

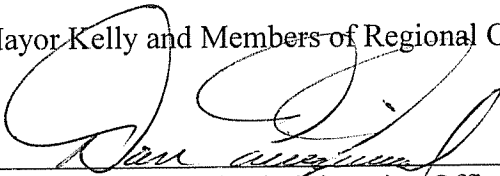
9.1.4

HALIFAX
REGIONAL MUNICIPALITY
PO Box 1749
Halifax, Nova Scotia
B3J3A5 Canada

Halifax Regional Council
October 31, 2006

To: Mayor Kelly and Members of Regional Council

Submitted by:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

Date: October 19, 2006

Subject: **Case 00930 - MPS and LUB Amendment for 6955 Bayers Road, Halifax
(PID # 40824005)**

ORIGIN

Request from Kassner/Goodspeed Architects, on behalf of 3106631 Nova Scotia Limited, to amend the Halifax Municipal Planning Strategy and Land Use By-law to permit by development agreement two eight storey multiple unit residential buildings containing a total of 122 units at 6955 Bayers Road, Halifax.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to allow by development agreement two eight storey multiple unit residential buildings containing a total of 122 units at 6955 Bayers Road, Halifax (PID # 40824005); and
2. Instruct that the Municipal Planning Strategy amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

BACKGROUND

Location, Designation and Zoning: The subject property, which is located on the north side of Bayers Road was part of the former St. Andrews School site previously owned by Halifax Regional Municipality. The site, abutting the St. Andrews Community Centre and Alta Gymnastics, is 2.22 acres in area and is now vacant. The lands adjoin an HRM owned cemetery which is the Memorial Grave Site for Unidentified Victims of the Halifax Explosion, and separate private family plots.

The property is zoned Park and Institutional (P) Zone (Refer to Map 1). The lands are designated Residential Environments on the Generalized Future Land Use Map of the Halifax Municipal Planning Strategy (MPS) (Refer to Map 2). The property falls within an Urban District Centre designation under the Regional Plan which calls for a mix of high density residential, commercial, institutional and recreational uses.

History of the Property:

- In August, 1997, Halifax Regional Council approved amendments to the Halifax Municipal Planning Strategy to enable development by development agreement for specific uses (Refer to Attachment A).
- On April 1, 1998, Peninsula Community Council (PCC) approved a development agreement to permit a combined senior citizen housing and cultural centre complex for the Italian Canadian Cultural Association (ICCA) of the Halifax and Dartmouth Area.
- The approved 1998 development agreement expired on May 3, 2001.
- A new development agreement was approved by PCC on March 4, 2002.
- The 2002 development agreement expired in March of 2004.
- In July of 2004 the ICCA offered HRM first right of refusal to purchase the property back.
- HRM determined the land was not required for municipal purposes.
- The property is now under new ownership.

Synopsis of the Proposed Development: The Developer has prepared a conceptual design which includes 2 eight storey residential apartment buildings with a total of 122 units (refer to Attachments B through E). The buildings generally meet the R-3 angle controls and open space requirements with the exception of the setback from the Memorial Site. Preliminary inquiries indicate that there should be no unusual difficulties in servicing this development. The existing road network allows only right turns into and out of the site. Given the volumes of traffic already carried by Bayers Road, the additional trips generated by this proposal are not expected to have a significant impact.

DISCUSSION

Site specific MPS amendments and policy reviews should generally only be considered where circumstances related to policies of the MPS have changed significantly. This request meets this test as the existing policies were created to specifically allow the Italian Canadian Cultural Association proposal. The Park and Institutional Zone on the lands does not allow the residential use proposed.

Considering a MPS amendment to allow a development agreement for this use seems appropriate in order to ensure that the building scale and design are in keeping with the surrounding uses, allow for pedestrian connections to the site and abutting recreation facilities, and improved vehicular access. The developer is prepared to discuss improvements to the Memorial site as a component of the development agreement.

Consideration was given by the Developer to 4 different development scenarios including 3 four storey buildings, 2 six storey buildings, 2 eight storey buildings and a single 15 storey building. The Developer intends to present all of the scenarios to the public at a future meeting in order to receive feedback on what would be considered the most appropriate proposal.

