



P.O. Box 1749
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Item No.13.1.2
North West Community Council
May 10, 2021

TO: Chair and Members of North West Community Council

SUBMITTED BY: **- Original Signed -**

Kelly Denty, Executive Director, Planning and Development

- Original Signed -

Jacques Dubé, Chief Administrative Officer

DATE: April 6, 2021

SUBJECT: **Case 22726: Amendments to the Bedford Municipal Planning Strategy
Land Use By-law for 16 Rutledge Street, Bedford**

ORIGIN

- Application by 3143511 NS Limited
- Sep. 22, 2020, Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

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

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Bedford, as set out in Attachments A and B, to change 16 Rutledge Street from the Residential Two Unit Zone to the Residential Multiple Unit Zone, and schedule a public hearing; and
2. Adopt the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Bedford, as set out in Attachments A and B.

BACKGROUND

3143511 NS Limited is applying to amend the Bedford Municipal Planning Strategy (MPS) and Bedford Land Use By-law (LUB) to rezone 16 Rutledge Street from the RTU (Residential Two Unit) Zone to the RMU (Residential Multiple Unit) Zone to enable the development of a multi-unit residential building. This proposal cannot be considered under existing MPS policies, so the applicant is seeking amendments to the planning documents. Regional Council initiated the MPS amendment process on September 22, 2020.¹

Subject Site	16 Rutledge Street, Bedford
Location	The site is located northwest of the intersection of Rutledge Street and the Bedford Highway, Bedford
Regional Plan Designation	US (Urban Settlement)
Community Plan Designation (Map 1)	R (Residential)
Zoning (Map 2)	RTU (Residential Two Unit) Zone and RMU (Residential Multiple Unit) Zone (very small portion of subject property)
Size of Site	About 930 square metres (10,034 square feet)
Street Frontage	About 30 m (100 feet)
Current Land Use(s)	Single unit dwelling
Surrounding Use(s)	Land uses surrounding the site include: <ul style="list-style-type: none">• North: Multiple unit dwelling, single unit dwelling (bed and breakfast)• East: St. Ignatius Catholic Church, single unit dwelling• South: 2 storey commercial buildings (Bedford Highway) and parking lot• West: multiple unit dwelling and parking lot

Proposal Details

The applicant currently has a permit for a 16-unit dwelling at 26 Rutledge Street (which is next to the subject property). Their proposal is to consolidate 16 and 26 Rutledge Street into one lot and redesign the 16-unit building to have larger units. The proposal is not intended to increase the number of dwelling units.

The applicant owns most of the block bound by the Bedford Highway, Rutledge Street, Meadowbrook Drive, and Pleasant Street. Their properties include:

- 21 Meadowbrook Drive – existing multi-unit building;
- 15 Meadowbrook Drive – vacant lot
- 26 Rutledge Street – existing 5-unit dwelling; and
- 16 Rutledge Street – existing single-unit dwelling (subject property).

The applicant plans to redevelop most of the block (Attachment C) and most of their development plan is permitted through current zoning. In addition to the proposal at 26 and 16 Rutledge Street, this includes:

- renovating an existing multiple unit dwelling at 21 Meadowbrook Drive;
- building a small special care home at 15 Meadowbrook Drive; and
- creating and upgrading parking lots and amenity spaces.

MPS and LUB Context

Regional Plan

The subject property and surrounding area are designated Urban Settlement under the Regional Municipal Planning Strategy (Regional Plan). The Urban Settlement designation identifies those areas where the Municipality will allow development with central sewer and water systems. The subject property is placed within the Sunnyside Mall Urban District Growth Centre under the Regional Plan. In these growth centres,

¹ Halifax Regional Municipality. Sep. 22, 2020. [Case 22726 Initiation Report](#).

the Regional Plan envisions a mix of uses and a mix of low, medium and high densities. Low to medium density residential uses are envisioned in established residential neighbourhoods.

