

January 8, 2014



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

MEMORANDUM

TO: Chairperson and Members of the North West Planning Advisory Committee

FROM: Erin MacIntyre, Planner, Development Approvals

DATE: December 30, 2013

SUBJECT: **Case 18973: Application by David Harrison for a non-substantive amendment to the development agreement for lands on the south-west side of the Bedford Highway between Southgate Drive and Glenmont Avenue, Bedford.**

Overview

The subject properties are located at 830 to 836 Bedford Highway and 1 Glenmont Avenue in Bedford. The site is approximately 1.45 hectares (3.5 acres) in size and consists of six contiguous parcels. The site is bounded by the Bedford Highway to the north-east, Southgate Drive to the north-west, and Glenmont Avenue to the south (Maps 1 and 2). This area is regulated through the Bedford Municipal Planning Strategy (MPS) and Land Use By-law (LUB) and is within the Bedford South Secondary Planning Strategy. The site is also regulated by a development agreement approved by Community Council in 2008 to allow a mixed use development consisting of one 44-unit, 4 storey residential building with underground parking, one 2 storey commercial building, 12 townhouses and 1 single unit dwelling (Map 3) in accordance with Policy RN-3A of the Bedford South Secondary Planning Strategy (Attachment A).

The purpose of the proposed application is to consider a reconfiguration in the siting and groupings of the permitted 12 townhouses (Maps 3 and 4). The proposed changes may be considered under Section 6.2 of the development agreement as a non-substantive amendment.

Existing Use and Surrounding Land Uses (Maps 1, 2 and 3)

The subject site is generally described as follows:

- located on the south-west side of the Bedford Highway between Southgate Drive and Glenmont Avenue, Bedford (Maps 1 and 2);
- comprised of six lots (820, 822, 824, 826, 836 Bedford Highway and 1 Glenmont Avenue);
- 1.45 hectares (3.58 acres) in size;
- designated Urban Settlement under the Regional Plan;
- designated Neighbourhood A under the Community Concept Plan of the Bedford South Secondary Planning Strategy (SPS) under the Bedford Municipal Planning Strategy

(MPS);

- zoned BSCDD (Bedford South Comprehensive Development District) under the Bedford Land Use By-Law (LUB); and
- excavated, yet no construction permits have been issued for the permitted development to date.

Proposal

The applicant is proposing a reconfiguration to the permitted 12 townhouses near Glenmont Avenue. Specifically, Schedule B of the development agreement illustrates 3 groupings of townhouses with 4 units per group (Map 3). The proposed reconfiguration is 2 groupings of townhouses with 6 units per group (Map 4).

