses**

**Objective:** The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.

3.1 The City shall encourage a variety of commercial centres to serve the variety of community needs and shall seek to do so under Implementation Policy 3.7. Provision shall be made for neighbourhood shopping facilities, minor commercial centres, shopping centres and regional centres.

3.1.1 Neighbourhood shopping facilities in residential environments should service primarily local and walk-in trade, and should be primarily owner-occupied. They shall be required to locate at or adjacent to the intersections of local streets rather than in mid-block. Neighbourhood shopping facilities may include one business, for example a corner store or a cluster of businesses. This policy shall serve as a guideline for rezoning decisions in accordance with Implementation Policies 4.1 and 4.2 as appropriate.

3.1.2 Minor commercial centres should service several neighbourhoods. They should locate along principal streets with adequate provision for pedestrian, transit, service and private automobile access. Parking provision should be allowed on surface lots servicing single businesses, as long as conditions preclude nuisance impact on adjacent residential areas. Access to any parking area from the principal street should be controlled. The City should define the geographic limits of minor commercial centres, and shall encourage contiguity of commercial or associated uses within those limits. Minor commercial centres should offer a wider range of services than neighbourhood shopping facilities including local office, restaurants, cinemas, health centres and multi-service centres. Notwithstanding any other policy in the Municipal Planning Strategy or Secondary Planning Strategies, billboards advertising off-site goods and services shall be prohibited in Minor Commercial areas. This policy shall serve as a guideline in rezoning decisions in accordance with Implementation Policies 3.1 and 3.2 as appropriate.

### **Neighbourhood and General Community Overview**

The subject property is located in what many would refer to as a historically local commercial node of HRM in the community of Rockingham. This neighbourhood is unique in that, although it is part of the community of Rockingham, the access to business, multiple-residential and office properties is, for the most part, directly off the Bedford Highway, which is one of the main transportation corridors linking this suburban area of HRM with the Peninsula and downtown of Halifax.

Over the past number of decades, the area has become increasingly mixed-use and diverse in the type of residences, businesses and professional offices that are located here and the local and broader residents and communities it supports. Access to one of the busiest transportation corridors in HRM, as well as public transit, makes this area ideal for business, office and residential development. There are several multi-residential apartment buildings in the immediate area including a long-established (50+ years) apartment building at 205 Bedford Highway. The neighbourhood, including 205 Bedford Highway, offers reasonably-priced rental options for residents of HRM with immediate access to public transit and nearby amenities (i.e. restaurants, dry cleaning, coffee shops and other retail/professional offices etc.).

The architectural stock in this neighbourhood is, respectfully, **old and tired** with very few new buildings arising over the past three decades. The economies of scale to replace existing buildings, whether commercial or residential, with new construction have, for the most part, not been sufficient to see a revitalization in the area transpire.

### **Context for Secondary Planning Exercises in HRM for Local Neighborhoods**

The goals and objectives of HRM's Regional Plan to focus a higher proportion of new density in the downtown/peninsula of Halifax and Dartmouth is appreciated and understood. The Regional Plan also seeks to allow a high percentage of growth within existing serviced areas outside of the Regional Centre. It is also acknowledged and understood that, in 2013, HRM completed a review of this neighbourhood that resulted in increases in the height (i.e. from maximum of three stories (35 feet) to five stories). The goal, similar to other neighbourhood reviews and secondary planning exercises in HRM, is whether this part of Rockingham, Wyse Road, Fairview and Schedule R areas is to allow incentives for property owners to create new high-quality architectural developments, often with a mixed-use component of ground floor commercial and multiple-family residential above.

Architecture design standards, commercial requirements, increased density and human-scale/pedestrian-friendly developments have all been part of the new planning regulations in these selected communities via secondary planning exercises. For example, approved street/neighborhood precincts as part of previous secondary planning reviews for Main Street in Dartmouth and Dutch Village Road/other streets in Fairview are hoped to bring continuity for the community in what gets developed and incentives to initiate new architectural and developments that can revitalize these communities and the architectural stock within them.

### **Background to 205 Bedford Highway and the proposed 'Rockwinds on the Bedford Basin'**

Over the past four years, our client has spent considerable time and effort with Paul Skerry & Associates Architects and KWR Approvals Inc. to evaluate the best approach for 205 Bedford Highway within the as-of-right five-storey height limit. In this light, Pathos Properties Inc. applied to HRM and was approved for a development permit for a five-storey, 32 one-bedroom multiple-family residential building development. Over approximately the past year, further research and application to CMHC under their Affordable Housing SEED Program highlighted a **significant opportunity for a landmark, affordable, accessible (barrier-free) development** with a diverse tenant base for 205 Bedford Highway and ground floor commercial retail.

