

**Halifax Regional Council
February 3, 2009**

TO: Mayor Kelly and Members of Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: January 5, 2009

SUBJECT: **Case 01205 - MPS and LUB Amendment for 50 Bedford Highway,
Halifax**

ORIGIN

Application by Basin Vista Developments Limited.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Initiate the process to consider amending the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to permit by development agreement a mixed use building at 50 Bedford Highway, Halifax; and
2. Request staff to follow the public participation program as approved by Council in February 1997.

BACKGROUND

Location and Land Uses

The property, currently occupied by the Basin View Motel, is located on the west side of the Bedford Highway, just off the Halifax Peninsula (Refer to Map1). It is surrounded by:

- commercial uses, including two car dealerships and a service station (which is currently closed) to the south and an office within a small building to the north;
- a mixture of housing types, including single detached dwellings and low-rise and high-rise multiple unit residential buildings;
- railway tracks and the Bedford Basin, just across Bedford Highway; and
- Fairview Cove Container Terminal and its associated harbour-related industrial uses further to the south.

The car dealerships and service station are located within what is understood to be a former quarry. The motel is also partially within this area, but at a slightly higher elevation. The residential uses surrounding these businesses are on the outer upper edge of the pit, at a much higher elevation. There is a further visual buffer in the case of the motel property, with the presence of a substantial amount of trees between it and the residential uses to the rear.

The businesses have a significant traffic access issue that is partially the result of them having individual driveways on the Bedford Highway, where there is a considerable volume of vehicular traffic. This is exacerbated by the topography of the road in this area, where it rises and crests immediately to the north of the driveways (toward Bayview Drive).

Designation and Zoning

The Designations, identified on the Generalized Future Land Use Map, and the corresponding zoning reflect the present land uses within the area:

- The businesses are within the Highway Commercial Designation and Highway Commercial (C-2B) Zone, which allows for:
 - (a) a variety of commercial uses with an emphasis upon activities that generally benefit from a location upon a highway; and
 - (b) residential uses, including apartment buildings to a maximum height of 35 feet.
- The residential uses are within the Residential Environment Designation with:
 - (a) high-rise and low-rise multiple unit residential buildings in both the R-3 and the R-4 zones; and
 - (b) single detached dwellings in the R-1 Zone.

DISCUSSION

The motel owners originally contemplated the re-development of the site with an as-of-right, low-rise multiple-unit residential building complex according to the requirements of the existing C-2B Zone. This would include a population density no greater than 75 persons per acre and a maximum building height of 35 feet. A previous request (case 00931) to consider two, 9-storey buildings was initiated by Council in 2007 but has since been revised to the current proposal. Due to the significant change in the proposal, a new initiation of the MPS amendment request is necessary.

The owners are now seeking approval to replace the motel buildings with a mixed use building containing 150 residential units and 104 office units or hotel suites in a single, signature building. They include the following rationale for their revised proposal:

- One slender tower with its unique geometry provides for better views than the initial submission of two 9-storey buildings.
- The proposed mixed use building with its landscaped terrace and amenity area provides a much better design approach than the previous concept or what would be possible under an as-of-right development. The design works with site topography to place all required parking indoors. This is a cleaner, safer and greener option.
- The revised proposal will result in higher quality buildings than what would likely be achieved with a low-rise project. The architects have strived to put forward a concept that exceeds expectations, and worked with the unique features of the site, to present a workable development option that would make a statement. This is extremely important considering the location and visibility of the site. The site is robust and surrounded by man made elements that are of large scale; across from the harbour, train tracks, container ships, massive cranes, and adjacent to boxed car dealerships. The existing buildings are lost in their surroundings. What goes on this site needs to be of sufficient scale and needs to bring visual order, at the same time it needs to make a bold statement.

A further advantage to HRM is a commitment by the proponent to address the existing traffic access issues by incorporating a new, shared single access driveway which enters onto the Bedford Highway at an intersection that is controlled by traffic lights. An updated traffic study is being prepared to respond to the revised proposal and a traffic solution will be determined through the review process.