Staff suggest that there is merit in proceeding with the MPS Amendment process to allow a site specific Development Agreement. Design details can be discussed with the public should Council concur with the recommendations of this report.

BUDGET IMPLICATIONS

None

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 amendments the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to allow a Development Agreement. This is the staff recommendation.
2. Council may choose not to initiate amendments the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw, thereby only allowing new construction that is consistent with the existing Park and Institutional Zone. This is not recommended for the reasons outlined above.

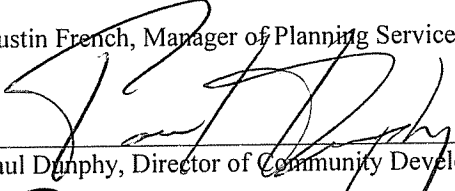
ATTACHMENTS

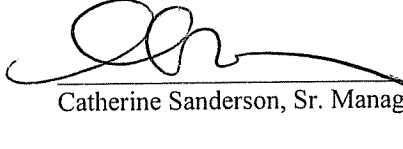
Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Attachment A	Extracts from the Municipal Planning Strategy and the Peninsula Land Use By-law
Attachment B	Location Plan
Attachment C	Site Plan
Attachment D	Front Elevation
Attachment E	Side Elevation

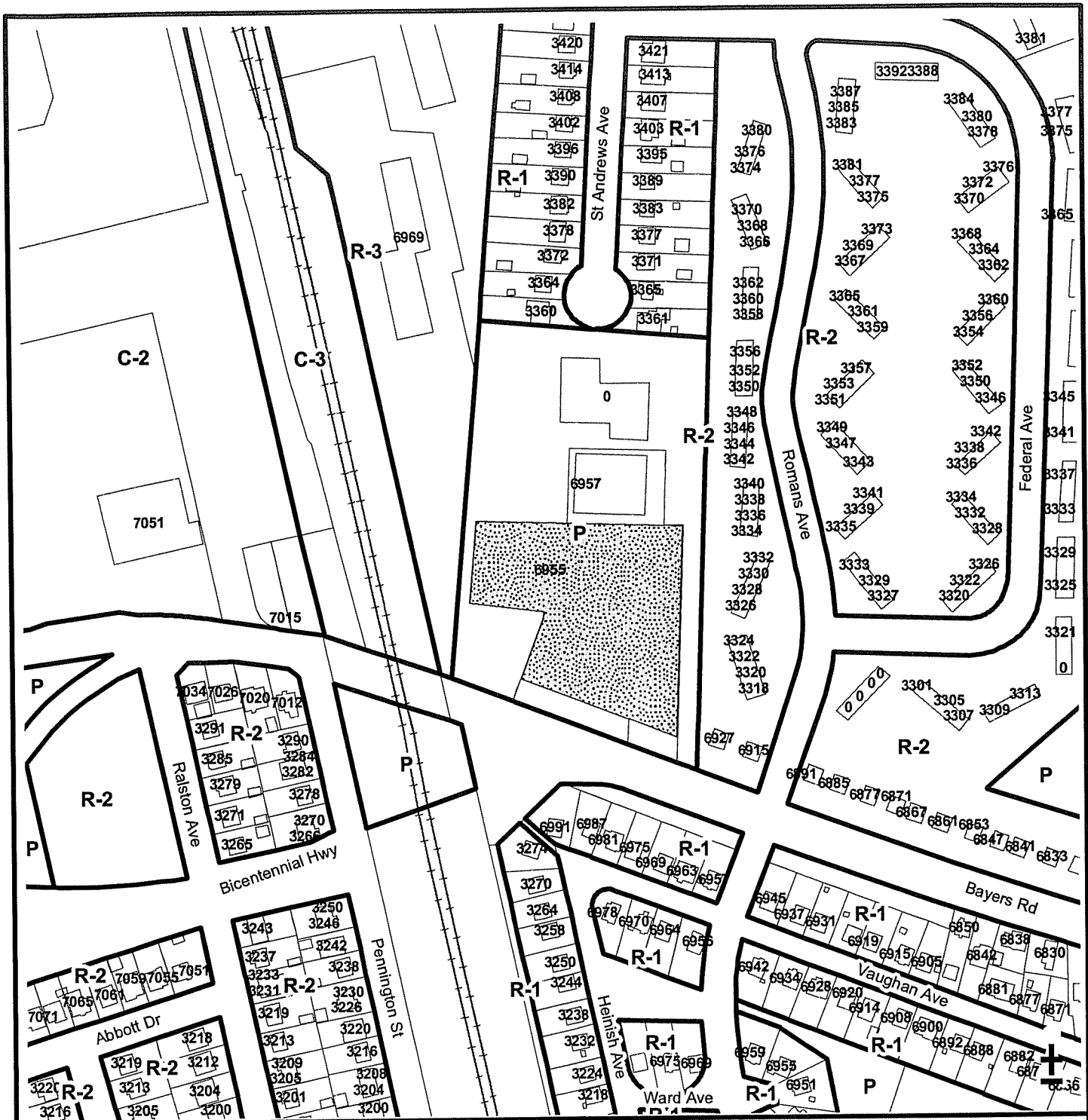
A copy of this report may be obtained online at <http://www.halifax.ca/council/agendas/caagenda.html> by choosing the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Randa Wheaton, Senior Planner, Planning and Development Services, 490-4499