The Proposal and the Existing Development Agreement

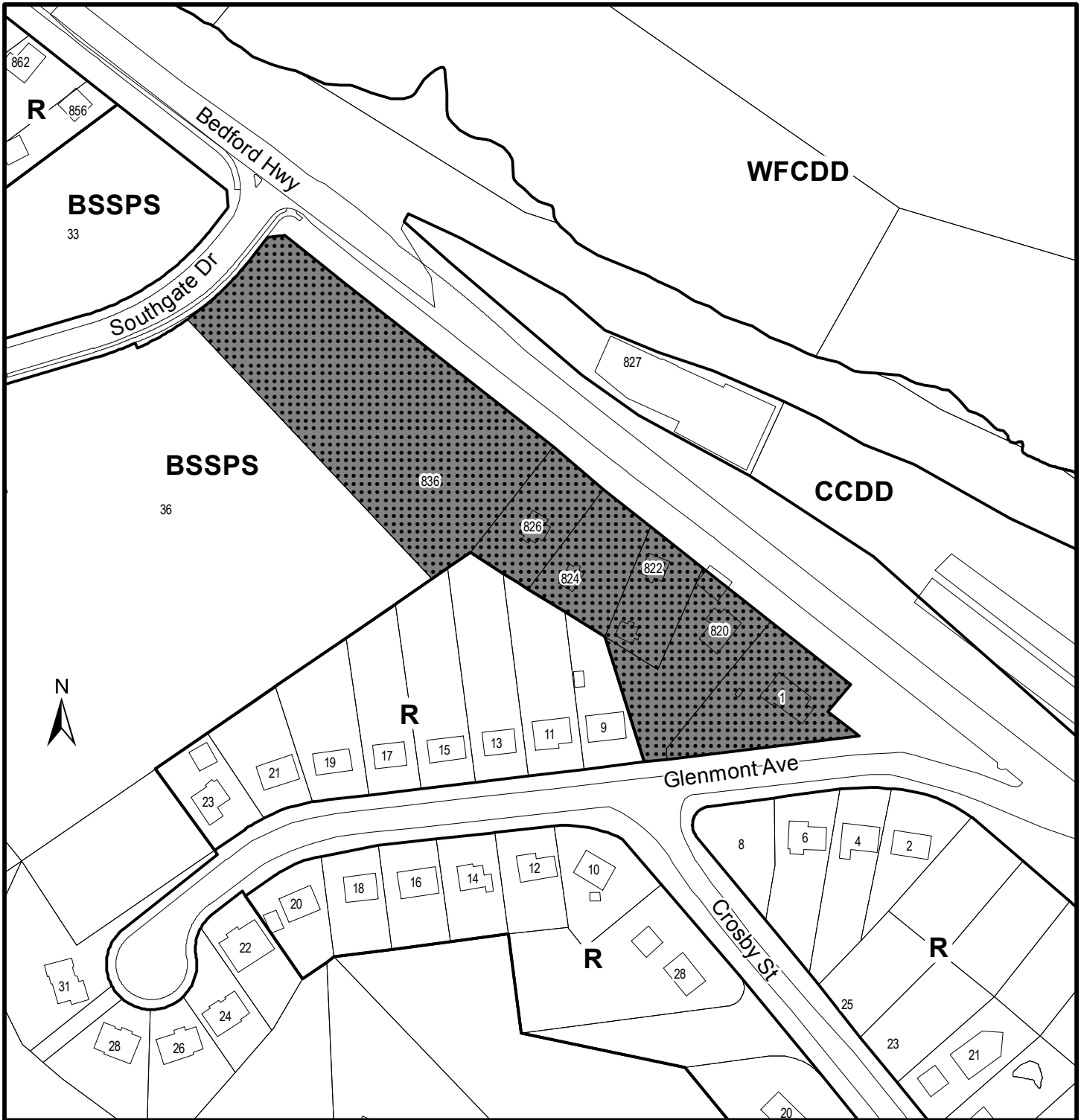
The proposed reconfiguration does not comply with Schedule B (Site Plan) of the existing development agreement (Map 3). Therefore, the reconfiguration requires a change to Schedule B of the existing agreement which can be considered as a non-substantive amendment in accordance with Section 6.2 of the Existing Agreement. Specifically, Section 6.2 (b) of the Agreement allows Community Council to consider changes to the exterior architectural appearance of the buildings or the design, layout and positioning of the buildings, provided that such changes are, in the opinion of Council, minor in nature through a "non-substantive" amendment provided Community Council is satisfied that such amendments are minor and conforms with the intent and all applicable policies of the Community Planning Strategy and the Regional Planning Strategy. Further, a "non-substantive" amendment may be approved through a resolution of Council without a Public Hearing.

Input Sought from the Committee:

The purpose of this planning application is to consider a reconfiguration to the permitted 12 townhouses near Glenmont Avenue in accordance with the existing development. The process required to consider this reconfiguration is a 'planning matter' as outlined in the Committee's Terms of Reference. As such, feedback is sought from the Committee on the proposed reconfiguration and townhouse groupings. The Committee's recommendations will be included in the staff report to North West Community Council.