This proposal could be enabled by an amendment to the Municipal Planning Strategy (MPS) with site specific development agreement criteria. Such amendments and policy reviews should generally only be considered where circumstances related to these policies have changed significantly. The Highway Commercial designation and C-2B Zone were likely applied to the motel because it was an existing commercial use at the time that the Bedford Highway Secondary Planning Strategy was adopted. However, these lands could just as easily been included in a High Density Residential designation and the R-4 Zone. This proposal meets and exceeds the R-4 requirements for area,

frontage, open space and landscaped open space. Although this proposal will result in a higher density than the 75 persons per acre that would be afforded in an as-of-right C-2B Zone proposal, given the uniqueness of the site, the increase is worthy of consideration with the control that can be exercised over the project with a development agreement and benefits that may be achieved by a traffic access solution.

Should Council agree to initiate this application, in addition to consultation with surrounding residents and property owners, it is recognized that care will need to be taken to consider compatibility issues that could arise with any possible future expansion of harbour-related industrial uses in the vicinity. A review of this matter would occur as part of the application review process.

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the approved operating budget for C310.

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 a process to amend the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to allow a development agreement. This is the staff recommendation.
2. Council may choose to pursue policy amendments that differ from those that are outlined here.
3. Council may choose not to initiate amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law, thereby retaining the allowances given by the C-2B Zone.

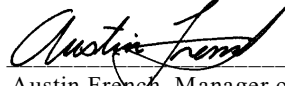
ATTACHMENTS

Map 1	Location and Zoning
Attachments A to A-4	Proposed Site Plan and Elevations

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.

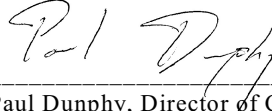
Report Prepared by: Randa Wheaton, Senior Planner, Community Development , 490-4499

Report Approved by:

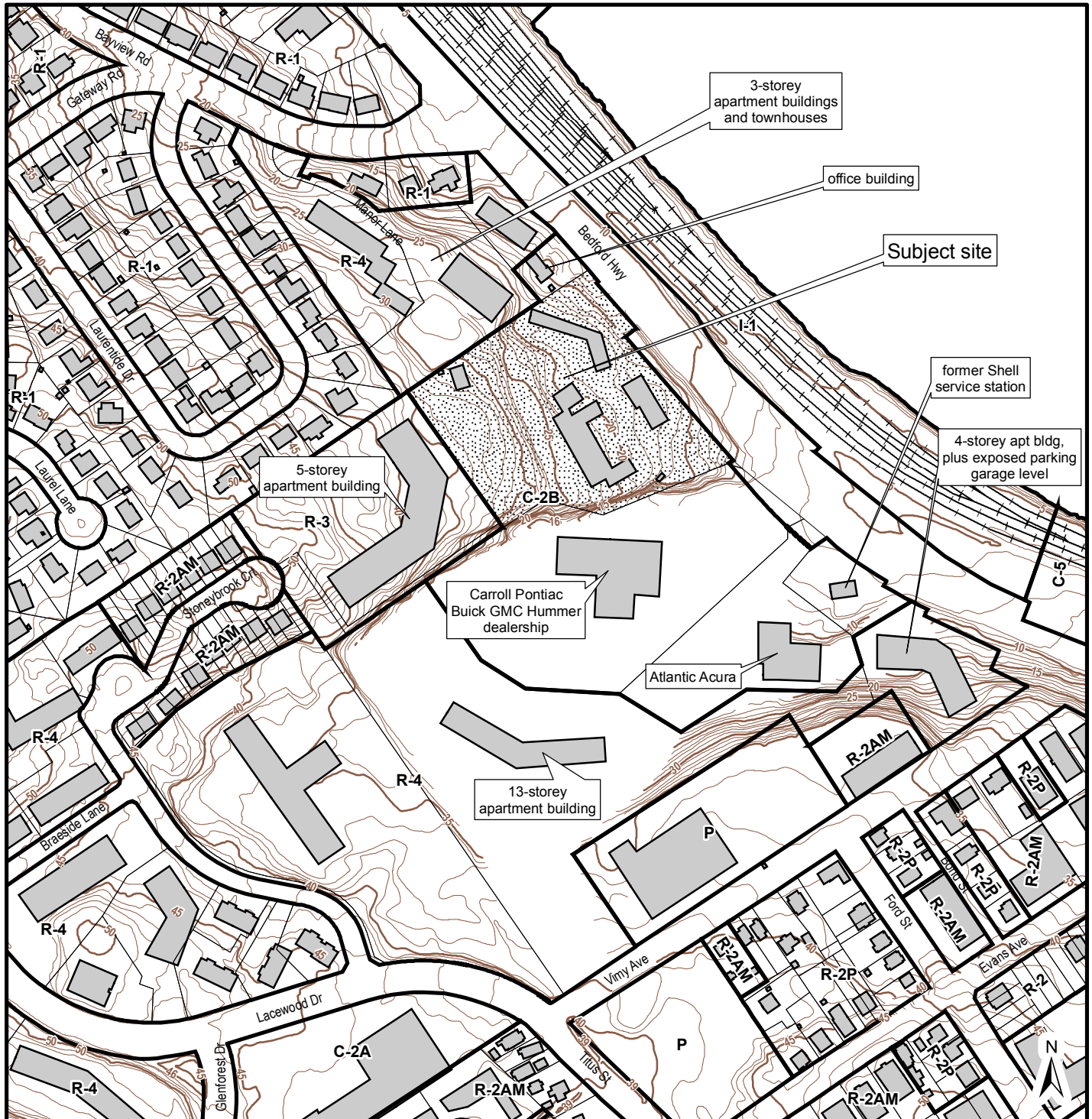


Austin French, Manager of Planning Services, 490-6717




Report Approved by:



Paul Dunphy, Director of Community Development



Map 1 - Location and Zoning
50 Bedford Highway
Halifax

 Subject property
 Index contour
 contour

Halifax Mainland
Land Use By-Law Area

Zone

R-1	Single Family Dwelling
R-2	Two Family Dwelling
R-2AM	General Residential Conversion
R-2P	General Residential
R-3	Low-Rise Apartment
R-4	Multiple Dwelling
C-2A	Minor Commercial
C-2B	Highway Commercial
I-1	General Industrial
P	Park and Institutional

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REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES

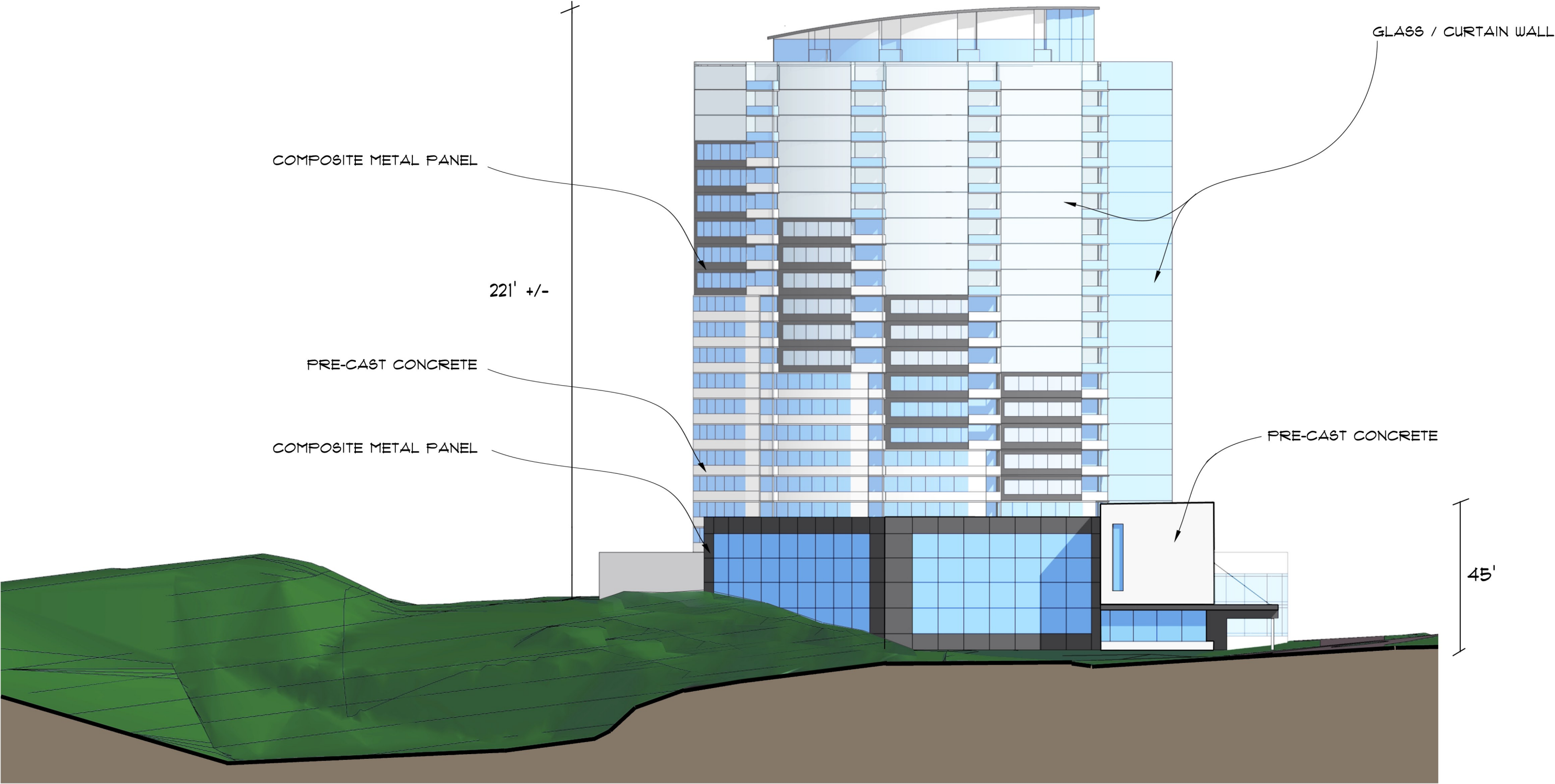
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m

This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Mainland Land Use By-Law area.