Community Plan

Under the Bedford MPS, the subject property is in the Residential Designation. The Residential Designation supports a range of residential uses, plus parks and special care facilities for up to 10 residents. The subject property is zoned RTU (Residential Two Unit) Zone under the Bedford LUB. The RTU Zone permits:

- single detached and two-unit dwellings;
- semi-detached dwellings;
- duplex dwellings;
- or single detached dwellings with a basement apartment; and
- secondary and backyard suites, as accessory units to the main residential uses.

There are no MPS policies that would enable multiple unit dwellings at 16 Rutledge Street. There are no MPS policies that would enable a rezoning, development agreement or site plan approval.

Properties to the west and north are designated Residential under the MPS and zoned RMU (Residential Multiple Unit Dwelling) Zone under the LUB. The RMU Zone permits multiple unit dwellings of up to 36 units and a height of 10.67 m (35 feet). The RMU Zone requires a lot area of 1,500 square feet (140 square metres) for each bachelor or one-bedroom unit and requires 2,000 square feet (186 square metres) for each unit with two or more bedrooms.

The properties to the south are designated MC (Mainstreet Commercial) and zoned CMC (Mainstreet Commercial) Zone. The intent of the Mainstreet Commercial designation is to create a pleasant, pedestrian-oriented commercial core in the centre of Bedford, along the Bedford Highway. Uses permitted within the Mainstreet Commercial Zone are small scale, pedestrian oriented uses including:

- retail, business and professional offices;
- financial institutions;
- full-service restaurants; pubs; lounges; and
- a variety of other uses, including limited residential uses.

Properties to the east are designated Institutional and zoned SI (Institutional) Zone. These properties include a church, hall and rectory.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. At initiation, Council approved a participation program that used a survey instead of an in person public meeting, due to the COVID-19 pandemic. Therefore, staff undertook a participation program through:

- providing information through the HRM website;
- posting a sign on the subject site;
- mailing letters and a survey to residents in the notification area; and
- a North West Planning Advisory Committee (PAC) meeting held on February 3, 2021.

The level of community engagement was consultation. 206 surveys were mailed; 8 surveys were completed and returned. The public comments received by survey include:

- Most respondents were concerned about traffic, especially since Rutledge and Pleasant Streets are narrow. Some residents were concerned about parking on-street.
- Some respondents had no concerns about the proposal. One of those respondents said this was a good way to meet the housing demand.
- Some respondents were against the proposal, noting that apartment buildings of this size did not fit in the Old Bedford neighbourhood. A similar theme was that Bedford was under strain from development.

- Some respondents were against the existing bed and breakfast being torn down. Some respondents were against single-unit homes being torn down in general.
- Some respondents were concerned that approving this building could lead to more apartments in the area; this concern was raised by a resident who was strongly against the proposal and by a resident who was somewhat supportive of the proposal.
- Other concerns were the loss of views to the Bedford Basin, servicing capacity, storm-water runoff, trees being cut down and noise.

Regional Council must hold a Public Hearing before they can consider approving the proposed MPS and LUB amendments. If Regional Council decides to proceed with a public hearing, property owners within the notification area on Map 2 will be notified of the hearing by regular mail. In addition, advertisements will be published in the newspaper.

The proposal will potentially impact residents, nearby business owners and property owners.

North West Planning Advisory Committee

On February 3rd, 2021, the North West Planning Advisory Committee (PAC) recommended that the application be approved. The PAC had no concerns, though recommends that development consider directing traffic away from Pleasant Street and Rutledge Street. Staff note that the driveway location will be reviewed at the permitting stage and must meet the requirements of the Streets By-law (By-law S-300). Access from a specific street cannot be guaranteed or required through a rezoning.

A report from the PAC to North West Community Council will be provided under separate cover.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in HRM. Amendments to an MPS are major projects and Council is not obliged to consider such requests. In this case, staff recommend that MPS and LUB amendments are appropriate as the proposed RMU Zone is already common in the area and there are already multi-unit buildings near the subject property. Further, the applicant can build a 16-unit residential building at 26 Rutledge Street, next to the subject site. Rezoning the subject property would permit 6 additional bachelor or one-bedroom units, or 5 additional units with two or more bedrooms. The proposed rezoning affects a small property, permitting a larger development than what is currently permitted next to the subject site. Finally, the subject property is next to existing commercial properties and within walking distance of the Bedford Highway and therefore is a good location for small multi-unit buildings.