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


Report Approved by: 
Paul Dunphy, Director of Community Development

Report Approved by: 
Catherine Sanderson, Sr. Manager, Financial Services, 490-1562



Map 1 - Location and Zoning

6955 Bayers Road
Halifax

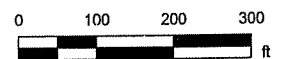
 Subject property

Halifax Peninsula By-Law Area

Zone

- R-1 Single Family Dwelling
- R-2 General Residential
- R-3 Multiple Dwelling
- P Park and Institutional
- C-2 General Business
- C-3 General Industrial

HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula Land Use By-law Area.

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



Map 2 - Generalized Future Land Use

6955 Bayers Road
Halifax

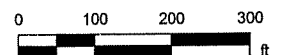
 Subject property

Designation

RESENV Residential Environments
COMM Commercial

Halifax Plan Area

HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Plan Area.

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

ATTACHMENT A

Extracts from the Halifax Municipal Planning Strategy

Section II CITY-WIDE OBJECTIVES AND POLICIES

3. Residential Environments

- 2.14 For the St. Andrews Centre site at 6955 Bayers Road (PID#85050) Council may consider applications for a combined seniors citizen housing and cultural centre complex through a development agreement.

This integrated complex shall be designed and situated in a manner which is (1) compatible with the surrounding residential neighbourhoods in both form and operation, (2) preserves and/or enhances the function of the larger site given the existing buildings and other land uses present on this site, and (3) provides opportunities for public access to both the indoor and outdoor components of the complex.

- 2.14.1 In considering agreements for the St. Andrews Centre site, Council shall consider the following items in relation to the policy criteria set out in Policy 2.14 above, for which conditions may be set out in the development agreement:

- a) the adequacy of the servicing capacity of the site;
- b) the capacity of, and the activities generated by the cultural/community centre portion of the complex;
- c) phasing of the individual components of the integrated complex;
- d) the scale, height, and massing of the building;
- e) the location and amount of parking provided;
- f) vehicular and pedestrian access and egress patterns from the surrounding area;
- g) location and form of open space and outdoor recreational areas;
- h) site landscaping including buffering;
- i) the hours of operation of the cultural/community centre;