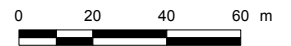
Attachments:


- Map 1 Generalized Future Land Use
- Map 2 Zoning Map
- Map 3 Original Development Agreement – Concept Plan
- Map 4 Proposed Reconfiguration of Townhouses
- Attachment A Relevant Bedford MPS Policies



Map 1 - Generalized Future Land Use

820-836 Bedford Highway
 & 1 Glenmont Avenue,
 Bedford



 Non-Substantive Amendment to the Existing Development Agreement

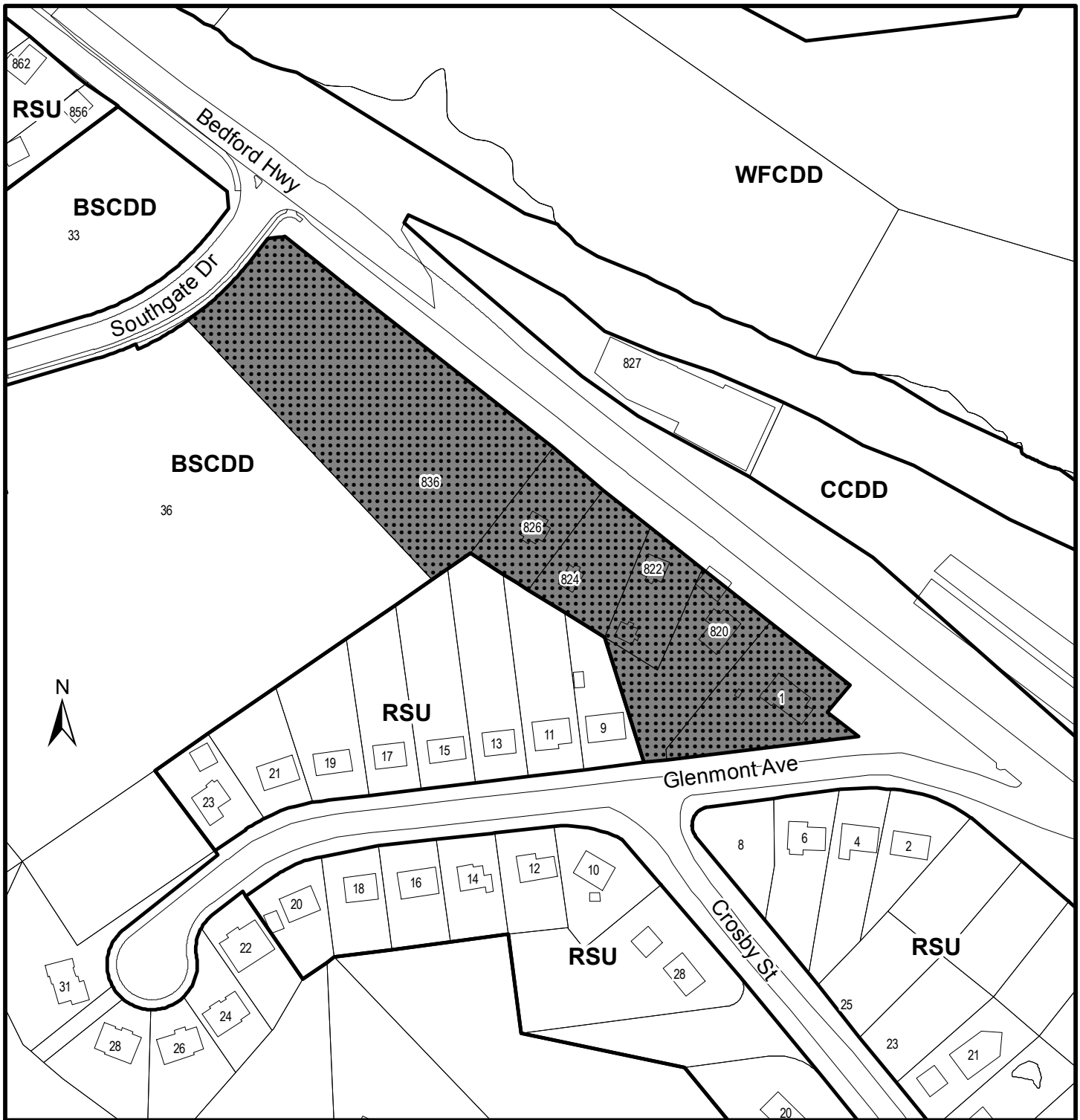
Designation

- R Residential
- CCDD Commercial Comprehensive Development District
- WFCDD Waterfront Comprehensive Development District
- BSSPS Bedford South Secondary Planning Strategy

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

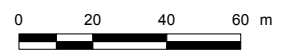
HRM does not guarantee the accuracy of any representation on this plan.