Proposed Amendments

Staff considered the existing MPS policy and the neighbourhood context when reviewing the proposed MPS and LUB amendments. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed amendments is as follows:

- MPS amendments to rezone 16 Rutledge Street to RMU (Residential Multiple Unit Dwelling) Zone; and
- Amendments to the zoning map of the Bedford LUB to change 16 Rutledge Street from RTU (Residential Two Unit) Zone to RMU (Residential Multiple Unit Dwelling) Zone.

Conclusion

Staff have reviewed the application, the context and the existing policy. Staff recommend that the MPS and LUB should be amended to permit a multi-unit residential building at 16 Rutledge Street. The proposed rezoning affects a small property, permitting a slightly larger development than what is currently permitted next to the subject site that will not have any significant impacts on the surrounding uses. The proposed RMU Zone is already common in the area, and there are already multi-unit buildings near 16 Rutledge Street. Staff recommend that the North West Community Council recommend that Regional Council approve the proposed amendments to the MPS and LUB for Bedford.

FINANCIAL IMPLICATIONS

There are no financial implications. The HRM costs associated with processing this planning application can be accommodated within the proposed 2021-2022 operating budget for the Regional Policy Program (C320).

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. 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

The North West Community Council may choose to recommend that Regional Council:

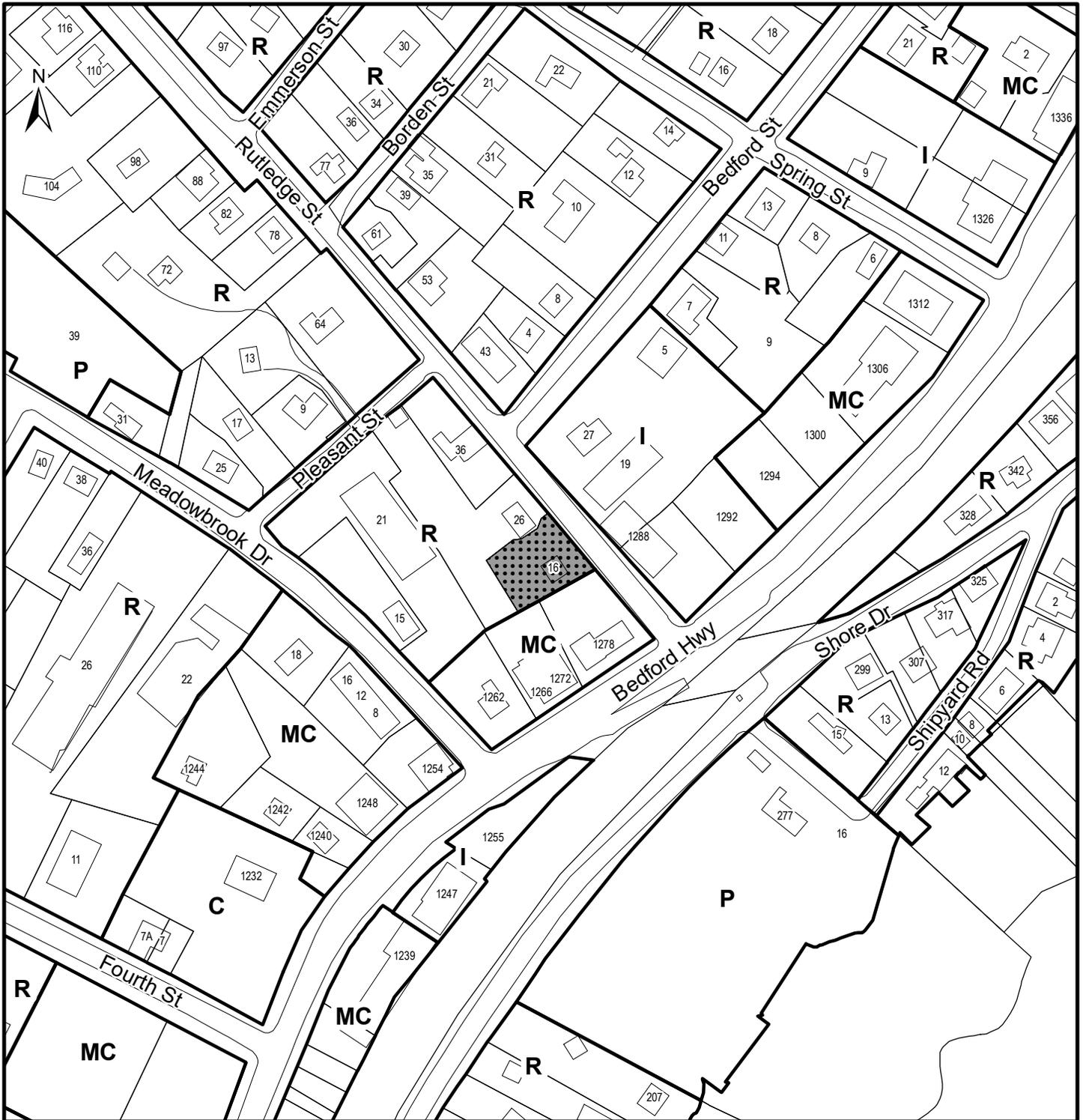
1. Modify the proposed amendments to the MPS and LUB for Bedford, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive modifications may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the MPS and LUB for Bedford. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed MPS Amendments
Attachment B:	Proposed LUB Amendments
Attachment C:	Proposed Development Plan

