

April 2, 2019

Darrell Joudrey, Planner Urban Enabled Applications Halifax Planning and Development 40 Alderney Drive Dartmouth, NS, B2Y 2N5

#### Subject: Revised Submission Materials - Case 21946

Dear Darrell,

On behalf of our client, Tabrizi Rugs (Tabrizi), please accept the attached material as a revised submission for Case 21946 based on comments received from HRM Planning staff. The following revised materials are enclosed as attachments:

- Attachment A: Response to comments
- Attachment B: Revised Site Plan for BH-1 (PID: 41119496)
- Attachment C: Revised Site Plan for Site BH-2 (PIDs: 00360560, 00430025, 00430017, 00429977 and 00430058)
- Attachment D: Preliminary Commercial Building Elevations for Site BH-2 (A49)
- Attachment E: Revised Servicing Schematic for Site BH-2 (SDMM)
- Attachment F: Proposed Grading Plan for BH-2 (SDMM)
- Attachment G: Proposed Plan of Subdivision for BH-2 (SDMM)
- Attachment H: Flood Limit Analysis for BH-2 (SDMM)
- Attachment I: Revised Traffic Impact Statement
- Attachment J: Preliminary Landscape Plan for BH-1 and BH-2 (A49)

#### **1.0 Introduction**

Tabrizi, landowner of PIDs: 41119496 (Site BH-1), 00360560, 00430025, 00430017, 00429977 and 00430058 (Site BH-2) are seeking to enable the following development program:

- One multi-unit residential building at Site BH-1 containing a total of 73 residential units
- A 16,000 ft.<sup>2</sup> commercial building on the BH-2 site access from the Bedford Highway
- Five single family homes on the BH-2 site accessed from Glenmont Ave. (one home is already constructed and four more homes proposed).

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The applicant is requesting the following discretionary planning processes in to enable their desired development program at the subject sites:

- Substantive amendments to DA Case 00492 to enable a multi-unit residential building at BH-1 (PID: 41119496) instead of the 30,000 ft<sup>2</sup> commercial use that is currently permitted.
- Adopt a new DA for Site BH-2 (PIDs: 00360560, 00430025, 00430017, 00429977 and 00430058) that enables a combination of 16,000 ft<sup>2</sup> commercial building and five single family homes. Simultaneously discharge DA Case 00762 that is currently applied to the site.

#### 2.0 Background

All properties are zoned BSCDD (Bedford South Comprehensive Development District), and are permitted under the Bedford LUB only to be developed by a development agreement that is in accordance with the policies of the BSSPS. There are presently separate development agreements in place for each of these properties, both of which do not align with Tabrizi's desired development program.

BH-1 is currently regulated by Development Agreement Case 00492 for Neighbourhoods A and C of Bedford South. Under the development agreement, the site is identified as 'Community Commercial' and a commercial development to a maximum of 3 storeys and 30,000 ft<sup>2</sup> is permitted.

Site BH-2 is currently regulated by Development Agreement Case 00762. The following uses are permitted under this existing agreement:

- One multi-unit residential building containing 44 units.
- One 16,000 sf commercial building
- 12 townhouse units
- 1 single family home

Since those development agreements were implemented in 2007 & 2002 (Case 00762 and Case 00492), ownership of the property has changed and the current landowner (Tabrizi) has determined that the location, topography, and surrounding context of the properties are unsuitable for the type of development that is currently permitted. The following section provides rationale as to why this proposed revised application is in keeping with the current growth patterns of the area.

#### 3.0 Discussion

We have conducted a preliminary analysis of the context area surrounding the site to support this application. The following items and associated rationale factored into our preliminary analysis.

#### **Population Density:**

The landowner has also been directed by staff to ensure that the proposed development does not increase population density beyond currently enabled on both Sites A and B. Policy MS-2 of the BSSPS provides the following clarification on how density is linked to particular land uses within the secondary plan area:

- 3.35 persons per single unit dwelling, two-unit or townhouse dwelling
- 2.25 persons per multiple unit dwelling
- 30 persons per acre for community commercial development

Currently, a density of 30 persons per acre is applied to Site A, which translates to a maximum population of 42 persons. On Site BH-2, the development agreement that currently regulates the site allows for 16,000 ft<sup>2</sup> of commercial uses, 12 townhouse units, 1 single family home and a maximum of 44 multiple unit dwellings. Therefore, a population of 228 persons is enabled on Site BH-2. Overall, a total population of 270 persons in enabled across both Site A & B.

