

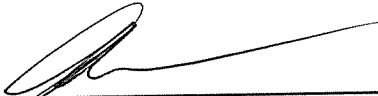
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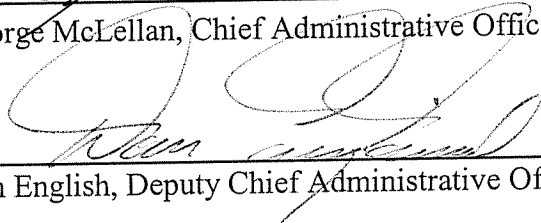


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Halifax Regional Council
March 8, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: February 21, 2005

SUBJECT: Case 00723 - Amendments to the Bedford Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB).

ORIGIN

Request by United Gulf Limited to amend the Bedford Municipal Planning Strategy and Land Use Bylaw to enable a mixed use development (commercial/residential) at 910 Bedford Highway.

RECOMMENDATION

It is recommended that Regional Council:

- Approve the request to initiate the process to amend the Bedford Municipal Planning Strategy and Land Use Bylaw to consider a mixed use development (commercial/residential) at 910 Bedford Highway.
- Request staff to follow the public participation program as approved by Council in February 1997.

BACKGROUND

Overview of Subject Properties:

United Gulf Developments Limited has submitted a request to amend the Bedford Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) to enable a commercial/residential development project at the south corner of Moirs Mill Road. The property is a consolidation of four lots consisting of approximately 46,850 sq. ft. (4,352 m²). Approximately 65% of the site (three lots) is zoned Residential Single Unit Dwelling (RSU) and designated Residential and the remaining 35% of the site (one lot) is zoned Commercial General Business (CGB) and designated Commercial. The site has 167 feet (51m) of road frontage along the Bedford Highway and is the former site of "the Red Barn" and the sales offices for Greater Homes Construction Limited (*Maps 1, 2 and 3*).

Proposal:

The proposed project is a multi-level building integrated into the natural topography of the site (steep slope and rock ridge). The proposed building is a series of different sections each with an elevation that corresponds with the changing grade of the site. Ground level commercial is proposed along the Bedford Highway with second and third level commercial. The southern side of the commercial component would be connected to the remainder of the building containing 36 residential units. Commercial access to the site will be provided from the Bedford Highway and residential access will be provided from Moirs Mill Road (*Map 3*).

DISCUSSION

Policy Evaluation:

The subject property is presently designated Commercial and Residential. The objective of the Commercial designation is to encourage a range of commercial uses sufficient to serve community needs. The objective of the Residential designation is to provide a range of housing options while encouraging residential development in areas where services can be provided economically.

Existing MPS policy for this area contemplates a commercial building containing Commercial General Business (CGB) uses and three single unit dwellings. However, this area of Bedford (Mill Cove, Bedford Waterfront and Bedford South) has experienced a significant amount of growth over the past ten years. This growth has altered the development pattern along this portion of the Bedford Highway. Therefore, it is not unreasonable to consider policy changes in support of a mixed use commercial/residential development at this location.

The proposal includes a commercial component thereby providing commercial area to service community needs and is in close proximity to several commercial developments such as Mill Cove Sobeys Plaza, Hammonds Centre and the office complex at 2 Nelsons Landing Boulevard. The subject area is also in close proximity to several medium density residential developments such as Summer Cove (88 units) and 61 and 91 Nelsons Landing Boulevard (78 units each).

Proposed Amendments:

The proposed amendments to the Bedford Municipal Planning Strategy and Land Use Bylaw required to accommodate this proposal include:

- amendments to enable residential development within the area designated Commercial and zoned Commercial General Business (CGB);
- rezoning and redesignating a portion of the property currently designated Residential and zoned Residential Single Unit Dwelling (RSU) to Commercial and Commercial General Business (CGB); and
- relaxation of current restrictions on permitted building heights.

Recently Initiated Plan Amendment:

The existing policies for the area along the Bedford Highway between Hammonds Plains Road and former Town of Bedford boundary line did not anticipate the development of Bedford South. Subsequently, there has been pressure from the development community to examine the land use policies in the area. In November of 2004, Regional Council agreed to initiate the process to amend the MPS in response to request by O.L.L Leasing and Holding to enable a mixed use development (commercial/residential) on the remaining portion of the Crestview CCDD site. The Crestview CCDD site is located along the Bedford Highway immediately south of Nelson's Landing Boulevard. Given the recent plan amendment request in this area staff will process the Crestview CCDD application and request outlined in this report separately but develop MPS policy in a comprehensive manner.

