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**Item No. 6.1.12**  
**North West Community Council**  
**May 26, 2011**

**TO:** Members of North West Community Council

**SUBMITTED BY:**  *for*  
Paul Dunphy, Director of Community Development

**DATE:** April 27, 2011

**SUBJECT:** Status Sheet 6.1.11 Cushing Hill Comprehensive Development (CCDD)

**INFORMATION REPORT**

**ORIGIN**

January 27, 2011 motion of North West Community Council:

*Motion moved by Councillor Outhit. That North West Community Council direct staff to provide an information report outlining the issues related to the Cushing Hill area and possible options to deal with the situation, including possible changes to the Municipal Planning Strategy. MOTION PUT AND PASSED.*

## **BACKGROUND**

The Cushing Hill CCDD (Commercial Comprehensive Development District) is a zone and designation that has been applied to nine parcels of the land located on the Bedford Highway near the Highway 101 and 102 interchange (Map 1 and 2).

### **Policy Intent, Designation and Zoning**

The Bedford Municipal Planning Strategy (MPS) has identified several large parcels of land which are appropriate for commercial development when developed in a comprehensive manner which ensures the best utilization of the site as well as ensuring compatibility with adjacent land uses. These areas are designated as Commercial Comprehensive Development Districts (CCDD) and required a development agreement process. The purpose of this is to allow for developments which emphasize the unique characteristics of a site in terms of its location, its unique physical characteristics, its overall size and its relationship to adjoining, and existing or proposed uses. Specifically, it is the intention to require development of commercial uses on 50% of each CCDD site and further, that multiple unit buildings not be permitted to occupy more than 25% of a CCDD site. Architectural, landscaping, and streetscape considerations for multiple unit buildings are to be considered.

The Paper Mill Lake CCDD, the Hammonds Centre at the corner of the Bedford Highway and Hammonds Plains Road, the Traveller's and Esquire Motel and the commercial building corner of the Hammonds Plains Road and Brookshire Court near the Highway 102 interchange are examples of the CCDD lands.

The subject lands, known as the Cushing Hill CCDD, consist of nine properties with six different property owners. These properties are designated CCDD (Commercial Comprehensive Development District) under the Bedford Municipal Planning Strategy (MPS) as shown on Map 1 and zoned CCDD (Commercial Comprehensive Development District) Zone under the Bedford Land Use By-law (LUB) as shown on Map 2. The Cushing Hill CCDD designation was placed on the site over 15 years ago, when there was an opportunity for the development of a hotel on the site. The proposal did not materialize and to date, there has not been an application for a development agreement.

### **Existing Land Uses / Development Rights**

The subject lands are a mix of vacant lots and existing single unit dwellings. Recent air photos indicate that there are eight existing single family homes on the site. Some of these homes directly access the Bedford Highway, while others directly access Oakmount Drive. These homes were in existence prior to the placement of the CCDD Zone, however the CCDD Zone does not permit "existing" single unit dwellings. Existing single unit dwellings are considered non-conforming and are not permitted to be re-established if discontinued for a period of greater than six months.

New development on this site is enabled by development agreement subject to a development agreement process and approval by North West Community Council. All development agreements are subject to the CCDD (Commercial Comprehensive Development District)

policies (Attachment A) and the uses permitted in the CCDD (Commercial Comprehensive Development District) Zone (Attachment B). Specifically, an application for a single unit dwelling or accessory building would require an application for a development agreement. Because the intent of the policy is to develop the site in a comprehensive manner, an agreement requires the participation of all land owners.

