

**Item No. 11.1.3**  
**Halifax Regional Council**  
**March 6, 2012**

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

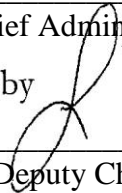
Original signed by



**SUBMITTED BY:**

Richard Butts, Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** January 30, 2012

**SUBJECT:** **Case 17489 Initiation Report to Amend the Bedford Municipal Planning Strategy for 82, 88 and 92 Dartmouth Road, Bedford**

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**ORIGIN**

A request by Genivar Inc. on behalf of Bill Fenton, owner of Civic 82, 88 and 92 Dartmouth Road, Bedford.

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

- (a) Initiate the process to consider amending the Bedford Municipal Planning Strategy and Land Use By-Law to permit multiple unit dwelling uses at 82, 88 and 92 Dartmouth Road; and
- (b) Request staff to follow the public participation program as adopted by Council in February, 1997.

## **BACKGROUND**

The following background provides a brief overview of the site located on Dartmouth Road in Bedford.

### *The Site*

The site is located in the community of Bedford and is comprised of three properties: Civic 82, 88, and 92 Dartmouth Road (Map 1). Combined, the properties contain a total area of approximately 1.5 ha (3.71 acres). These properties have a total of 140 meters (459 feet) of road frontage on Dartmouth Road, which is classified as an arterial road in the Bedford Municipal Planning Strategy (MPS).

### *The Proposal*

The applicant is wishing to construct two multiple unit residential buildings on the site, each with 24 dwelling units. As proposed, the buildings are to be sited facing Dartmouth Road. A conceptual site plan is provided as part of Attachment A.

### *Land Use Designation/Zoning*

The subject properties are designated Residential on the Generalized Future Land Use Map (Map 1) of the Bedford Municipal Planning Strategy (MPS) and designation Urban Settlement under the Regional Plan. The properties are currently zoned RSU (Residential Single Unit) under the Bedford Land Use By-Law (LUB). This zone does not permit the requested development nor are there enabling policies in the Residential Designation to consider multiple unit dwellings by rezoning or development agreement.

### *Surrounding Land Use*

The subject area is predominately a low density residential area comprised mostly of single unit dwellings. The subject site is located along Dartmouth Road between the two entrances to the Ridgevale subdivision. Specifically, to the west of the site is a single unit dwelling at 78 Dartmouth Road and several single unit dwellings fronting on Ridgevale Drive. A similar land use pattern exists to the east of the site, a single unit dwelling at 94 and 96 Dartmouth Road and several single unit dwellings fronting Brentwood Drive. 94 Dartmouth Road is located immediately east of the site and is currently owned by the developer. To the immediate north is a property measuring approximately 0.4 ha (1 acre) in total area, which serves as a power line easement for Nova Scotia Power Incorporated. Also to the north, is a parcel measuring approximately (0.3 ha) 0.75 acres, which currently serves as municipal parkland. Properties to the south of the site (other side of Dartmouth Road) include several single unit dwellings.

### *Historical Land Use*

Previously, 88 Dartmouth Road consisted of a residential single unit dwelling and two accessory structures. The dwellings and accessory structures were demolished in 2003. 82 and 92 Dartmouth Road, have no history of development. The subject properties are currently vacant.

## **DISCUSSION**

### *Existing Policies*

The subject properties have been designated Residential and zoned RSU (Residential Single Unit) since the approval of the first Bedford MPS in 1982. The primary intention of the RSU Zone is to permit single detached dwellings and existing two unit dwellings and to discourage other forms of housing including multiple unit dwellings. The Bedford MPS does provide some development options for residentially designated properties, although these options allow for consideration of institutional zone uses and do not consider higher density forms of residential use. As a result, in order to enable Council to consider the requested multiple unit dwellings on the site, an amendment to the Bedford MPS is required.

The intention of the Residential Designation is to recognize that a variety of housing types will be required to accommodate the needs of present and future residents as well as the fact that these needs will change as residents' age and progress through the stages of life. The Bedford MPS does not necessary contain policy which enable the consideration of a variety of housing types through planning tools such as a rezoning or development agreement. However, the past practice in Bedford has been to consider individual sites through a plan amendment process. An example of this is the development of the multiple unit dwelling at 25 Dartmouth Road. Further, the Urban Settlement designation under the Regional Plan intends to provide for a diverse, vibrant and liveable urban environment which provides for a series of mixed-use transit oriented centres. The subject site is in close proximity to the Sunnyside Mall Suburban District and has significant frontage along the Dartmouth Road which leads to Windmill Road (Magazine Hill).