Summary and Recommendation:

The proposed mixed use commercial/residential development is consistent with the overall intent of the policies within the Bedford Municipal Planning Strategy and Land Use Bylaw and is compatible with the existing development pattern in the area. Initiation of the process to consider MPS amendments for this request is therefore appropriate at this time.

BUDGET IMPLICATIONS

There are no budget implications to HRM to initiate the MPS amendment process.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

ALTERNATIVES

1. Council may choose to initiate the MPS amendment process. This is the staff recommendation.
2. Council may choose not to initiate the MPS amendment process. This is not recommended

for reasons discussed above.

ATTACHMENTS

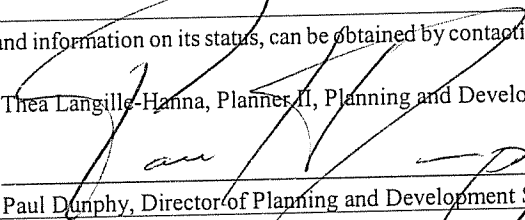
Map 1: Generalized Future Land Use Map

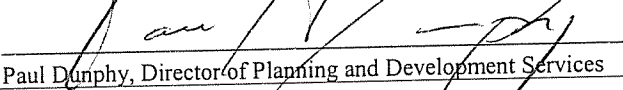
Map 2: Zoning Map

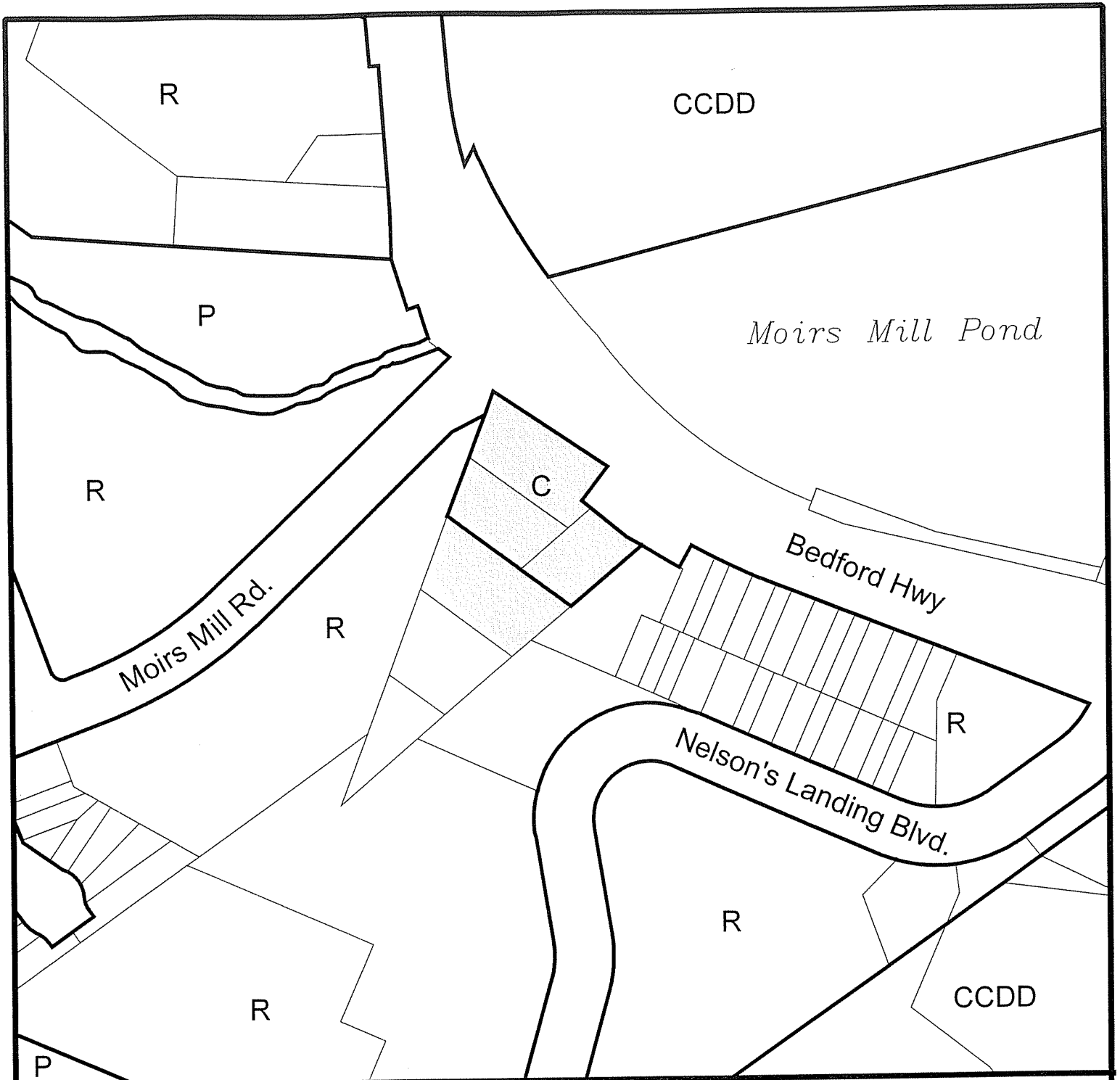
Map 3: Site Plan

Attachment A: Excerpts of the Bedford Municipal Planning Strategy and Bedford Land Use Bylaw

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:  Thea Langille-Hanna, Planner II, Planning and Development Services 869-4262