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

Report Prepared by: Sean Gillis, Planner II (902-237-3424)



Map 1 - Generalized Future Land Use

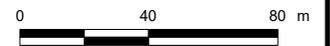
16 Rutledge St,
Bedford

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 Subject Property

Designation

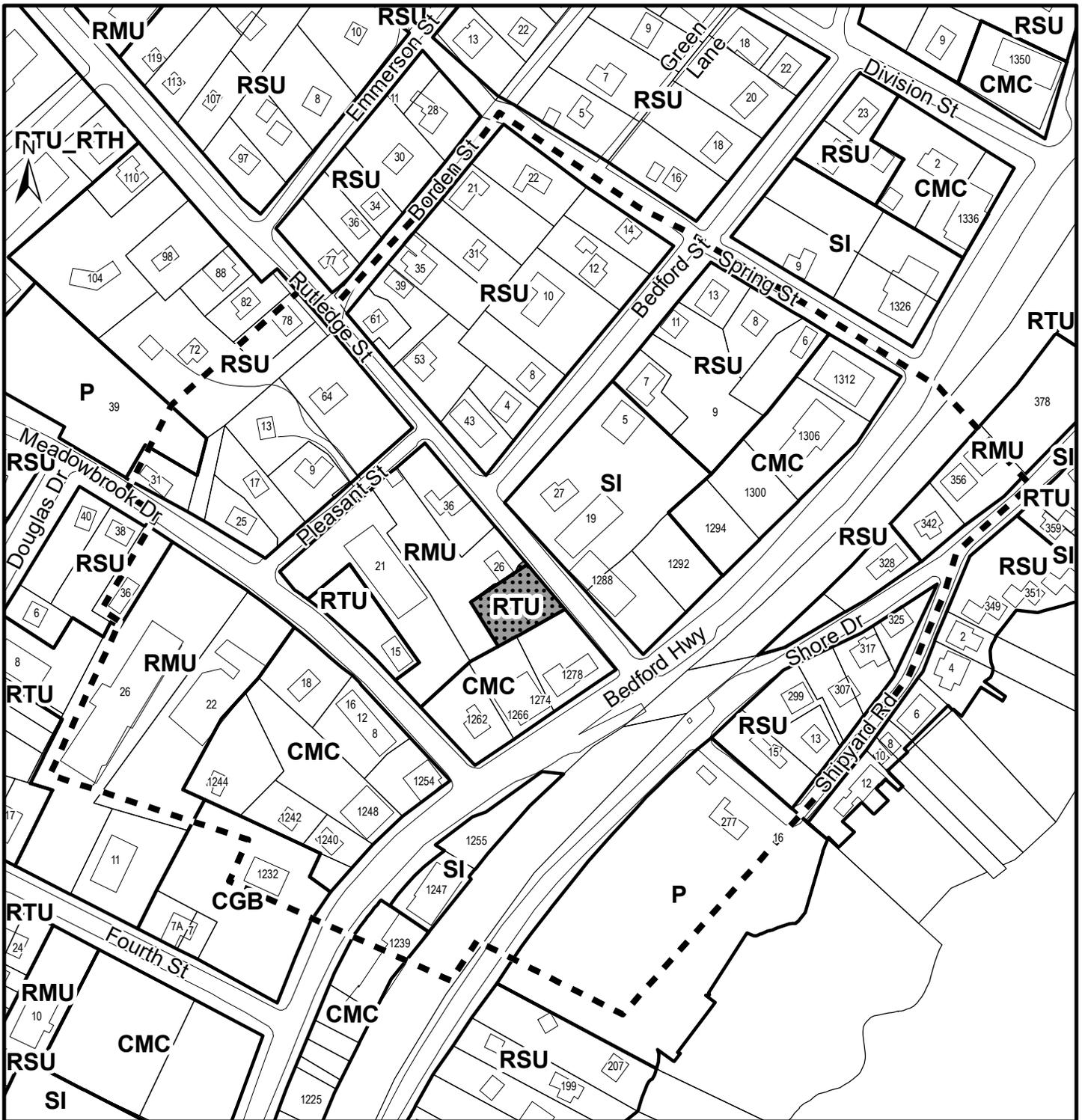
- C Commercial
- I Institutional
- MC Mainstreet Commercial
- P Park and Recreation
- R Residential



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

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

Bedford
Plan Area



Map 2 - Zoning and Notification

16 Rutledge St,
Bedford

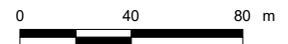
-  Subject Property
-  Area of Notification

Bedford
Land Use By-Law Area

Zone

- CGB General Business District
- CMC Mainstreet Commercial
- P Park
- RMU Multiple Dwelling Unit
- RSU Single Dwelling Unit
- RTU Two Dwelling Unit
- RTU/RTH Two Dwelling Unit/Townhouse
- SI Institutional

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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.

ATTACHMENT A

Proposed Amendment to the Municipal Planning Strategy for Bedford

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Bedford is hereby further amended as follows:

1. Within the Residential Section the text shown in bold shall be added immediately after Policy R-31.

Policy R-32

The property known as 16 Rutledge Street (PID 00430660) shall be rezoned to RMU (Residential Multiple Unit Dwelling) Zone to permit multi-unit residential development.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the Regional Council held on _____ 2021.