We have applied the population density calculations identified under Policy MS-2 of the BSSPS to the development program proposed within this application:

SITE	UNIT TYPE	NUMBER OF UNITS or SQUARE FOOTAGE	POPULATION/DENSITY
Site BH-1	Multiple Unit	73	165
Site BH-2	Single Family	5	17
Site BH-2	Commercial Building	16,000 ft²	85
Total		N/A	267

The population density proposed within the application equates to the total density that is currently enabled on both Sites A & B.

#### <u>Relationship with adjacent uses:</u>

There are several multi-unit residential buildings near the subject properties, particularly to the northwest. A 5-storey condominium building (the Tides) sits behind Site BH-2, opposite of the Bedford HWY, and multiple single-family homes are located to the south of the Site BH-2 along Glenmont Ave. A small cluster of single family homes and a 5 storey multi-unit residential building abut Site BH-1 to the north.

Over recent years, and through the consultation process for DA Case 00762, a significant concern brought forth by the community was the preservation of residential views towards the Bedford Basin. Although there is no regulatory planning framework in place to preserve these views, the applicant and landowner took these comments into consideration while formulating the proposed development. By reallocating most of the residential density and building massing to Site BH-1, impacts on residential views are minimized compared to Site BH-2 due to the lesser number of residential units between the proposed massing and the Bedford Basin. Site BH-1 also has more depth and frontage along Southgate Drive, enabling a primary entrance off Southgate instead of the Bedford Highway.

By allocating a significant amount of the residential density to Site BH-1, the landowner is proposing to reduce the overall density and building mass on Site BH-2, resulting in less large, bulky buildings on that site. Proceeding with the currently enabled development would impede on other views and add more direct vehicular access to the Bedford Highway compared to the revised proposal.

The proposed development program on Site BH-2 includes a proposed commercial building and single-family homes with architectural treatments that are consistent with nearby developments, complimenting the neighbourhood character. The proposal is a pedestrian-scaled development that is compatible with the natural environment and surrounding uses.



#### 4.0 Policy Summary

The BSSPS designates the subject properties as Residential Neighbourhoods. The Residential Neighbourhoods designation allowed Council to consider DA applications for residential neighbourhoods within the BSSPS Plan Area.

The applicant has identified three policies that are to be considered for this specific application. The policies speak to the compatibility of the proposed development, in terms of use, intensity and scale, with the existing residential neighbourhood.

#### Policy RN-2:

The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation:

- a) the density of housing units does not exceed six units per acre within neighbourhoods A, C, D or E;
- b) community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;
- c) sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;
- d) the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;
- e) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;
- f) building locations, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian scale and compatibility with the natural environment;
- g) natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply;
- h) all open space/parkland dedications proposed conform with the objectives and polices adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality and;
- i) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.

#### Policy RN-3:

Each residential neighbourhood shall conform with the following provisions:

#### Neighbourhood A:

Lands located between the minor neighbourhood collector street and the Old Coach Road will be primarily developed with single-family dwellings of varying lot sizes. Single unit dwellings shall have a min. lot frontage of 40 ft., a min. side yard of 4 ft. and a min. separation of 12 ft. between buildings. A

majority of the single unit dwelling lots shall have a min. 50-foot lot frontage and 5,000  $ft^2$  of lot area. A max. of 20% of the housing units may be townhouses or semi-detached dwellings.

Lands abutting the Neighbourhood Collector Road in the vicinity of the Old Coach Road and the Bedford Highway may be developed with apartment buildings and townhouses, provided that townhouse units have shared driveway access to the Neighbourhood Collector Road. Any apartment building development shall be limited to 5 storeys above grade and shall maintain a min. 50-foot non-disturbance area from any existing single unit dwelling lot abutting Glenmount Avenue.