Report Approved by:  Paul Dunphy, Director of Planning and Development Services



Map 1
Generalized Future Land Use

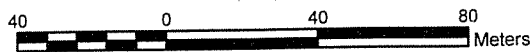


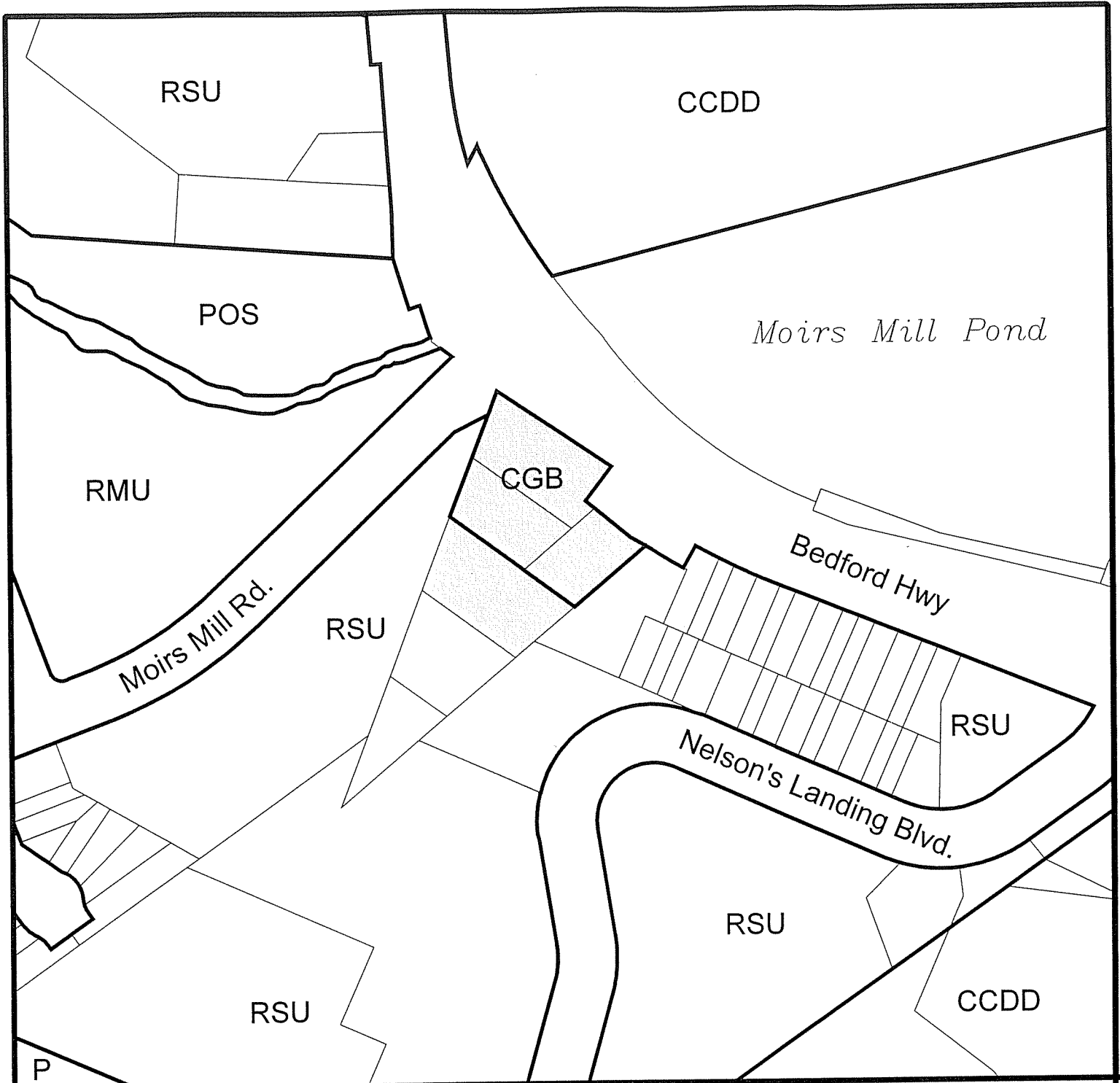
Subject Properties



R Residential Designation
P Park and Recreation Designation