Bedford
 Plan Area



Map 2 - Zoning

820-836 Bedford Highway
& 1 Glenmont Avenue,
Bedford



 Non-Substantive Amendment to the Existing Development Agreement

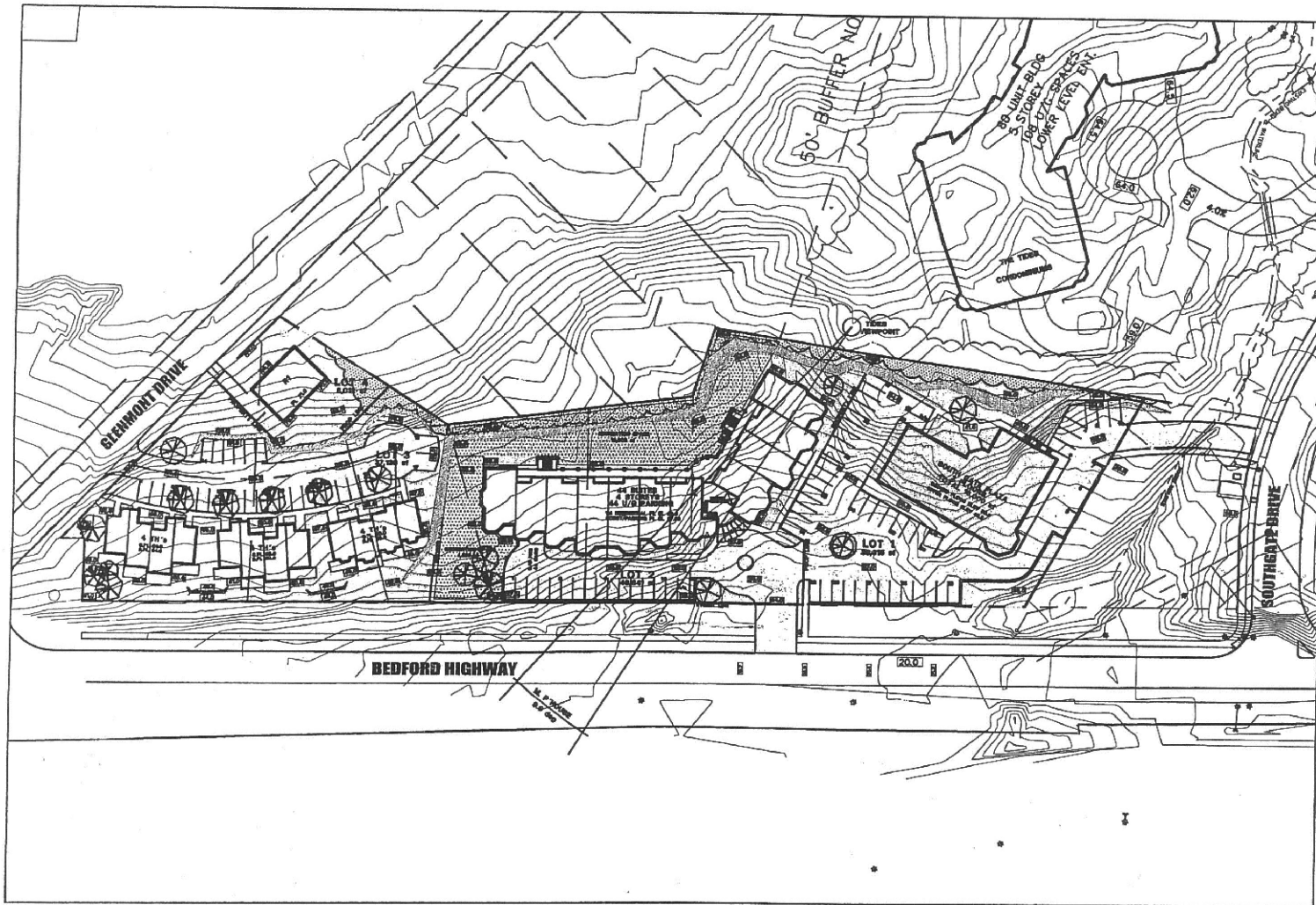
Zone

- RSU Single Dwelling Unit
- BSCDD Bedford South Comprehensive Development District
- WFCDD Waterfront Comprehensive Development District