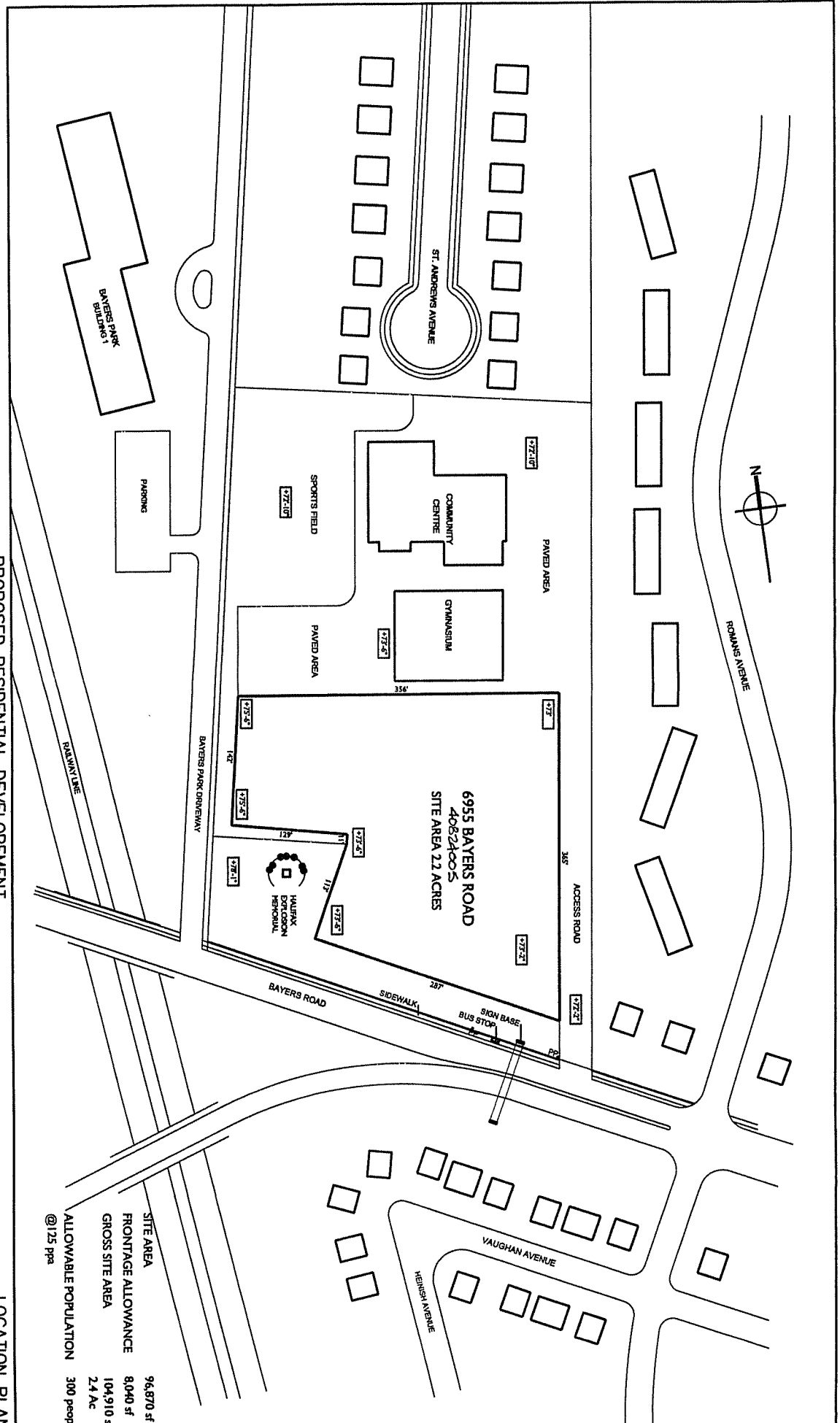
- j) other relevant policies of this plan particularly those of the Residential Environments Section.

Extracts from the Peninsula Land Use By-law

PENINSULA WIDE - DEVELOPMENT AGREEMENTS

99(9) **St. Andrews Centre Site**

Council may, by development agreement, pursuant to Policies 2.14 and 2.14.1 of section II of the Municipal Planning Strategy, permit the development of a senior citizen housing and cultural/community centre complex on the site known as St. Andrews Centre at 6955 Bayers Road (PID # 85050).