C Commercial Designation
CCDD Commercial Comprehensive Development District





**Map 2
Zoning**

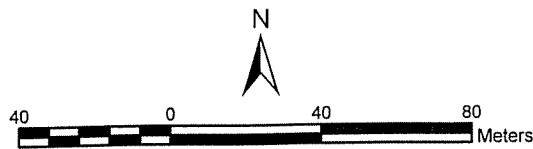


Subject Properties



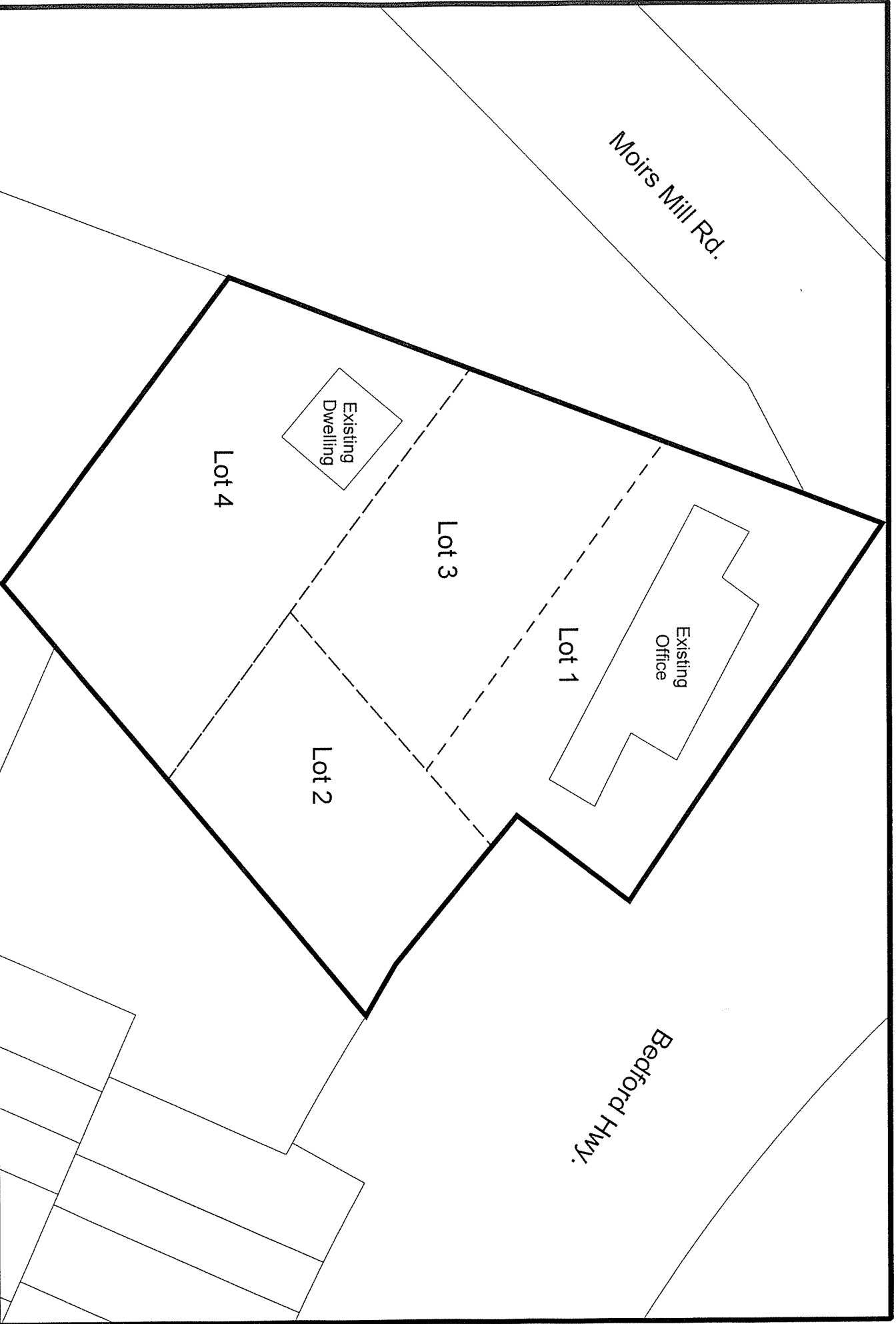
RSU Single Dwelling Unit Zone
 RMU Multiple Dwelling Zone
 P Park Zone