## DISCUSSION

Cushing Hill CCDD is a predominant site at the entrance of Bedford near the Highway 101 and 102 interchange. To date, minimal land development has taken place surrounding the site and the site itself has remained undeveloped. Based on planning experience over the past 15 years in dealing with this area and a review of the existing policies in the plan staff offer the following comments:

- **Multiple Property Owners** - There are multiple property owners within the Cushing Hill CCDD. The intent of the policy is to develop the site in a comprehensive manor, therefore all property owners within the CCDD must participate in the development agreement process for the site. Staff speculates that one of the significant challenges to developing the site is getting the agreement of all owners to participate in a planning process and to agree to a long term concept for the site.
- **Grade Differences within the Site**- There is a significant grade differences between the north and south ends of the Cushing Hill CCDD site and with surrounding properties. This is partially due to the natural grades of the site and past excavation to the south end of the site. These grade differences make developing the site as a whole challenging from a technical engineering perspective.
- **Limited Useable Frontage/ Access - Bedford Highway**-- Properties within the Cushing Hill CCDD have lot frontage on the Bedford Highway however the frontage is not useable for either one of two reasons. Firstly, some frontage is not useable due to extreme grade differences between the Bedford Highway and the useable land on the site. Secondly, Nova Scotia Transportation and Infrastructure Renewal (NSTIR) limits access to the Bedford Highway within 250 m (820 ft) of the interchange ramps at Highway 102. This limits or precludes access to the site. Through discussions with property owners, staff have identified that the only safe commercial access point may be located on lands to the south of the Cushing Hill CCDD and due to this factor development of this site may require the inclusion of adjacent lands.
- **No Access to Oakmount Drive** – Further to the limited access to the Bedford Highway there is no access to the adjacent Oakmount Drive. Specifically, zoning lines have been placed on the properties in such a way to preclude commercial access and to ensure commercial traffic would not travel through adjacent residential neighbourhoods.
- **Developable Commercial Land** – Staff are of the opinion that only the four southernmost properties on the Cushing Hill CCDD site may be appropriate for

commercial development. These lands include 1763, 1775, 1781 and 1789 Bedford Highway. Staff has identified these lands as potentially appropriate for commercial development because they are proximate to a possible commercial driveway access to the Bedford Highway and they may have the visibility desired for a commercial land use. Lands located on the north end of the Cushing Hill CCDD are probably more appropriate for residential land uses due to poor commercial access and visibility.

### **Summary**

As the policies currently exist for the Cushing Hill CCDD, the goal is to develop the sites from a commercial perspective. Given the issues with ownership, access and questions related to land use, it is the opinion of staff that the current policy may not be appropriate for the site and may be limiting the ability of the site to be developed. Based on this, it is staff's opinion it is reasonable to consider a review of these MPS policies.

However, due resources and department priorities, specifically the 5 year Regional Plan review staff advises the initiation report should be tabled with Regional Council in the early fall of this year rather than this spring. This approach will enable staff to place this plan amendment into the fall work schedule after ensuring there are the necessary resources to complete the departmental priorities specifically the 5 year Regional Plan review.

### **BUDGET IMPLICATIONS**

There are no budget implications related to this information report. However, the cost to process this planning application in the future can be accommodated within the approved 2011/12 operating budget for C310 Planning & Applications.

### **FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

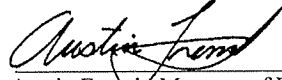
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