### *Merit in Considering a Plan Amendment*

The developer anticipates that "the multiple unit dwellings will serve primarily seniors and empty nesters, many of which currently live in adjacent subdivisions" (see Attachment A). The applicant's submission also indicates that the proposed development will incorporate significant landscaping and buffering provisions to ensure adequate separation distance from adjacent residential development. Further, the developer has proposed to integrate a number of elements into the proposed building design to help maintain a reasonable transition from the adjacent single unit dwelling neighbourhood. These elements include:

- keeping the proposed height to a maximum of four stories;
- having the fourth level built into a mansard style roofline to minimize the perception of building height and mass; and
- providing articulated facades and a variety of cladding materials that visually minimize the building mass.

The consideration of a plan amendment in this instance is reasonable and staff feels there is sufficient merit in initiating the process to consider an amendment to the Bedford MPS in order to permit a multiple unit dwelling use at this site. As part of the process, Staff could also explore consideration of one multiple unit dwelling, rather than two, as being an option for this site.

*Plan Amendment Process*

With respect to the approval process, staff would undertake to schedule a public information meeting(s), in conjunction with the North West Planning Advisory Committee (NWPAC), to enable the proponent to present the proposal to residents and to receive feedback. Staff would then prepare a staff report, for consideration by PAC, Community Council and ultimately Regional Council, who would determine whether or not the requested amendments proceed to a Public Hearing.

**BUDGET IMPLICATIONS**

None

**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

**COMMUNITY ENGAGEMENT**

Amendments to the Bedford Municipal Planning Strategy involve community engagement and the engagement process will be consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council in February, 1997.

The proposed level of community engagement is consultation, achieved through a public meeting early in the review process, as well as a public hearing before Regional Council to consider approval of any amendments.

The proposed Municipal Plan Amendment will potentially impact the following stakeholders: local residents and property owners.

**ALTERNATIVES**

1. Council may choose to initiate the MPS amendment process as stated in this report. This is the recommended course of action.
2. Council may choose not to consider a site specific Plan Amendment process for 82, 88 and 92 Dartmouth Road, Bedford. This is not recommended for reasons described in this report.

**ATTACHMENTS**

Map 1                      Generalized Future Land Use Map  
Map 2                      Zoning

Attachment A            Letter of October 31, 2011 from Genivar Inc. concerning 82, 88 and 92  
Dartmouth Road.

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:      Tyson Simms, Planner, 869-4747

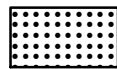
Report Approved by:     \_\_\_\_\_  
Austin French, Manager, Planning Services, 490-6717

Report Approved by:     \_\_\_\_\_  
Phillip Townsend, Director, Planning & Infrastructure, 490-7166

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**Map 1**  
**Generalized Future Land Use**

