

November 9, 2017

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Regional Planning – Policy and Strategic Initiatives
Halifax Regional Municipality
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Subject: Application to amend the Bedford Municipal Planning Strategy to enable a development agreement permitting a multi-unit residential buildings at PID: 41119496 and a combination of townhouses and a single family home on PIDs: 00360560, 00430025, 00430017, 00429977 and 00430058.

Dear Mr. Bone,

On behalf of our client, Tabrizi Rugs (Tabrizi), please accept this application requesting amendments to the Bedford South Secondary Planning Strategy (BSSPS) within the Bedford Municipal Planning Strategy (MPS) to enable development agreements on PIDs: 41119496, 00360560, 00430025, 00430017, 00429977 and 00430058. To assist, the following supporting materials are enclosed or included as attachments:

- Completed Planning Application form
- Application fee of \$2,600
- Attachment A: Parcel Description – 1 copy
- Attachment B: Site Plan for BH-1 (PID: 41119496) – 10 copies
- Attachment C: Building Drawings for Site BH-1 – 4 copies
- Attachment D: Servicing Schematic for Site BH-1 – 6 copies
- Attachment E: Site Plan for Site BH-2 (PIDs: 00360560, 00430025, 00430017, 00429977 and 00430058) – 10 copies
- Attachment F: Building Drawings for Site BH-2 – 4 copies
- Attachment G: Servicing Schematic for Site BH-2 – 6 copies
- Attachment H: Traffic Impact Statement – 4 copies
- Attachment I: Servicing Capacity Calculations/Conversions Letter – 4 copies

1.0 Introduction

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

- One multi-unit residential building at Site BH-1 containing a total of 73 residential units
- A total of 31 residential units at Site BH-2 containing the following breakdown:
 - 1 single family home (accessed via Glenmont Ave.)
 - 12 style townhouse units accessed via Glenmont Ave.
 - 18 townhouse units accessed via Bedford HWY

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

- Amend Policy RN-3A within the BSSPS to enable a combination of townhouse buildings and a single family home on PIDs: 00360560, 00430025, 00430017, 00429977 and 00430058 (Site BH-2) through a Development Agreement process.
- Introduction of new policy within the BSSPS that enables a 5 storey + penthouse multi-unit development on PID: 41119496 (BH-1) through a Development Agreement process.
- Substantive amendments to DA Case 00492 to enable a multi-unit residential building at BH-1 (PID: 41119496) instead of the 30,000 sf 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 townhouse buildings and a single family home. 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 is 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.² 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 the proposed amendments are in keeping with the current growth patterns of the area.

3.0 Discussion

Site specific MPS amendments and policy reviews should generally only be considered where circumstances related to policies of a MPS have changed significantly. For this specific site, the circumstances are significantly different from those anticipated by the Plan.

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

Servicing Capacity:

Due to sewer capacity issues at the Mill Cove Treatment Plant, the landowner was directed by staff to ensure that their new development proposal for the sites do not require more servicing capacity than what would be required from the uses that are currently enabled on Sites A & B.

WSP conducted a sewer capacity analysis relating to the proposed transfer of development rights on Sites A and B. Our analysis involved determining the total sewer capacity demand from the uses that are currently enabled on both sites (commercial & residential). We then determined the total amount of residential units that would require that same sewer capacity demand. Our analysis determined, from a servicing perspective, that a total of 190 residential units would

equate to the capacity demand of the uses that are currently permitted on both sites (See Attachment G).

Our proposed development program includes a total of 104 units, which is 86 units less than what the servicing capacity allows.

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.² 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 is 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	POPULATION
Site BH-1	Multiple Unit	73	165
Site BH-2	Single Family	1	4
Site BH-2	Townhouse	30	101
Total		104	270

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

Commercial Viability:

When the BSSPS was adopted in the early 2000’s the portion of Neighbourhood A adjacent to the Bedford Highway was originally planned for commercial uses as a component of a residential neighbourhood. Subsequently, Development Agreements Cases 00492 & 00762 were adopted for both sites abutting the highway, both of which include significant commercial components.