Commercial uses may also be considered on lots which have frontage on the Bedford Highway.

#### Policy RN-3A:

Notwithstanding Policy RN-2, RN-3, MS-1 and MS-9 the portion of Neighbourhood A containing PID#'s 00360560, 00430025, 00430017, 00430033, 00429977 and 00430058 may be developed with a mix of low density residential, medium density residential building and commercial uses by development agreement, subject to the following:

- a) total number of residential units shall not exceed 57 units;
- b) total amount of commercial space shall not exceed 16,000 ft<sup>2</sup>; notwithstanding MS-6 and MS-7, the development agreement shall permit a max. of 13 residential units to be constructed prior to the construction of the interchange at Highway 102;
- c) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;
- d) building locations, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian scale and compatibility with the natural environment and surrounding uses;
- e) natural vegetation, landscaping or screening is employed around parking areas for multiple unit buildings to provide screening from streets;
- f) all open space/parkland dedications proposed conform with the objectives and polices adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality;
- g) proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services;
- h) development agreement shall exempt 13 residential units from infrastructure charges;
- i) the development agreement shall not permit the construction of greater than 13 residential units until infrastructure charges have been applied to the new portion of land being added to Neighbourhood A; and
- j) traffic generation, access to and egress from the site; and parking.

As per reasons described in Section 3.0 of this letter, the applicant feels that there is merit in considering our revised application as they are reasonably consistent with BSSPS policies.



#### **5.0** Conclusion

WSP trusts that the enclosed materials satisfy the requirements to continue with the application, and addresses comments received by Staff. We look forward to continuing to work with Staff throughout the application process. Should you have any questions, comments or concerns with regards to the enclosed materials, please do not hesitate to contact the undersigned.

Yours sincerely,

**Original Signed** 

Jared Dalziel, MCIP, RPP Project Planner

Cc: Jeff Tabrizi, Haluk Alemdar Encl. Attachments A – J Ref. 161-12598-00 CL/jd

# ATTACHMENT A: Response to Comments



#### ATTACHMENT A: RESPONSE TO STAFF COMMENTS

#### Preliminary Policy Evaluation

POLICY THAT HAD STAFF COMMENT	RESPONSE
Policy RN-3A (a): Total number of residential units shall not exceed 57 units.	The landowner has also been directed by staff to ensure that the proposed development does not increase population density beyond what is currently enabled on both Sites BH-1 and BH-2. Overall, a total population of 270 persons in enabled across both Site A & B; with a total population of 267 proposed. The total amount of residential units proposed on both sites is 78 units.
Policy RN-3A (b): total amount of commercial space shall not exceed 16,000 s.f.	The total number of commercial shown on the revised BH-2 site plan is 16,000 s.f.
Policy RN-3A (d): the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods. Policy RN-2 (e): the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods	The current proposal includes single-family residential along Glenmont and commercial fronting on Bedford Highway. BH-1 includes a multi-residential building. The commercial building is located against the street with parking to the rear which provides a human scale development along the street. The allocation of housing and the massing and placement of buildings reflects current development practices within the established neighbourhood.