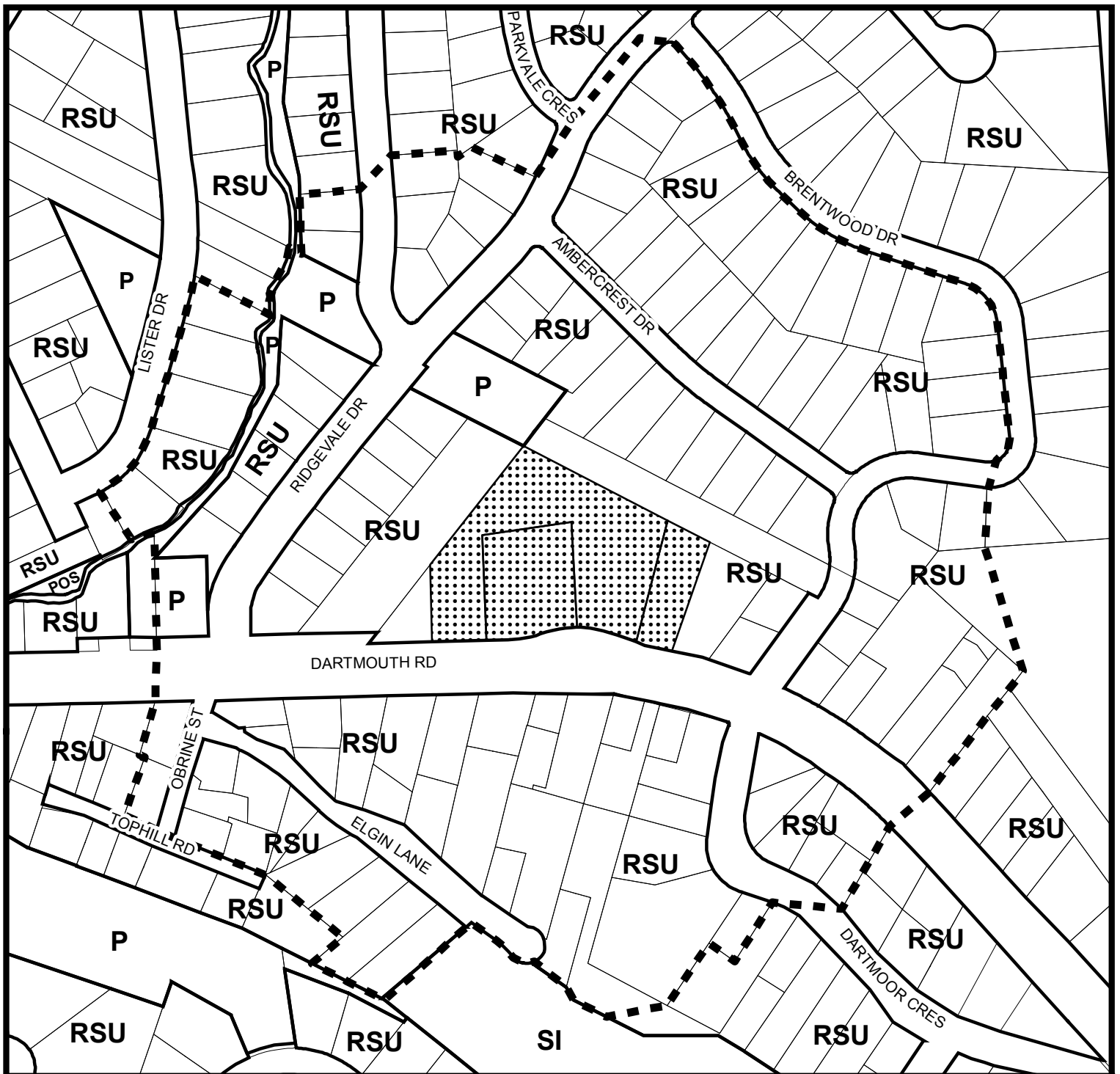


Subject Property

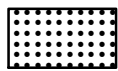
- R Residential Designation
- P Park and Recreation Designation
- I Institutional Designation

**HALIFAX**  
 REGIONAL MUNICIPALITY  
 Community Development  
 Planning Services





**Map 2  
Zoning**



**Subject Property**



**Notification Area**

- RSU Single Dwelling Unit Zone
- P Park Zone
- POS Park Open Space Zone
- SI Institutional Zone





BE07503

January 13, 2012

Mr. Tyson Simms, Planner  
Planning and Development Services  
Halifax Regional Municipality  
636 Sackville Drive  
Lower Sackville, NS B4C 2S3

**Re: Addendum to Planning Application – Plan Amendment to permit a multi-family residential development, Fenton Property, Dartmouth Road, Bedford, NS. (PIDs: 40110959, 40110635, 40346496)**

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Dear Tyson,

On behalf of our client, Mr. Bill Fenton, please accept this addendum to our application for a plan amendment to permit a multi-family residential development on Dartmouth Road in Bedford, Nova Scotia (PIDs: 40110959, 40110635, 40346496). Our original application was for a single 24-unit multi-family residential building. We are currently proposing two identical buildings, each with 24 units, for a total of 48 units.

We would like to continue with our application to amend the Bedford Secondary Planning Strategy (formerly the Bedford Municipal Planning Strategy) to permit a development agreement. Our client wishes to proceed with the required plan amendment and the development agreement process concurrently.

To assist with the addendum to the plan amendment application, the following supporting material is attached:

- 1) Preliminary Site Plan (amended)
- 2) Traffic Impact Statement (amended)
- 3) Preliminary Servicing Schematic (amended)

The following development summary section has been amended in accordance with the applicable concept plan, and is provided below for your reference.



## PROPOSED DEVELOPMENT SUMMARY

### ***Development Form & Density***

Our client is proposing to construct two four-storey 24-unit condominium buildings on the subject properties. The three subject properties (PIDs: 40110959, 40110635, 40346496) will be consolidated. Proposed building “A” will be located on the western edge of the property, and proposed building “B” will be located on the northern edge of the property. Proposed parking will be to the east and south of the proposed buildings. The remainder of the property will be undeveloped. See concept plan for site design.

### ***Building Design***

The proposed buildings will cater to the middle to upper-end of the rental market, with most residents anticipated to be seniors and empty nesters, many of which currently live in adjacent subdivisions (e.g., Ridgevale, Brentwood, Eaglewood etc.).