POS Park Open Space Zone
 CGB General Business Zone
 CCDD Commercial Comprehensive Development District



Moirs Mill Rd.

Bedford Hwy.



Map 3
Site Plan
Proposed Property



Feb. 22, 2005

HRM does not guarantee the accuracy of any base map information on this map.



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ATTACHMENT A

Excerpts of the Bedford Municipal Planning Strategy

COMMERCIAL OBJECTIVE

To encourage the development of business and commercial uses to serve the Town and surrounding areas; to ensure that commercial uses are located and designed to minimize intrusion upon existing residential neighbourhoods; to promote attractive commercial areas within the Town through the regulation of commercial signage, parking, and building design; to foster the development of a pedestrian oriented commercial core to provide the Town with a commercial focus which relates to its heritage and will foster the development of a Town identity.

The three designations, Commercial, Mainstreet Commercial, and Commercial Comprehensive Development Districts, are established in Policy C-1. Policy C-2 confirms Town Council's intent to limit commercial development to the lower portion of Dartmouth Road to preserve the residential character of the remainder of this road which serves as one entrance to the community.

In assessing the commercial component of the Town, commercial uses have been grouped into categories based on the following factors:

- Scale of the business
- Level of noise generated
- Traffic generation
- Outside storage
- Parking Requirements
- Land area requirements
- Hours of operation
- Height and bulk of building
- Visual appearance
- Compatibility with adjacent uses

Analysis of commercial uses based on these categories forms the basis for the commercial zones established in the Land Use By-Law as enabled by Policy C-3. The categories can be summarized as follows:

Aesthetics of Commercial Activities

Policy C-33:

It shall be the intention of Town Council, in areas designated Commercial, to improve the aesthetics of such commercial areas by encouraging rear yard parking, discouraging large front yard setbacks and parking in front and side yards, regulating commercial signage, requiring landscaping, and regulating the architectural design of new and redeveloped commercial buildings through requirements in the Land Use By-law.

Policy C-34:

It shall be the intention of Town Council to include in the Land Use By-law provision for the general regulation of signage in all zones, except the Mainstreet Commercial Zone, including prohibition on certain types of signs, as well as type, size, number and location. Within the Mainstreet Commercial Zone it shall be the intention of Town Council to include specific sign regulations to ensure that signage in this zone is compatible with the small scale, pedestrian orientation of the area. These provisions shall relate to the nature, size, location, number, and type of signs (including signboards, projecting signs, sandwich boards, canopies, mobile signs, and window signs) as well as their illumination. A time limit will also be established for temporary mobile signs.

Commercial Development Adjacent to Residential Areas

Policy C-35:

It shall be the intention of Town Council to minimize the impact of commercial uses, commercial traffic and parking areas, and commercial refuse containers on abutting existing residential uses or on lands which are designated and/or zoned for residential uses through regulations in the Land Use Bylaw, and through the development and subsequent enforcement of a property maintenance by-law.

RESIDENTIAL OBJECTIVE

To make provision for a choice of housing types; to make provision for construction of affordable housing; to provide for preservation of the character of existing neighbourhoods in their present form; to permit residential development to occur in areas where the Town can economically provide services; to consider the need for permanent buffers and/or separation distances where residential uses abut incompatible land uses; to encourage the provision of housing for those with special needs; to provide for a mix of housing types in new developments consistent with the trend in starts in Bedford since 1980; to plan for provision of supporting neighbourhood infrastructure such as schools, parkland and commercial facilities; and, to encourage development that would be designed to suit the natural terrain minimizing negative impacts to the natural environment.

Policy R-18:

It shall be the intention of Town Council to encourage the construction of housing to meet the needs of households experiencing difficulties due to housing affordability and/or housing design. Residents experiencing these difficulties may include the elderly, the physically challenged, or households with low or moderate incomes.