Since the adoption of the plan, the projected demand for commercial uses along this subject section of the Bedford Highway is not as significant as originally anticipated. As the Bedford South, Wentworth and Bedford West areas developed over the past 10 years, two-major commercial hubs have been established. One at Mill Cove near the intersection of Hammonds Plains Road and Bedford Highway, and one on Larry Uteck adjacent to the Highway 102 interchange. Additional smaller scale commercial areas are integrated into the community (i.e. intersection of Larry Uteck Blvd. and Southgate Drive), however it recently has become apparent that there is no longer a high demand for more of these uses in the community. For example, the motel located directly across the street from the BH-2 site has recently been converted into neighbourhood scaled commercial units, however a significant amount of these units are still vacant.

The applicant believes that proposed residential programming at the subject site is more aligned with the context of how the community has developed over time since its secondary planning strategy was adopted.

Relationship with adjacent uses:

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 buildings abut Site BH-1 to the north.

Over recent years, and through the consultation process for DA Case 00762, a primary concern that was brought forth by the community was the preservation of views of 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 program. This was done by allocating the majority of the residential density and building mass to Site BH-1 because it is oriented away from the Bedford Basin in relation to other residential buildings; therefore, it could accommodate a larger building without impeding views. 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 density and building mass on Site BH-2. The landowner is seeking to reduce the density and mass on Site BH-2 because a large, bulky building on that site would impede on other views and add more direct vehicular access to the Bedford HWY.

The proposed development program on Site BH-2 includes a configuration of townhouses and a single family home with architectural treatments that are consistent with neighbourhood identity. The proposal is at pedestrian scale and is compatible with the natural environment and surrounding uses.

4.0 Policy Review

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

The applicant has identified three applicable policies that are to be considered for this specific application, one of which (Policy RN-3A) the applicant is requesting to amend in order to reflect the new proposed development program on PID's 00430025, 00430017, 00429977 and 00430058. 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

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 minimum lot frontage of forty feet, a minimum side yard of four feet and a minimum separation of twelve feet between buildings. A majority of the single unit dwelling lots shall have a minimum fifty foot lot frontage and 5,000 square feet of lot area. A maximum of twenty percent 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 five storeys above grade and shall maintain a minimum fifty 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 square feet;
- c) notwithstanding MS-6 and MS-7, the development agreement shall permit a maximum of 13 residential units to be constructed prior to the construction of the interchange at Highway 102;
- 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;
- e) 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;
- f) natural vegetation, landscaping or screening is employed around parking areas for multiple unit buildings to provide screening from streets;
- g) all open space/parkland dedications proposed conform with the objectives and policies adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality;
- 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;
- i) development agreement shall exempt 13 residential units from infrastructure charges;
- j) 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
- k) 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 the requested Plan Amendments to enable the proposed development program at Sites A & B. We believe the landowners request generally aligns with BSSPS policies, and the requested changes in policy reflect a change in circumstances since the plan was originally adopted in the early 2000's.

5.0 Conclusion

The proposed plan amendments are intended to redistribute property rights for the two sites to permit a change in use and density on Site BH-1 and reduce density on Site BH-2. The amendments would also result in policy that permits residential development program on both sites through a development agreement process. The applicant understands that Plan Amendment applications are not often supported by staff unless site specific circumstances warrant change in MPS policy. For reasons described in Sections 3.0 & 4.0 of this letter, the applicant believes the proposed development redistribution on the subject properties should be considered and supported by staff.

The applicant trusts that the enclosed materials satisfy the application requirements, and we look forward to working with Staff throughout the application process. Should you have any questions, comments or concerns with regards to this application, please do not hesitate to contact the undersigned.

Yours sincerely,
Original Signed

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