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

Bedford
Plan Area

HRM does not guarantee the accuracy of any representation on this plan.



SOUTHGATE VILLAGE

CONCEPT PLAN

BEDFORD HIGHWAY, HALIFAX NS

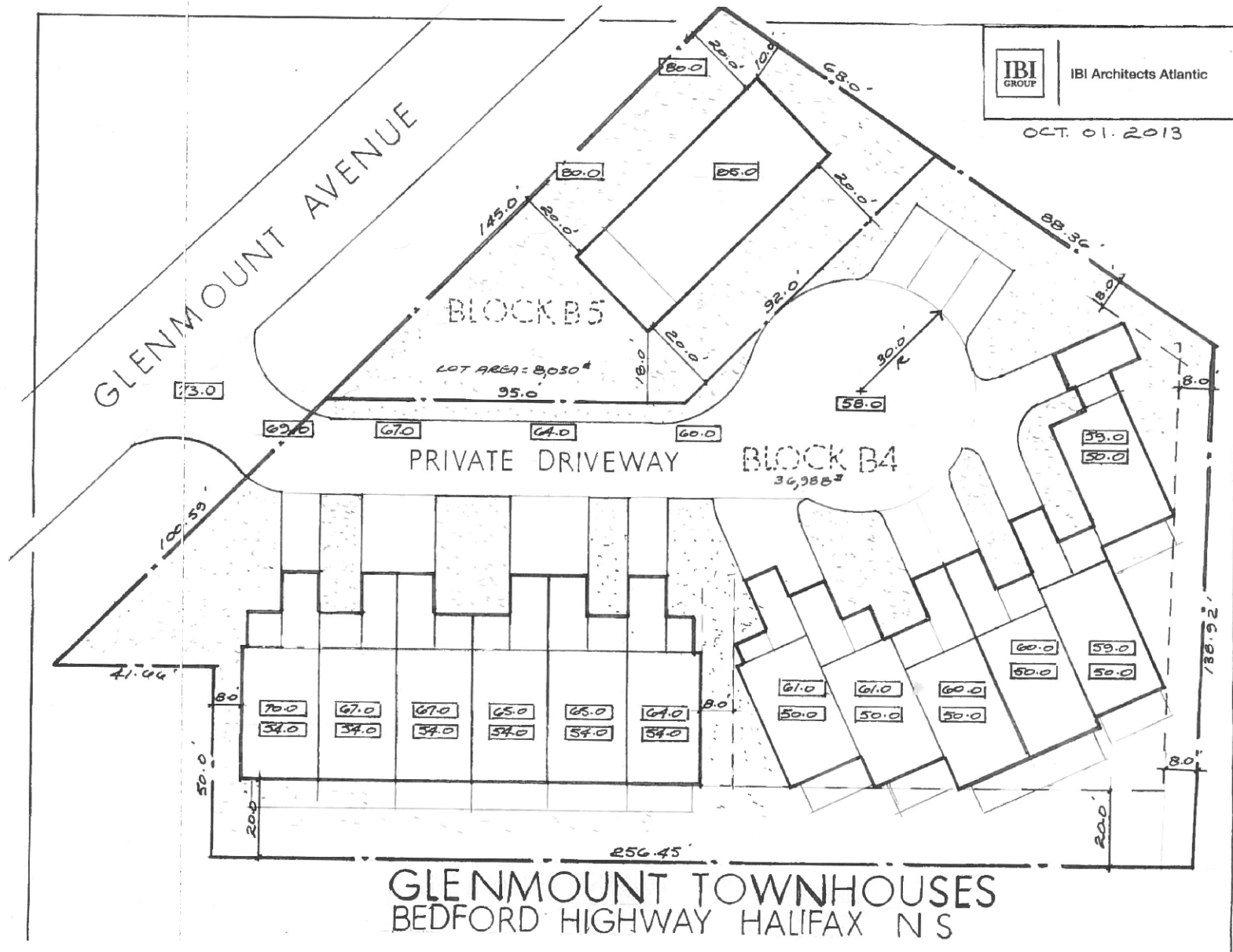
KASSNER/GOODSPEED ARCHITECTS

SUITE 200, 5663 CORNWALLIS ST.
 HALIFAX, N.S., B3K 1B6 (902) 422-1557

Map 3 Original Development Agreement- Concept Plan

HRM does not guarantee the accuracy of any base information.





IBI GROUP IBI Architects Atlantic
OCT. 01. 2013

GLENMOUNT TOWNHOUSES
BEDFORD HIGHWAY HALIFAX N S

Map 4 Proposed Reconfiguration of Townhouse

HRM does not guarantee the accuracy of any base information.



Attachment A

Relevant Bedford MPS Policies

Bedford South Secondary Planning Strategy

Residential Neighbourhoods Designation

Planning residential development on a neighbourhood basis is a central theme to this secondary plan. Each of the six residential neighbourhoods shown on the Community Concept Plan is bounded by the community park/open space areas and the community collector road and pathway system.

The varying site topography allows for neighbourhoods of differing characteristics. On lands with steeper slopes, efforts are made to concentrate development in order to preserve the surrounding open space and unique site features.

Objectives:

- to plan neighbourhood development on a comprehensive basis
- to integrate housing opportunities for a variety of income levels, lifestyles and age groups
- to foster individual neighbourhood identities with attractive streetscapes and distinctive architectural and landscaping themes
- to preserve natural drainage systems and areas of unique or sensitive terrain and vegetation
- to provide attractive, safe and convenient routes for pedestrians and cyclists that connect with the community trail system, local commercial and community facilities and public transit stops.
- to provide neighbourhood parks at convenient locations that are safe, visible and secure
- to encourage innovative design within clearly defined performance criterion
- to provide an effective integration with established neighbourhoods