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

Attachment A-1

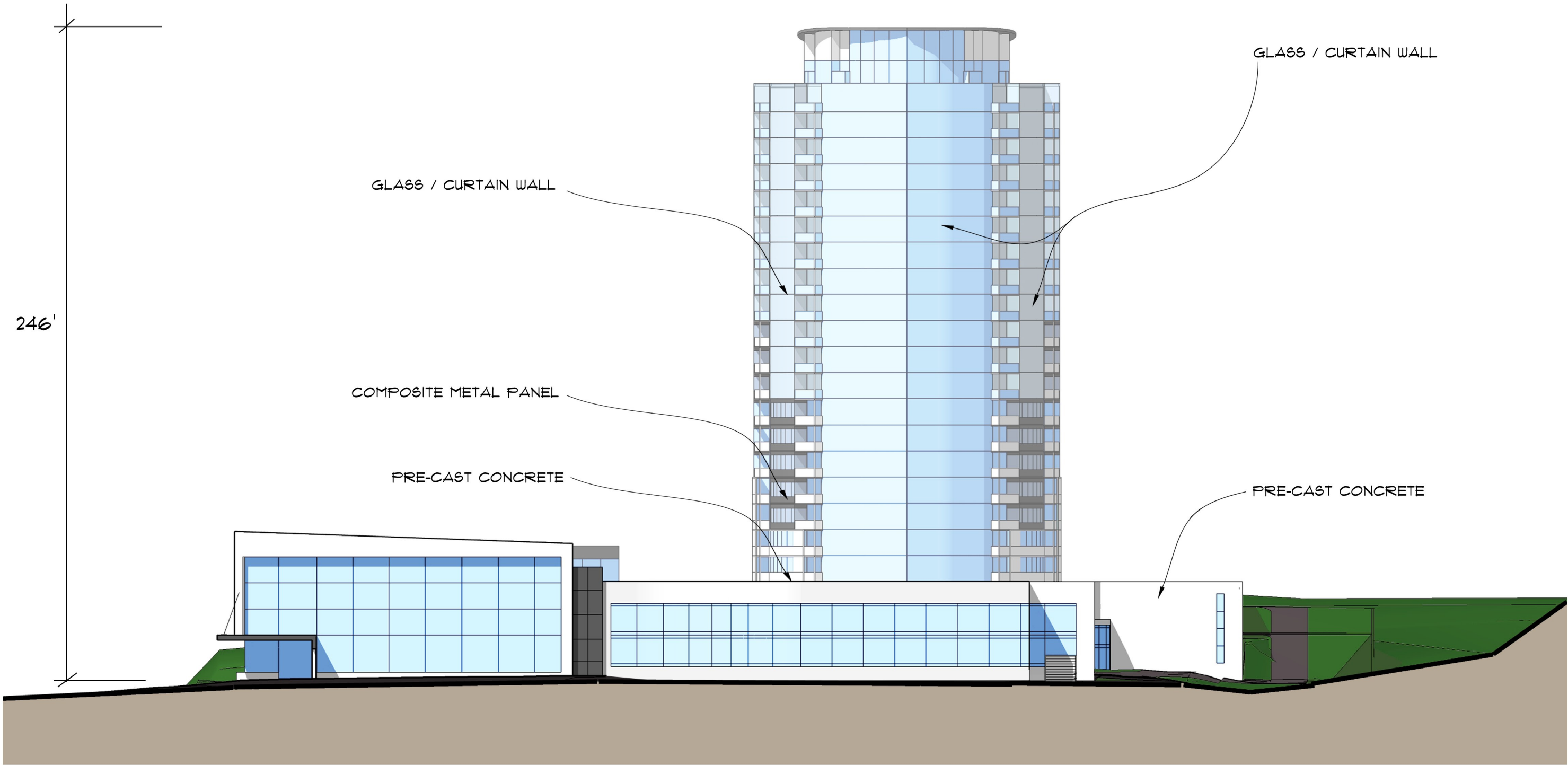
- COMPOSITE METAL PANEL
- PRE-CAST CONCRETE
- GLASS / CURTAIN WALL



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									DRAWN:	ISSUE FOR:
									CHECKED:	SHEET NO.
									PROJECT NO.	A-06

Attachment A-2

- COMPOSITE METAL PANEL
- PRE-CAST CONCRETE
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PROJECT:

"50 BEDFORD HIGHWAY"
MIXED USED PROPOSAL
HALIFAX, NOVA SCOTIA

CONSULTANT:

WMFARES
GROUP

ARCHITECTS | ENGINEERS | PLANNERS

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CONSULTANT:

STAMP:

NO.	REVISION	DATE

SHEET TITLE:

**EAST
ELEVATION**

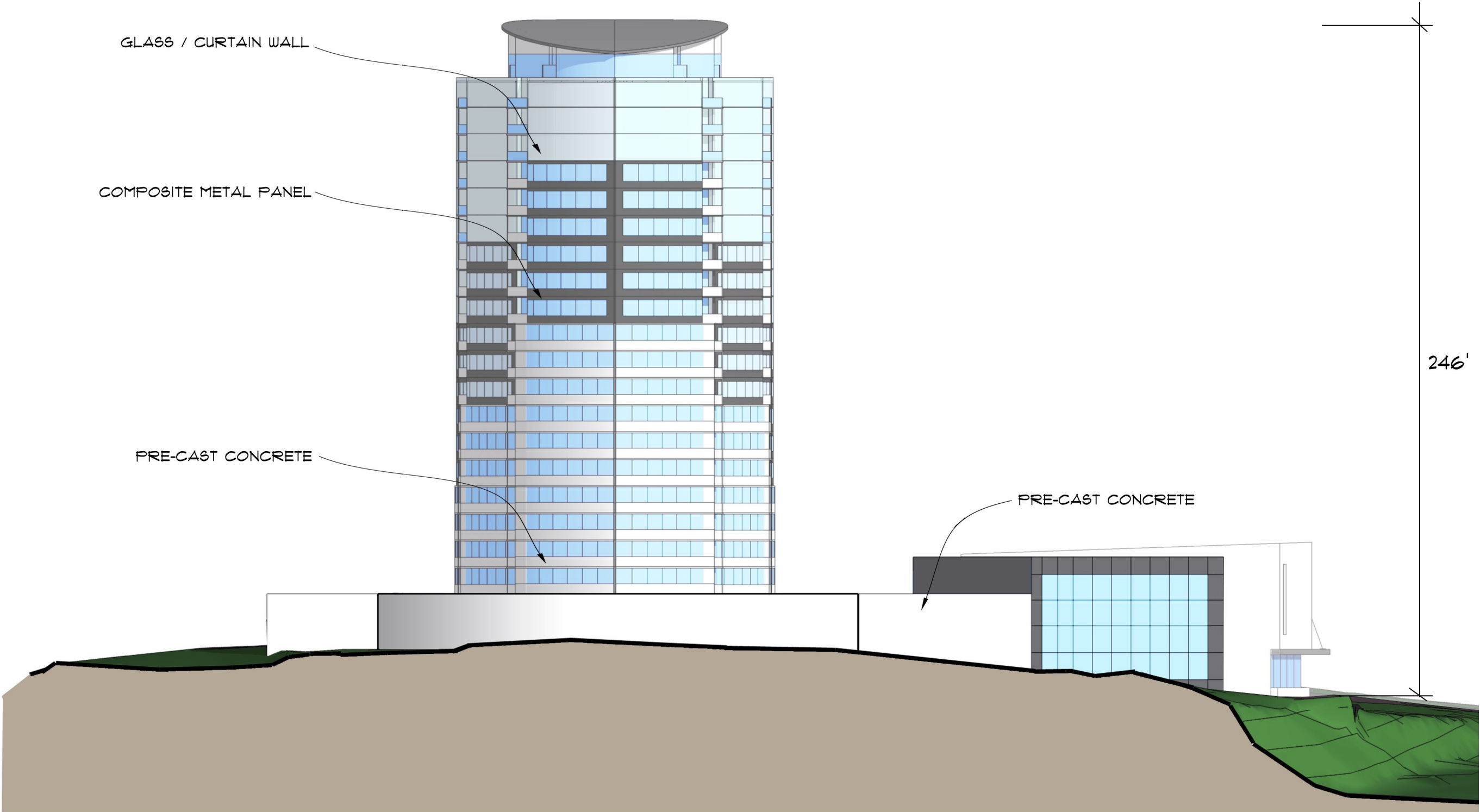
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PROJECT NO.	A-07