The location of 205 Bedford Highway within the neighbourhood is ideal for an affordable housing, barrier-free and diverse tenant base multiple-family residential development of high architectural quality to replace the 50+ year old existing building. 205 Bedford Highway is located across from the intersection of the Bedford Highway and Flamingo Street near an important focal point in the streetscape. The property is highly visible as you approach from Halifax along the Bedford Highway and down Flamingo Drive.

Additionally, 205 Bedford Highway is immediately surrounded by (adjacent to) two mixed-use properties (i.e. Asian Grocery and the former Rockingham Community Centre) that lend themselves well to a moderately tall and dense mixed-use multiple residential building. A re-development of this property would also not block any existing residential views of the Bedford Basin.

### **Affordable Housing at ‘The Rockwinds on the Bedford Basin’**

Our research shows that 205 Bedford Highway, with its proximity to Mount Saint Vincent University, older residential housing in the neighbourhood, commercial amenities, public transit access and views of Bedford Basin, offers a great combination of factors for a diverse, mixed-use residential/commercial development with a high percentage of affordable housing. The original submission at nine stories plus penthouses had 10 multiple-family units (16.7%) of the total sixty (60) as affordable housing. Further internal research and discussions with CMHC have led us to conclude ‘The Rockwinds’ at 205 Bedford Highway can achieve an **UNPRECEDENTED 72.7% affordable housing component** within the overall multiple-family residential development. This submission now proposes 40 of the 55 units would be affordable multiple-family units with a **minimum of 10% of rents under market value**.

It is again appreciated and respected that Council’s goal in the Regional Plan is to increase density in the downtowns/peninsula of Halifax and Dartmouth. As with any Regional Plan opportunities to increase density in the suburbs beyond what is noted in local MPSs or Regional Plans, it must be weighed carefully whether as part of an overall secondary planning exercise or individual site specific plan amendments. 205 Bedford Highway given all the aforementioned factors and qualities it can achieve:

- ✓ high quality architecture;
- ✓ 72.7% affordable housing;
- ✓ Barrier-free accessible units on site;
- ✓ ground floor owner occupied spa and hair salon;
- ✓ larger two-bedroom units for professionals and retirees;
- ✓ high-end residential units with full views of the Bedford Basin; and
- ✓ truly diverse and mixed-use, multiple-family residential development in a building that has ideal accessibility to commercial amenities, public transit and professional services.

In our experience over the past 30 years, KWR Approvals Inc. **has not come across a site and or re-development project** that can achieve such a diverse mixture of affordable, accessible, high-quality and commercial use in one building. The specific location of 205 Bedford Highway within this neighbourhood offers a combination of factors that can allow for this affordability, quality and diversity under one mixed-use residential development.

### **How to Achieve the Affordable Housing and Diverse Socio-Economic Tenant Mix at ‘The Rockwinds on the Basin’**

To make this affordability and diversity possible, we are asking for a modest increase in height from five stories to eight stories including penthouses and reasonable increase in density to achieve the affordable housing component we are convinced is needed in the community and this part of the Municipality. Since the Regional Plan has come into existence in 2006 and in follow up secondary reviews, it is common to see the Municipality approve, or consider for approval, height precincts of 7 – 10 stories often with ground floor commercial/retail requirements. The Rockwinds at 205 Bedford Highway is consistent with these other secondary planning exercises previously completed by the Municipality.

Any secondary plan is never intended to be a static document, but grow with the needs and desires of the community. It is also intended to allow for opportunities that can improve the architectural and residential commercial fabric of the neighbourhood and community. Similar to other height precincts approved and/or being considered by HRM (i.e. Wyse Road, Fairview) not all properties can or should be developed with the same ‘brush’. We respectfully contend that 205 Bedford Highway adjacent to Bedford Basin and on the other side of the Bedford Highway further away from existing residential development is ideal for achieving an economically feasible and market viable mixed-use residential development with a one-third affordable housing component. KWR Approvals Inc., in managing the affordable housing project known as Habitat Way for Habitat For Humanity Nova Scotia off Drysdale Road in Spryfield, believes this area and community was ideal for such an affordable housing project. Some reasonable increase in density and height to achieve this, given the benefits to the community, makes sense. Increasing affordable housing is a stated and strongly-promoted objective of HRM in its Regional Plan as well as the current Provincial Government of Nova Scotia and Federal Government.