Conceptual building elevations are attached for your review. The proposed buildings will consist of high-quality exterior finishes such as brick/stone, wood or concrete siding and asphalt shingles. The material mix will be selected to make the building suitable for its suburban location.

A number of elements have been consciously integrated into this concept to make it work with the site, and to help maintain a reasonable transition from the neighbouring single-family dwellings. These elements include the following:

- Proposed height is kept to four stories;
- The fourth level is built into the mansard roofline to minimize the perception of building height and mass; and
- Articulated façades and a variety of cladding materials visually minimize the buildings mass and give it a smaller-scale feel.

### ***Landscaping and Buffering***

The proposed site plan configuration is significantly buffered from adjacent residential properties as outlined below, which in our opinion, is more than adequate to minimize potential noise and visual intrusion concerns of adjacent residences.

- Northern Boundary – The subject property is buffered from the adjacent residential properties along Ambercrest Drive by a 20-metre (65ft) wide property owned by Nova Scotia Power used for transmission lines. Furthermore, the proposed building is set back 47.1m (154ft) from the rear property line.
- The proposed building is located a minimum of approximately 103m (334ft) from the nearest home on Ambercrest Drive, and 66m (216ft) from the nearest residential property line. The majority of this buffer area contains mature trees that will visually buffer the proposed buildings from the houses on Ambercrest Drive.
- Eastern Boundary – This boundary is shared by a single-family dwelling owned by the applicants. Furthermore, the subject property next to the proposed dwelling will remain undeveloped for the purpose of this application.
- Southern Boundary – The proposed building is setback 26.7m (88ft) from Dartmouth Road. The disturbed area in front of the building will be landscaped, and where possible, existing vegetation will be retained.

- Western Boundary – The western boundary is largely buffered by the HRM booster station property. However, retention of existing vegetation is planned for the western boundary.

### **Parking**

We have attempted to minimize the amount of surface parking on the site to maximize the amount of landscaped area and open space. In total, 30 spaces are provided on the surface, and 42 stalls are underground. There are a total of 72 parking stalls, equating to 1.5 stalls per unit, which is in accordance with the parking requirements of the Bedford Land Use By-law.

<b>Parking Summary</b>	
Surface Parking Stalls	30
Underground Parking Stalls	42
Total Proposed Stalls	72
Stalls Per Unit	1.5

Bicycle parking will be provided at a ratio of 0.5 spaces per unit. We are proposing 8 bicycle parking spaces within each underground parkade, and 4 above ground spaces on the north side of building “A”, and 4 on the west side of building “B”.

### **Traffic and Access**

In accordance with the recommendations of our Traffic Engineer, one two-way access point is proposed with an eastbound left hand turn lane. As illustrated in the site plan, this left hand turn lane can be accommodated within the existing intersection geometry by repainting the lane markers. We do not anticipate that this access will cause problems for pedestrians or motorists. A detailed Traffic Impact Statement letter is attached for your review.

### **Lot Coverage**

The subject property is approximately 3.14 acres in size. Under the current proposed configuration, approximately 38% (1.2 acres) of the site is developed including the building, driveway and parking, while approximately 62% (1.94 acres) of the site is undeveloped.

### **Services**

The proposed buildings will be serviced with municipal water and wastewater services. The required infrastructure is already in place along Dartmouth Road, and it is anticipated that no off site pipe upgrades will be required as a result of this project. Stormwater will be discharged to the drainage feature at the rear of the property in accordance with HRM and DOE regulations. Please refer to preliminary servicing plan.

In July 2011, GENIVAR received confirmation from HRM Development Services and Halifax Water that the three subject properties can be subdivided as-of-right into 16 single-unit dwelling lots. The sanitary capacity assigned to the as-of-right subdivision by Halifax Water is equivalent to 53.6 persons (16 single units x 3.35 persons per unit). For multi-unit buildings, we understand that Halifax Water’s sanitary capacity is 2.25 persons per unit. At 24 units with 2.25 persons per unit, the sanitary capacity is equivalent to 54 persons. This sanitary capacity forms the basis for proposing one of the two 24-unit multi-family residential buildings. We understand that, as we go through the plan amendment and development

agreement process, discussions with Halifax Water are required regarding sanitary capacity for 48-units.

**Conclusion & Next Steps**

We trust that we have provided sufficient information for you to initiate the requested MPS amendment and development agreement process. Should you require anything further please let us know.

We look forward to initiating the plan amendment process and clarifying the steps and timing that you anticipate.

Yours truly,

GENIVAR Inc.

Nathan Rogers, *MCIP, LPP*

Enclosures

cc. Bill Fenton