Iain MacLean
Municipal Clerk

ATTACHMENT B

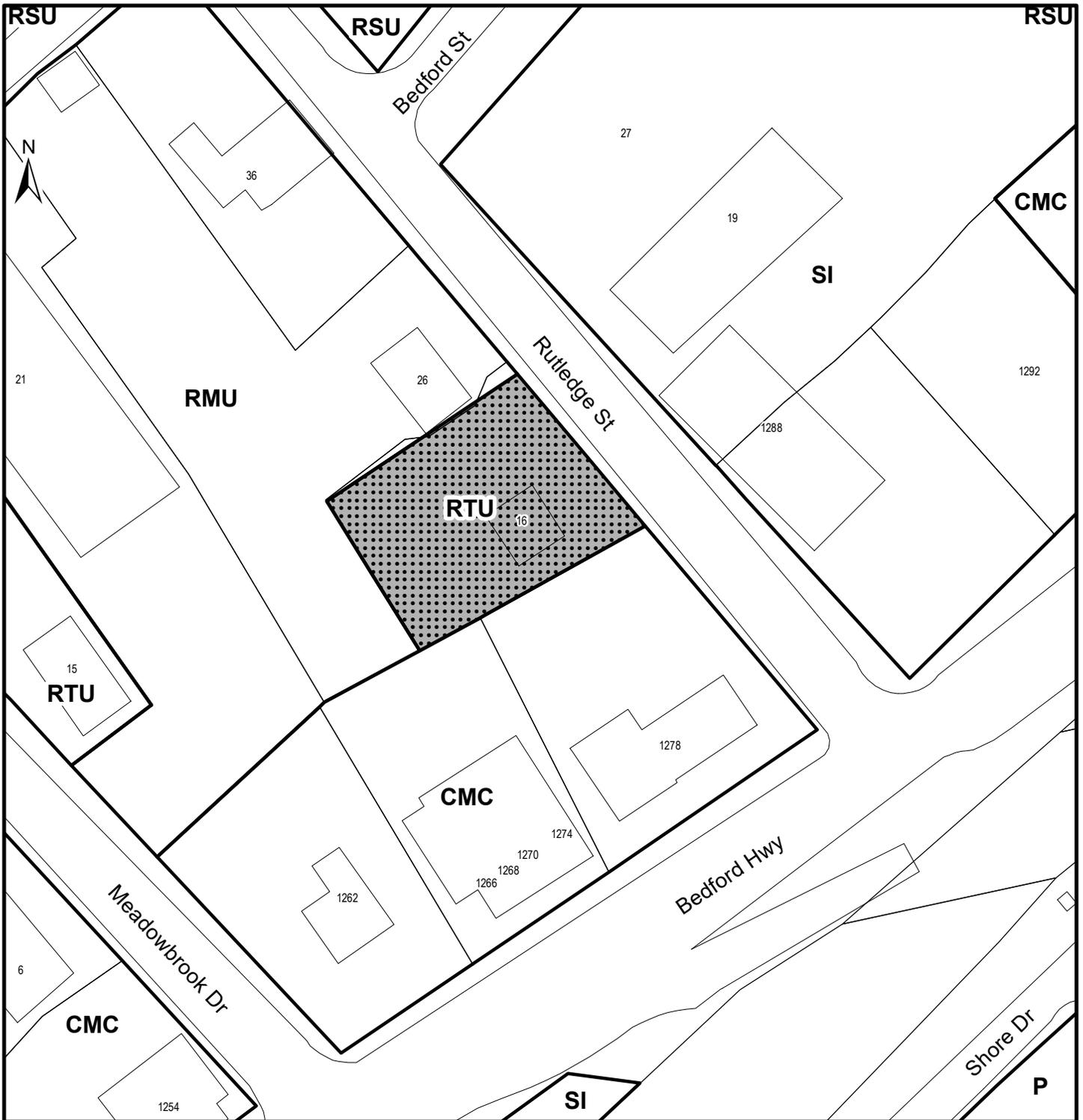
Proposed Amendment to the Land Use By-law for Bedford

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Bedford is hereby further amended as follows:

1. By amending Schedule A, Bedford Zoning, as shown on Attachment B-1.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of Regional Council held on **DATE**, 2021.

Iain MacLean
Municipal Clerk



Attachment B-1

16 Rutledge St,
Bedford

 Area to be Rezoned from RTU
(Two Dwelling Unit) to RMU
(Multiple Dwelling Unit)