It has historically been in HRM, as with many major cities in Canada, challenging to get affordable housing projects in suburban areas and, in particular, mingled within an existing multiple-family residential building. Many studies have shown the mixture of socio-economic groups and the diversity it brings leads to higher quality of life for affordable housing residents. This approach also prevents clustering of affordable housing units all in one area. Unfortunately, not all areas of HRM have the mixture of factors that create the combination of influences that can **make a significant affordable housing project economically feasible and market viable**. This site at 205 Bedford Highway has those factors and influences.

### **Sustainable, Livable and Dynamic Communities**

Whether Fairview, Wyse Road, Main Street and other areas similar to this part of Rockingham, these neighbourhoods are on main transportation corridors with public transit and denser residential communities to their rear. In addition, these areas have tired and old architecture/buildings and are often in transition. The plan for these areas is to revitalize them with new, fresh and high-quality architecture that will bring about adaptive re-use and create desired urban change/renewal that **leads to more sustainable, livable and dynamic communities**. This approach has worked in areas such as Gottingen Street.

The realities of development, construction and economic renewal HRM is aware of is finding the right blend of height, density and flexibility of uses that ‘sparks’ urban renewal, fresh high-quality architecture and affordable housing while being sympathetic and respectful of the existing neighbourhood and community. Pathos Properties has spent over \$100,000 to date to determine that the eight stories with penthouses would achieve the aforementioned affordable housing and diverse socio-economic mix in the ‘Rockwinds’.



### **'The Rockwinds on the Basin' as a TREND setter for Neighbourhood Revitalization**

The neighbourhood is in need of an urban renewal project to spark revitalization of architecture design and re-development interest. Like most neighbourhoods and communities in HRM, it takes '**one' dynamic project** located in a strategic focal point to create this spark.

We are confident that 'The Rockwinds on Bedford Basin' is the spark to create an urban renewal for the area for the following reasons and consistent with the intent of the Regional Plan for great architecture, urban renewal, increased density on main transportation corridors, diversity in socio-economic residential base and inclusion of affordable housing and accessibility for physically challenged:

1. **Strategic Location.** 205 Bedford Highway, across from the intersection of Bedford Highway/Flamingo Drive and adjacent to the Asian Grocery and former Rockingham Community Centre, is a well-known and recognizable location for the neighbourhood and general community. Further, it is at a focal point in the streetscape that, with well designed and high-quality architecture, can add to the visual quality of this neighbourhood for both local, community and regional residents/pedestrians/motorists who travel by this site on a daily basis.
2. **Public Transit.** 205 Bedford Highway has immediate and close access to six transit buses that travel along the Bedford Highway including Mount Saint Vincent University, up Flamingo Drive and into Clayton Park, Larry Uteck and Bedford/Sackville and downtown Halifax. Such access to a public transportation hub is IDEAL for affordable housing, accessible units, students and retirees who will be part of the diversity of tenants at The Rockwinds. Such proximity of public transit and flexibility in transit stops to commercial, professional, community and medical amenities is a major advantage and opportunity to reduce the need for vehicles/parking at 205 Bedford Highway. In addition, the recently approved Integrated Mobility Plan places the site within the future commuter rail node for Rockingham and seeks to encourage transit oriented development with such nodes – and this necessitates higher densities. The IMP states that planning processes should take into account its recommendations – which support this application.
3. **Mount Saint Vincent University.** This well-known and respected university is less than five minutes from 205 Bedford Highway by public transit. The Rockwinds at 205 Bedford Highway, with its location to commercial/professional amenities and along a public transit corridor that goes directly to the entrance of the university, is ideal to attract university students looking for affordable rents in a high-quality residence in close proximity to Mount Saint Vincent. The Rockwinds offers this.
4. **Affordable Housing and Accessible Units.** The Rockwinds will have an **UNPRECEDENTED 72.7%** of its total units to be affordable, residential dwellings in a diverse multiple-family residence. The location next to amenities, public transit and affordable rents offers the unique opportunity to provide such a substantial affordable housing total in a suburban location with other diversity of socio-economic residents.
5. **Architecture that Creates Urban Renewal.** The Rockwinds at 205 Bedford Highway is a \$10,000,000 designed multiple-residential building with ground floor commercial to enhance the local, community and regional pedestrian, transit and vehicular residents' experiences driving to and from this area. The architecture, design, colours and approach is meant to create a strong, positive experience for residents, neighbours, community and passersby alike.

Thank you and Warmest Regards,

Original Signed

**Kevin W. Riles**  
President & CEO

cc: Nick Stappas – Owner, Pathos Properties Inc.