In 2007 a small parcel of land located on the Bedford Highway near Glenmont Drive was added to the Bedford South Secondary Planning Strategy. This parcel in conjunction with a parcel currently within Neighbourhood A of the Bedford South Secondary Plan form the entrance to the Bedford South development. The lands are an appropriate site for mixed use development which is more consistent with the type of development within Bedford South rather than the existing residential designation. Due to the existence of development rights with the previous zoning on a portion of these lands, an equivalent number of residential units will be permitted prior to the construction of the Highway 102 interchange for this development.

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.*
(RC-Mar 4/08;E-Apr 19/08)

Policy RN-3B:

Sewage calculations and densities for residential development permitted under Policy RN-3A shall not be used in calculations for other parts of Bedford South.
(RC-Mar 4/08;E-Apr 19/08)

Policy Z-3:

It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters:

- I. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met;*

COMMUNITY AND RECREATION SERVICES -- HRM DEVELOPMENT APPROVALS

2. *That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;*
3. *That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;*
4. *That provisions are made for safe access to the project with minimal impact on the adjacent street network;*
5. *That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:*
 - i) *the financial capability of the Town to absorb any capital or operating costs relating to the development;*
 - ii) *the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;*
 - iii) *the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;*
 - iv) *precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;*
 - v) *the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;*
 - vi) *the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;*
 - vii) *the adequacy of recreational land and/ or facilities;*
 - viii) *the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;*
 - ix) *impact on public access to rivers, lakes, and Bedford Bay shorelines;*
 - x) *the presence of significant natural features or historical buildings and sites;*
 - xi) *creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;*
 - xii) *impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,*
 - xiii) *suitability of the proposed development's siting plan with regard to the physical characteristics of the site.*