Bedford
Land Use By-Law Area

Zone

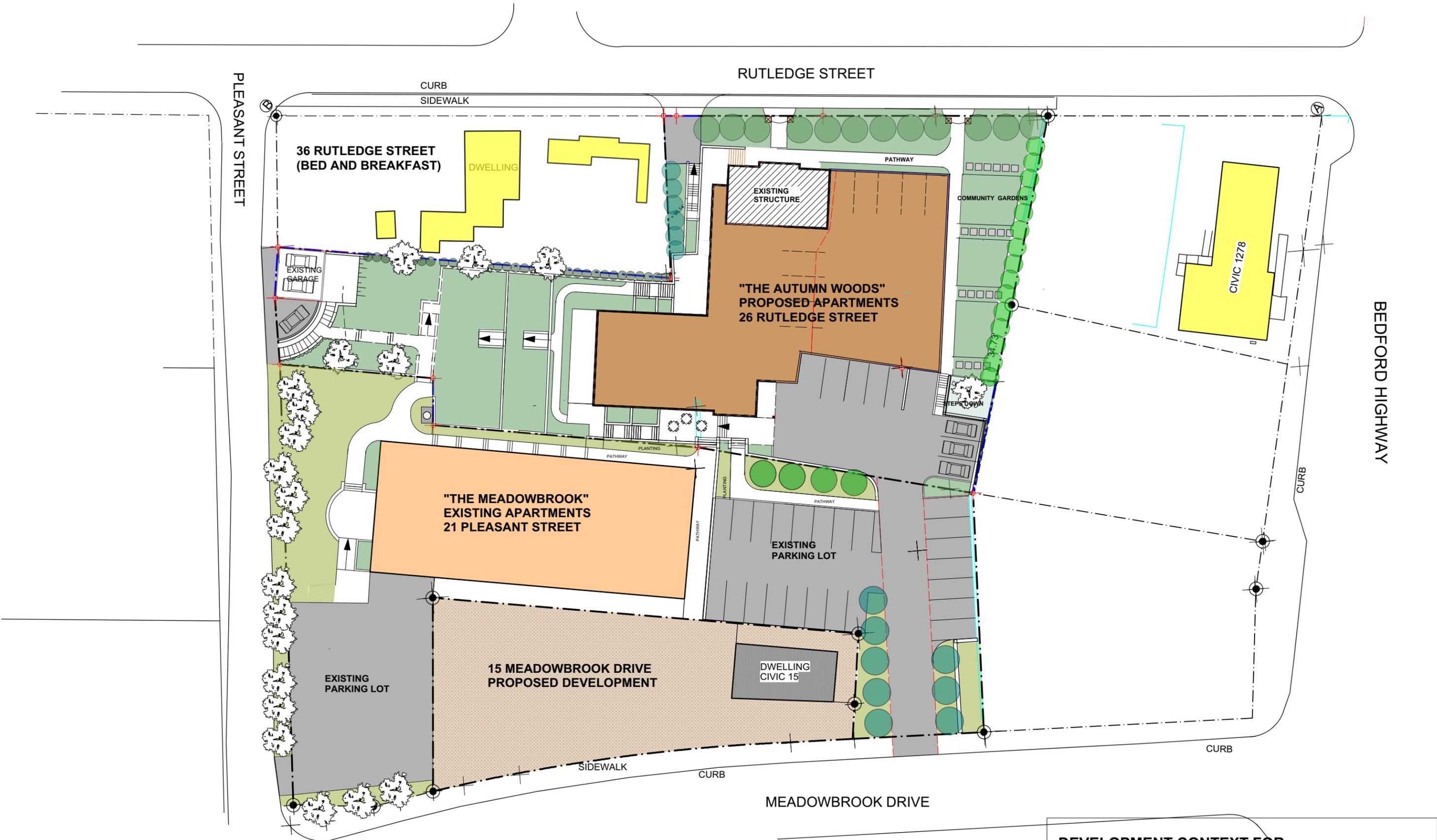
- CGB General Business District
- CMC Mainstreet Commercial
- P Park
- RMU Multiple Dwelling Unit
- RSU Single Dwelling Unit
- RTU Two Dwelling Unit
- RTU/RTH Two Dwelling Unit/Townhouse
- SI Institutional

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Attachment C - Proposed Development Plan

**DEVELOPMENT CONTEXT FOR
PROPOSED AUTUMN WOOD APARTMENTS
26 RUTLEDGE STREET, BEDFORD, NOVA SCOTIA**

SCALE 1" = 40'-0"
DECEMBER 2019