PROPOSED RESIDENTIAL DEVELOPMENT
6955 BAYERS ROAD

LOCATION PLAN
EXISTING CONDITIONS

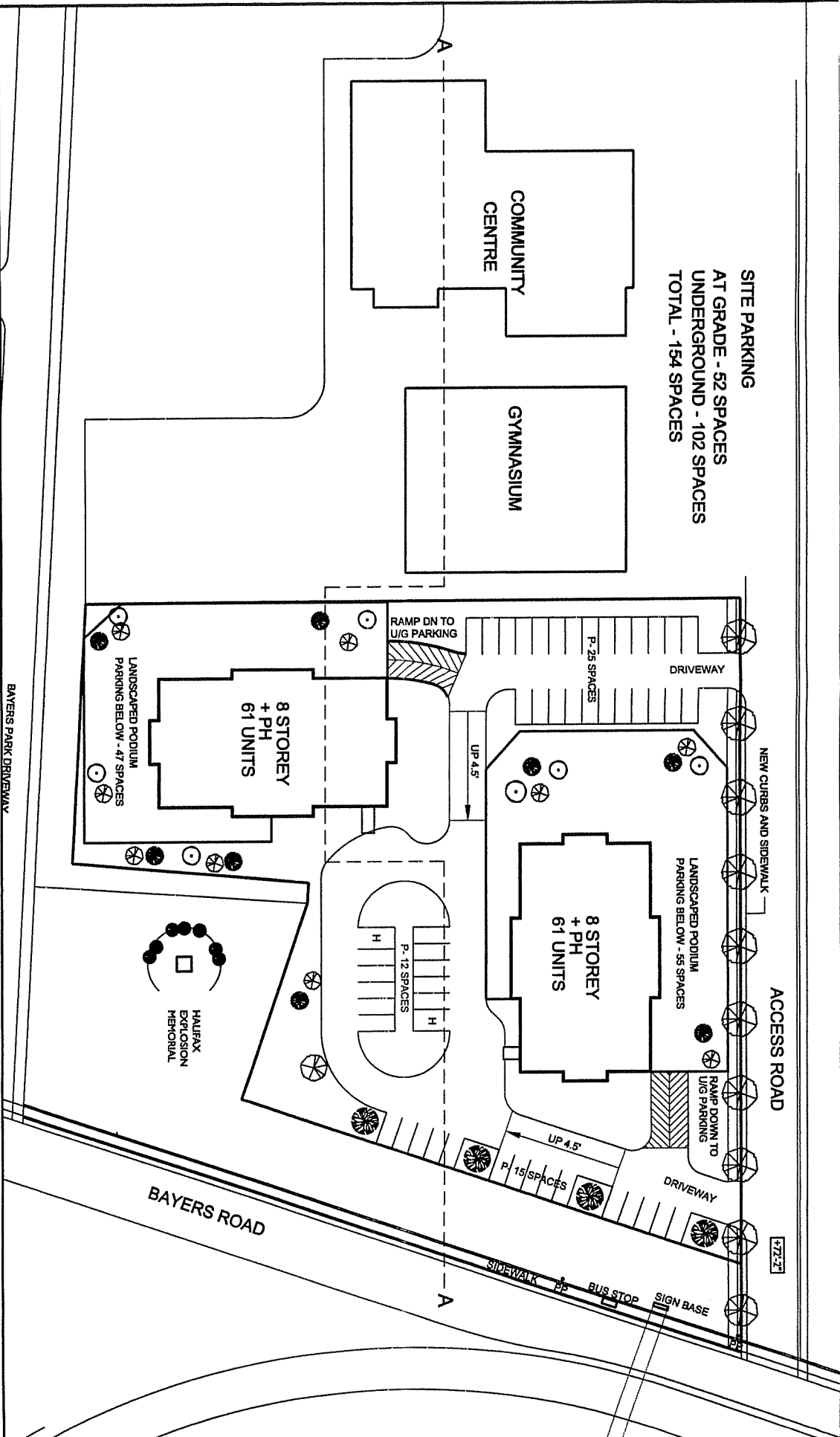
SITE AREA 96,870 sf
FRONTAGE ALLOWANCE 8,040 sf
GROSS SITE AREA 104,910 sf
ALLOWABLE POPULATION 300 people @ 125 ppa