### **ATTACHMENTS**

Map 1            Generalized Future Land Use Map  
Map 2            Zoning Map

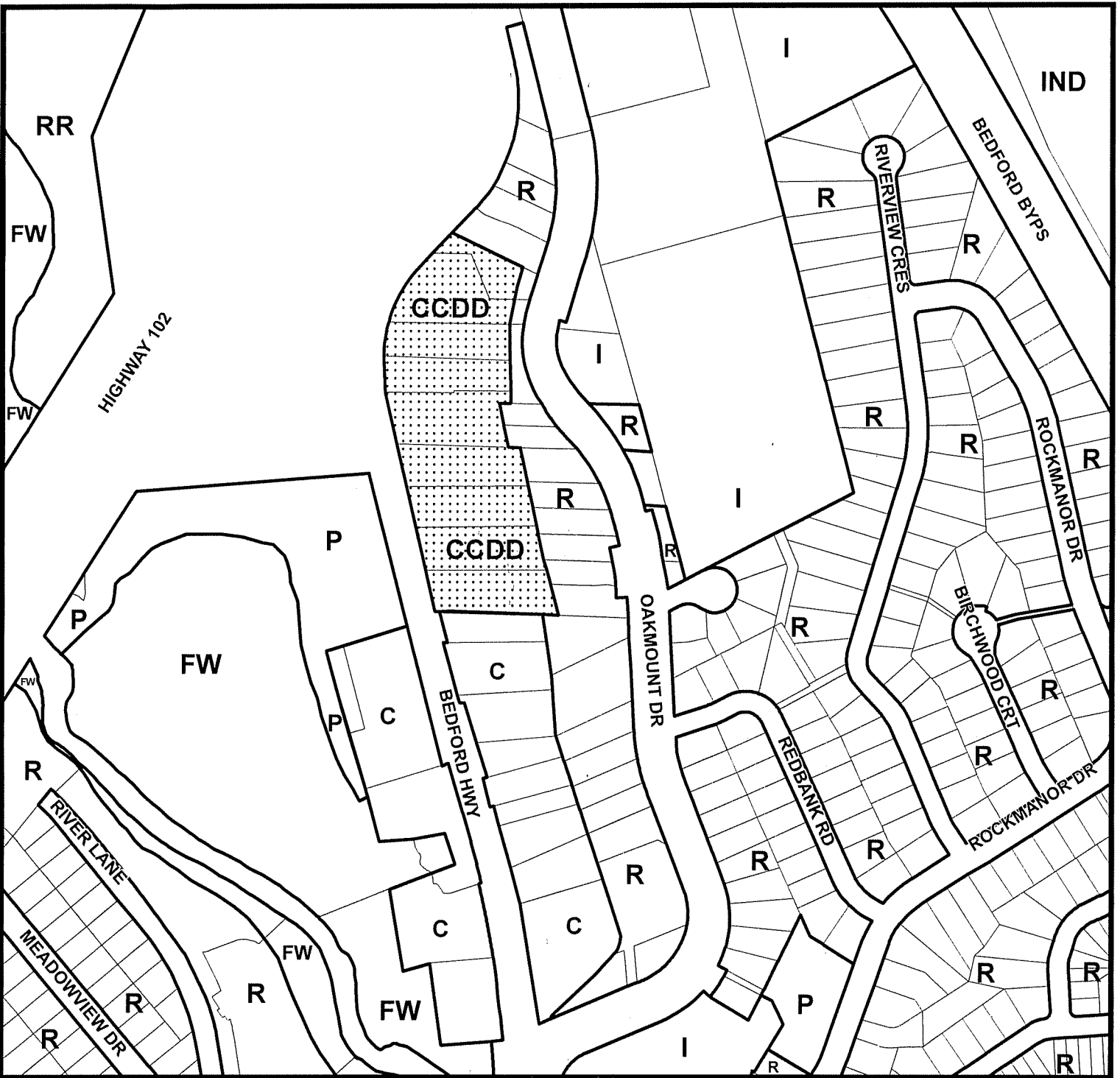
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Andrew Bone, Senior Planner, 869-4226



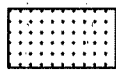
Report Approved by: Austin French, Manager of Planning Services, 490-6717

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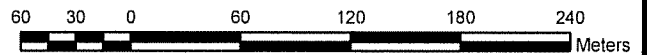
Map 1