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PLOT DATE: XXXX

Attachment A-3

- COMPOSITE METAL PANEL
- PRE-CAST CONCRETE
- GLASS / CURTAIN WALL



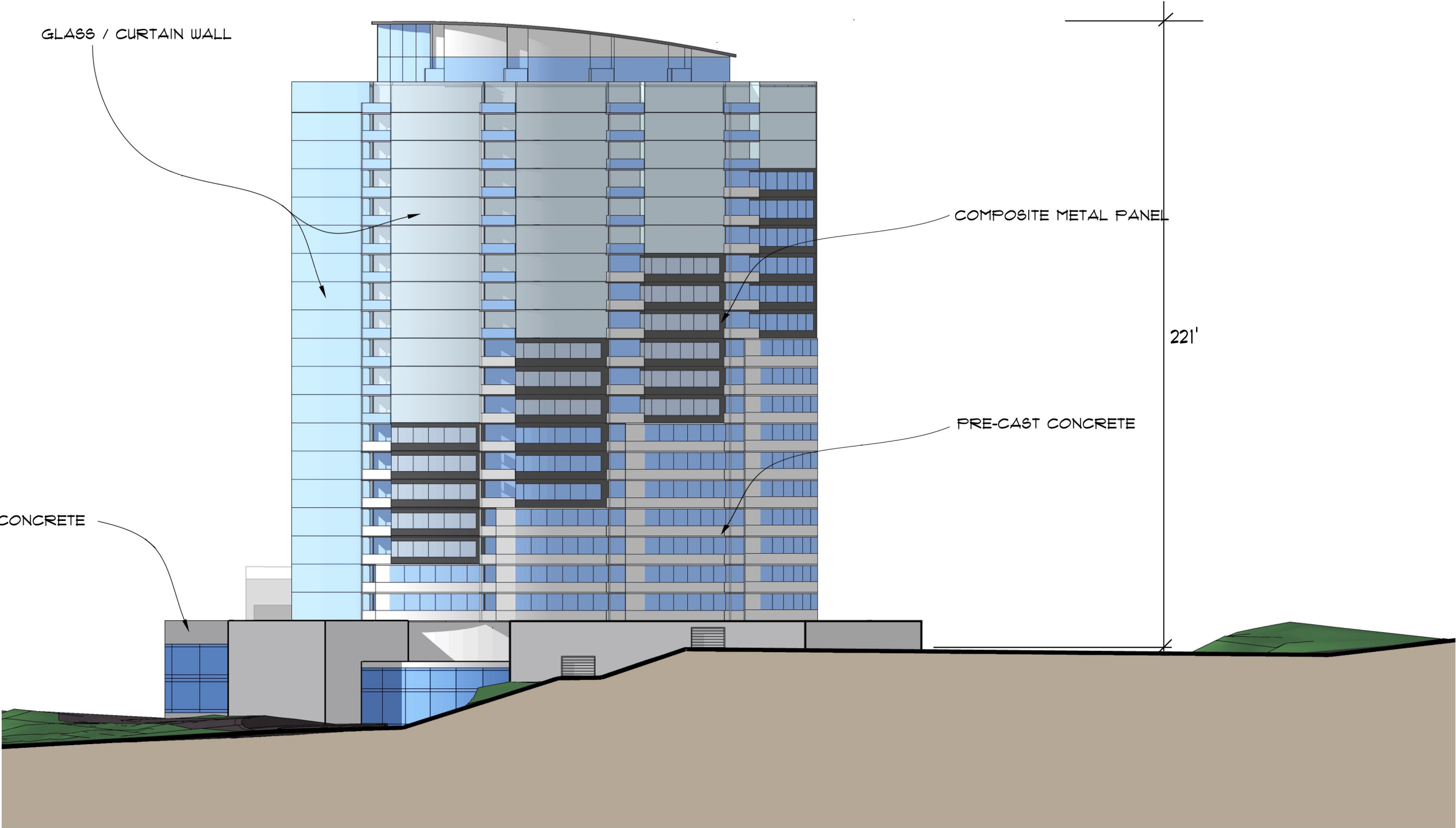
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									PROJECT NO.	A-08

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Attachment A-4

- COMPOSITE METAL PANEL
- PRE-CAST CONCRETE
- GLASS / CURTAIN WALL



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REVIEW
SHEET NO.
A-09

PLOT DATE: XXXX