KASSNER/GOODSPEED ARCHITECTS
SUITE 203, 5800 CROWNALLS ST.
HUNTSVILLE, AL 35894 (205) 421-1587

1" = 100'
Jun 05, 2006

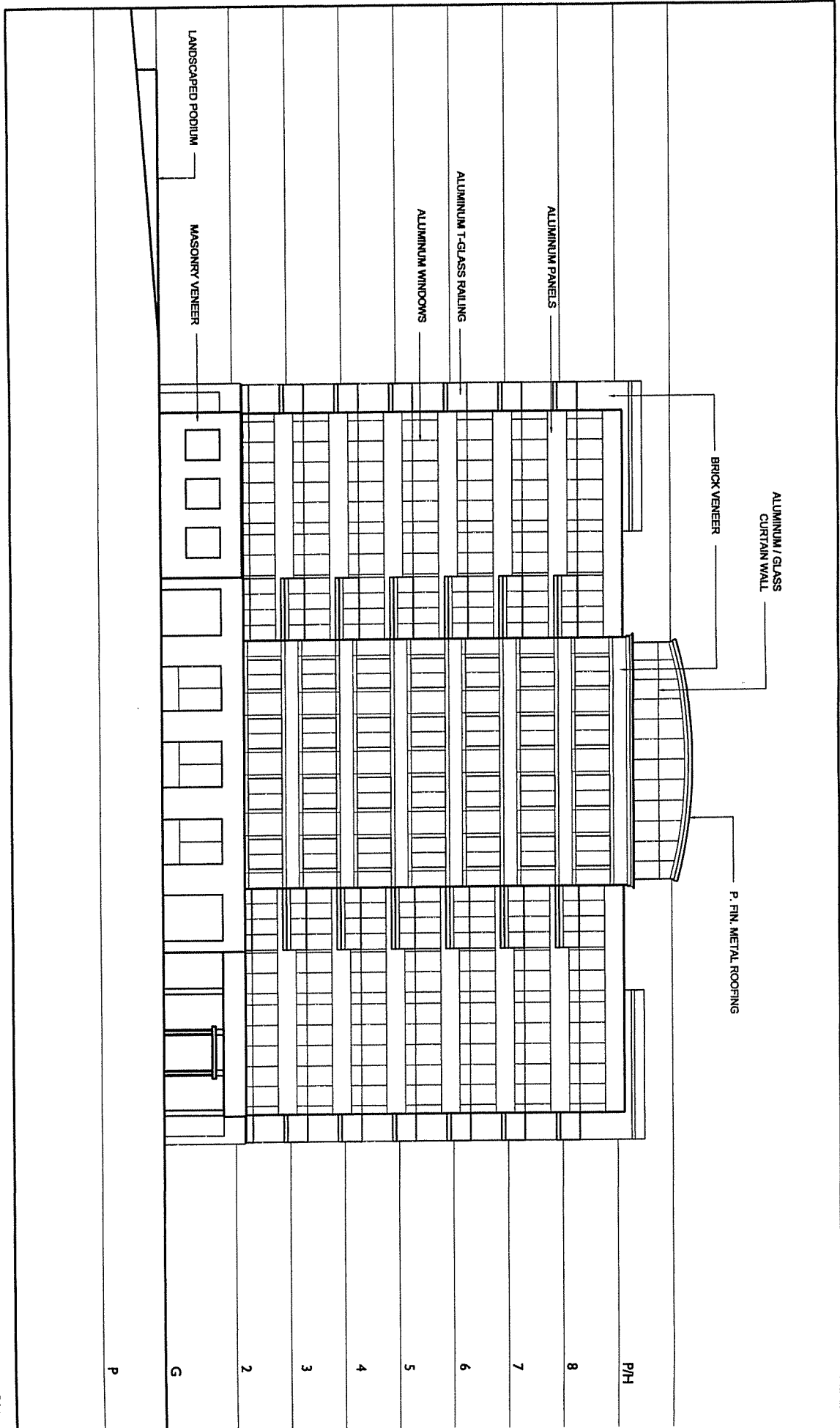
KASNER/GOODSTEAD ARCHITECTS
SITE PLAN 8955 BAYERS RD
REVISION 1, 2007 05 15

PROPOSED RESIDENTIAL DEVELOPMENT
8955 BAYERS ROAD



1"=50'
Jun 05, 2006

SITE PLAN



PROPOSED RESIDENTIAL DEVELOPMENT