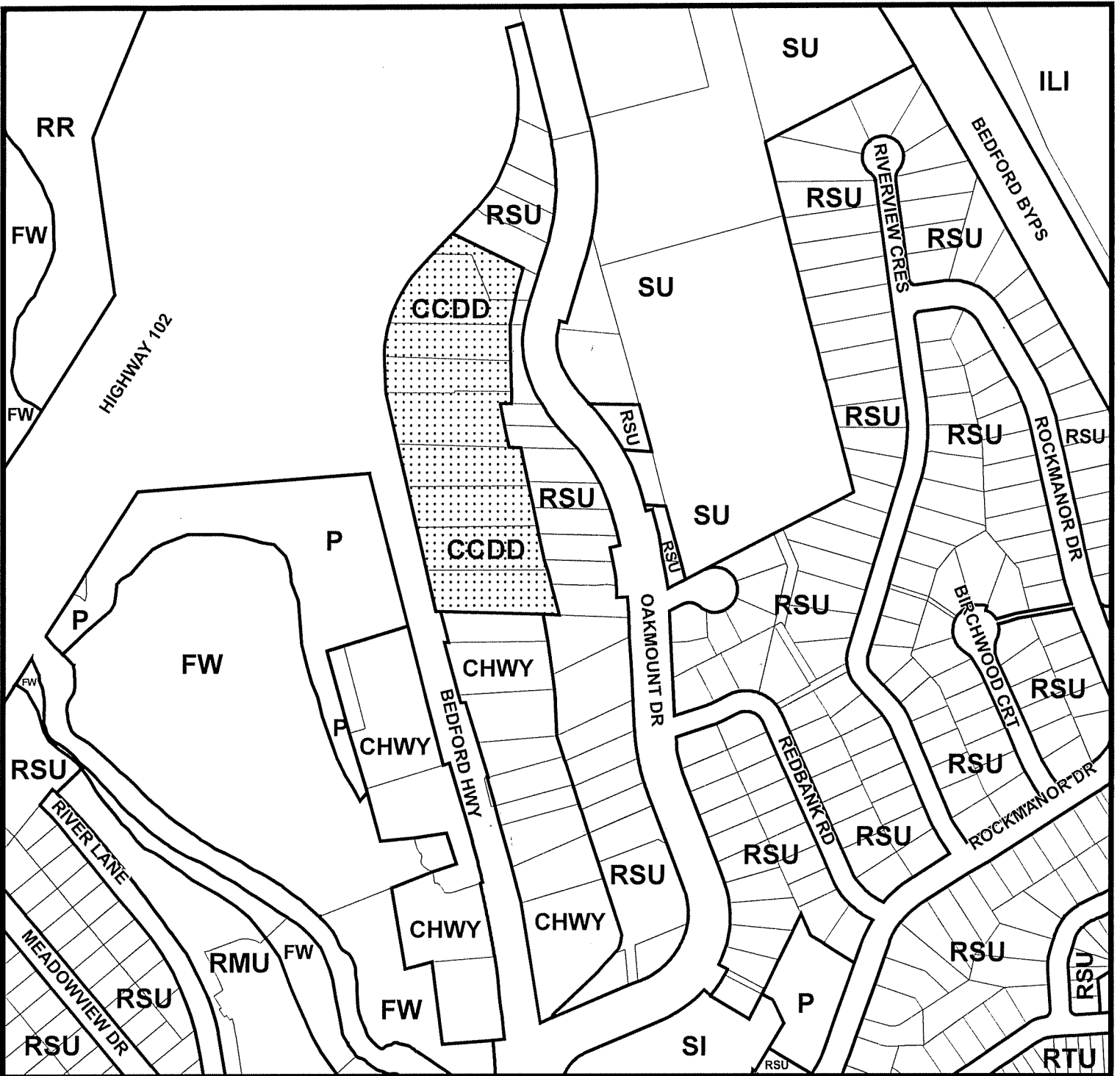
Generalized Future Land Use



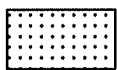
CCDD Zoned Properties

- R Residential Designation
- RR Residential Reserve Designation
- FW Floodway Designation
- P Park and Recreation Designation
- C Commercial Designation
- CCDD Commercial Comprehensive Development District
- I Institutional Designation
- IND Industrial Designation





**Map 2  
Zoning**



CCDD Zoned Properties

- RSU Single Dwelling Zone
- RTU Two Dwelling Unit Zone
- RMU Multiple Dwelling Unit Zone
- RR Residential Reserve Zone
- FW Floodway Zone
- P Park Zone
- CHWY Highway Oriented Commercial Zone
- CCDD Commercial Comprehensive Development District
- SI Institutional Zone
- SU Utilities Zone
- ILI Light Industrial Zone

**HALIFAX**  
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Community Development  
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