1 Spectacle Lake Drive Dartmouth, NS Canada B3B 1X7

T: +1 902-835-9955 F: +1 902-835-1645 wsp.com

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POLICY EVALUATION	RESPONSE	
Policy RN-3A (h): proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services Policy RN-2 (c): sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services	We understand that staff are requesting the provision of sidewalks for Southgate and Bedford Highway frontages pending alignment requirements from a functional planning study (FPS) for the Bedford Highway. This can be discussed in the terms of the DA, and we would like a provision in the development agreement to allow for site reconfigurations as necessary to allow for site plan changes to conform to the required provision of sidewalks.	
1. The proposed site plans must show dimensions and area of subject lands;	See Attachment B, C and G	
2. The proposed site plans must show a key plan;	See Attachment B and C	
3. The proposed site plans must show area of proposed buildings, setbacks from all property boundaries, building access point with FFE;	See revised site plans for BH-1 and BH-2 (Attachment B and C) For building elevations, see Attachment F: Grading Schematic.	
4. The proposed site plans must show existing and proposed grades, spot elevations at all building corners and high points or low points on the site;	See Attachment G.	
5. The proposed site plans must dimension driveway access widths;	See revised site plans for BH-1 and BH-2 (Attachment B and C)	
6. The proposed site plans must show surface types, areas of existing vegetation to be retained;	See Preliminary Landscape Plans (Attachment J)	
7. The proposed site plans must show proposed ground sign locations;	No ground signs are proposed at this time; however, we would like the option to apply for a ground sign in conformance with current LUB requirements in the terms of the DA.	
8. The proposed site plans must indicate location of bicycle parking;	Exterior bicycle parking is proposed on the BH-2 site. BH-1 is proposed to have interior bicycle parking to meet LUB requirement.	
9. Provide a preliminary landscape plan providing details as listed under Note 2 at p.4 Planning Application Form;	See the attached preliminary landscape plans (Attachment J). We would like a provision in the DA to allow for revisions to the landscaping plan to conform to geotechnical requirements for slope stabilization.	
10. Locate townhouse units, accessed from Bedford Highway, on Site BH-2 proximate to the future sidewalks;	Townhouse units are no longer proposed. The commercial building proposed is proximate to the Bedford Highway frontage/proposed sidewalk.	

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11. Consider non-retaining wall design response for BH-2 where retaining wall divides Glenmont cluster from Bedford Highway cluster of towns;	<b>See Site plan BH-2:</b> We have reconfigured the site grading between the proposed single unit dwellings to reduce the visual impact of retaining walls towards the street and sidewalk. Retaining walls will still be required on the commercial site, but have been reduced.	
12. Relocate or eliminate internal driveway and parking;	<b>See Site plan BH-2:</b> We have relocated the internal driveway to use the existing access location.	
13. Show sidewalk location along Southgate Drive and Bedford Highway; and	The location of the sidewalk has been included on the landscape plans (Attachment J). We understand that staff are requesting the provision of sidewalks for Southgate and Bedford Highway frontages pending alignment requirements from a functional planning study (FPS) for the Bedford Highway. This can be discussed in the terms of the DA, and we would like a provision in the development agreement to allow for site reconfigurations as necessary to allow for site plan changes to conform to the required provision of sidewalks.	
14. Delineate the limits of the 1 in 20 year floodplain limits of the watercourse on the BH-2 site plan.	See attachment H by SDMM.	

#### **Other Department Comments**

COMMENT REFERENCE	RESPONSE	
Engineering Comment 1	The driveway coming from the underground parking garage has been widen to 7.0m to assist in improved visibility.	
Engineering Comment 5	We understand that a sidewalk is recommended to be extended the entire length of the subject properties. This can be discussed in the terms of the DA.	

## ATTACHMENT B: Revised Site Plan for BH-1



# ATTACHMENT C: Revised Site Plan for Site BH-2



### **ATTACHMENT D:**

Preliminary Commercial Building Elevations for Site BH-2 (A49)

	Materials Legend
1	Cladding System
2 Placeholder Signage	
3	Glazing System
4	Service door



Northeast Elevation (Bedford Highway)



#### Southwest Elevation

11×17



### ARCHITECTURE 49

	Materials Legend
1	Cladding System
2	Placeholder Signage
3	Glazing System
4	Service door



#### Southeast Elevation

11×17"



#### **Northwest Elevation**



### ARCHITECTURE 49 -

### **ATTACHMENT E:**

Revised Servicing Schematic for Site BH-2 (SDMM)



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# ATTACHMENT F:

### Proposed Grading Plan for BH-2



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#### NOTES

- PROPERTY BOUNDARIES HAVE BEEN COMPILED AND ARE SUBJECT TO SURVEY.
   ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH NOVA SCOTIA REGULATIONS AND HRM BY-LAWS, HALIFAX WATER DESIGN AND CONSTRUCTION SPECIFICATIONS (LATEST EDITION) AND HRM MUNICIPAL SERVICE SYSTEM GUIDELINES "RED BOOK" (LATEST EDITION).
   ELEVATIONS ARE GEODETIC (METERS) AND REPRESENT SITE PRIOR TO CONSTRUCTION CONDITIONS.

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