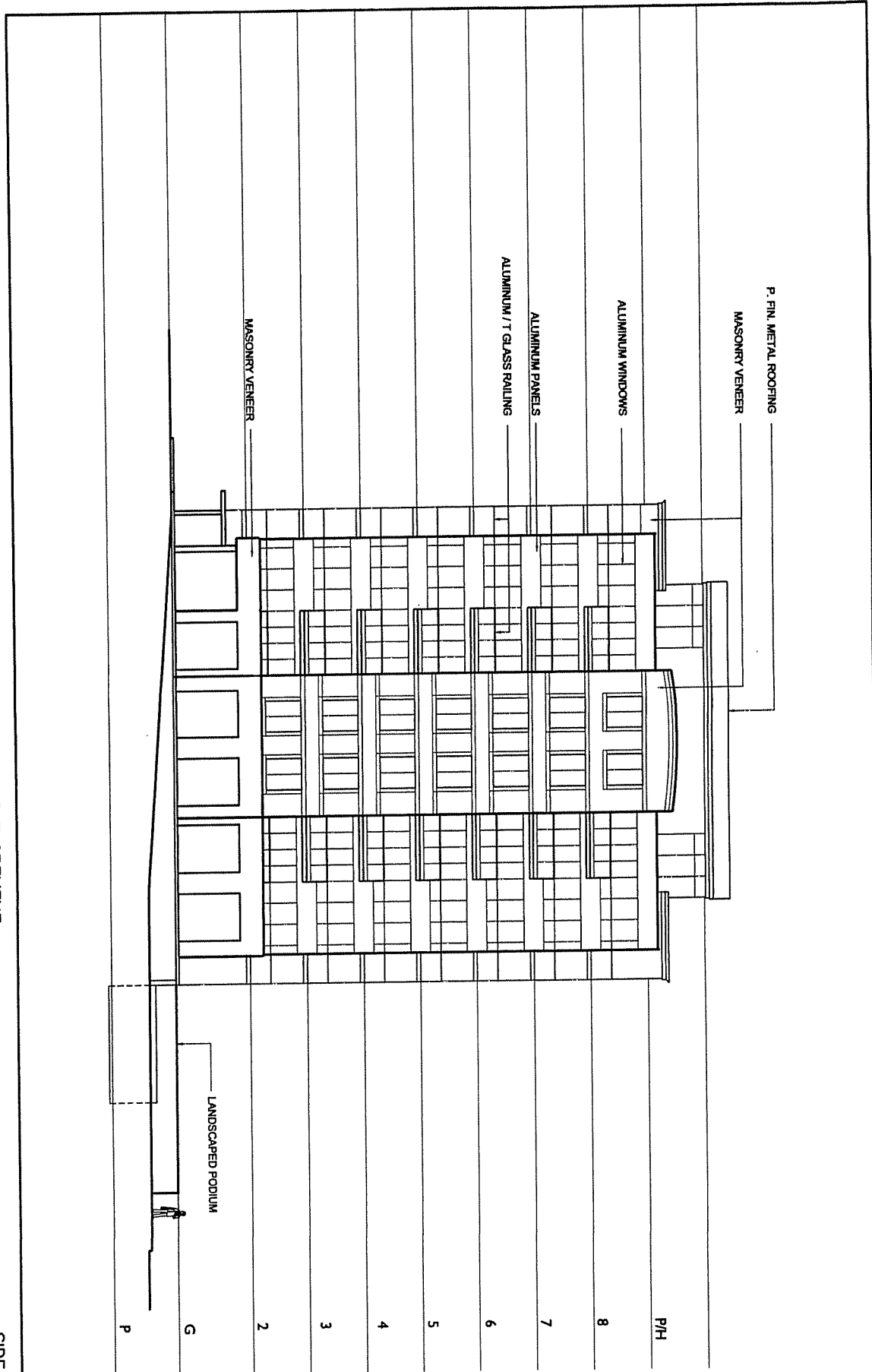
6955 BAYERS ROAD

FRONT ELEVATION

KASNER/GOODSPEED ARCHITECTS

SUITE 200, 5800 ORCHARDVIEW ST.
FALLS CHURCH, VA 22041-1587

1/16"=1'
Jun 05, 2006



PROPOSED RESIDENTIAL DEVELOPMENT

6955 BAYERS ROAD

SIDE ELEVATION

KASSNER/GOODSPEED ARCHITECTS

SITE 205 9th COMMWALL ST.
HAUPPA, N.S. BOX 198 (907) 423-197

1/16" =
Jun 05, 2006