# Attachment C

## Policy Review

### Regional Plan Review

<b>Regional Plan Objectives/ Policy</b>
<b>Section 3.1 - Settlement Objectives</b>
1. Direct growth so as to balance property rights and life-style opportunities with responsible fiscal and environmental management;
2. Target at least 75% of new housing units to be located in the Regional Centre and urban communities with at least 25% of new housing units within the Regional Centre over the life of this Plan;
3. Focus new growth in centres where supporting services and infrastructure are already available;
4. Design communities that: <ul style="list-style-type: none"><li>(a) are attractive, healthy places to live and have access to the goods, services and facilities needed by residents and support complete neighbourhoods as described in 6.2.2 (v) of this Plan;</li><li>(b) are accessible to all mobility needs and are well connected with other communities;</li><li>(c) promote energy efficiency and sustainable design;</li><li>(d) protect neighbourhood stability and support neighbourhood revitalization;</li><li>(e) preserve significant environmental and cultural features;</li><li>(f) promote community food security;</li><li>(g) provide housing opportunities for a range of social and economic needs and promote aging in place;</li></ul>
8. Support housing affordability.
<b>Section 5.3.4 Halifax Harbour Designation</b>
<b>Policy EC-12:</b> HRM shall establish a Halifax Harbour Designation which extends from Hartlen Point in Eastern Passage to Chebucto Head, including Northwest Arm and Bedford Basin, and extends inland generally to the first major roadway paralleling the Harbour, as shown on the Generalized Future Land Use Map (Map 2). The Designation shall support a range of development opportunities including marine-dependent industrial and commercial uses, transportation uses and facilities including ferries, recreational uses, residential uses, institutional uses and matters related to environmental improvement and protection
<b>Policy EC-14:</b> When considering an amendment to secondary planning strategies, land use by-laws or development agreements to permit new residential development in proximity to harbour related industrial uses, consideration shall be given to the potential for nuisances and compatibility issues and the importance to HRM in protecting the viability of the marine related industrial uses.
<b>Policy S-30:</b> When preparing new secondary planning strategies or amendments to existing secondary planning strategies to allow new developments, means of furthering housing affordability and social inclusion shall be considered including: <ul style="list-style-type: none"><li>a) creating opportunities for a mix of housing types within designated growth centres and encouraging growth in locations where transit is or will be available;</li><li>b) reducing lot frontage, lot size and parking requirements;</li><li>c) permitting auxiliary dwelling units or secondary suites within single unit dwellings;</li><li>d) permitting homes for special care of more than three residents of a scale compatible with the surrounding neighbourhood;</li><li>e) permitting small scale homes for special care as single unit dwellings and eliminating additional requirements beyond use as a dwelling;</li></ul>

- f) introducing incentive or bonus zoning in the Regional Centre;
- g) allowing infill development and housing densification in areas seeking revitalization; and,
- h) identifying existing affordable housing and development of measures to protect it.

## Halifax Municipal Planning Strategy Review

### City-Wide Residential Environments Policy

**Policy 2.2:** The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

**Policy 2.4:** Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.

**Policy 2.4.1:** Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

### City-Wide Commercial Policies

**Objective:** The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.

**Policy 3.1.2:** Minor commercial centres should service several neighbourhoods. They should locate along principal streets with adequate provision for pedestrian, transit, service and private automobile access. Parking provision should be allowed on surface lots servicing single businesses, as long as conditions preclude nuisance impact on adjacent residential areas. Access to any parking area from the principal street should be controlled. The City should define the geographic limits of minor commercial centres, and shall encourage contiguity of commercial or associated uses within those limits. Minor commercial centres should offer a wider range of services than neighbourhood shopping facilities including local office, restaurants, cinemas, health centres and multiservice centres. Notwithstanding any other policy in the Municipal Planning Strategy or Secondary Planning Strategies, billboards advertising off-site goods and services shall be prohibited in Minor Commercial areas. This policy shall serve as a guideline in rezoning decisions in accordance with Implementation Policies 3.1 and 3.2 as appropriate.

## SECTION VIII BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY - OBJECTIVES AND POLICIES

### Bedford Highway SPS Residential Environments Policy

**Policy 1.2:** The City shall ensure that new construction in residential neighbourhoods is compatible with the existing scale and architectural character of the area.

## Bedford Highway SPS Commercial Policy

**Policy 2.2:** Areas shown as minor commercial centres on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be regarded as medium scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities.

**Policy 2.2.1:** In minor commercial centres, the City shall permit retail shops, personal services, offices, specified entertainment uses, institutions, restaurants including convenience restaurants, community centres, and residential uses