

HALIFAX

Public Hearing for Case 22113

Development Agreement for 103
Dartmouth Road, Bedford

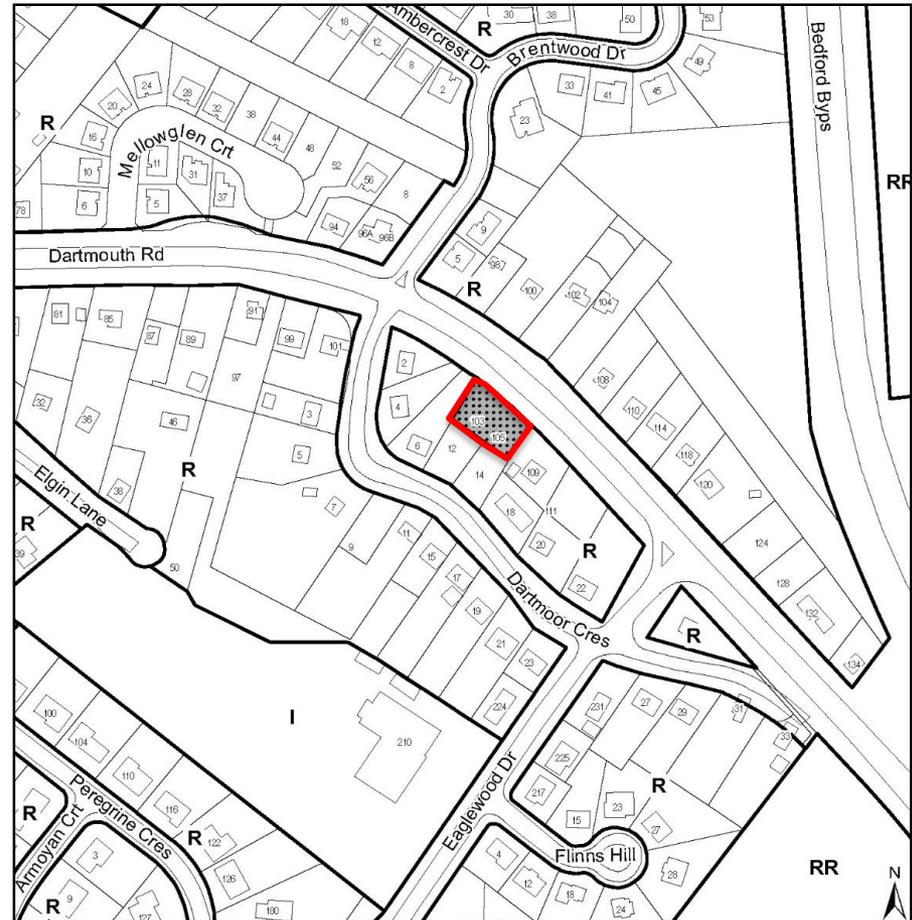
North West Community Council
August 12, 2019

Applicant Proposal

Applicant: Lin Si

Location: 103 Dartmouth Road,
Bedford

Proposal: Enter into Development
Agreement to permit a
secondary suite in
a Single Detached
Dwelling



Site Context

103 Dartmouth Road, Bedford



Site Context

- As-of-right Single Detached Dwelling approved in late 2018
- Construction is underway
- Meets the requirements of the RSU Zone



Site Context



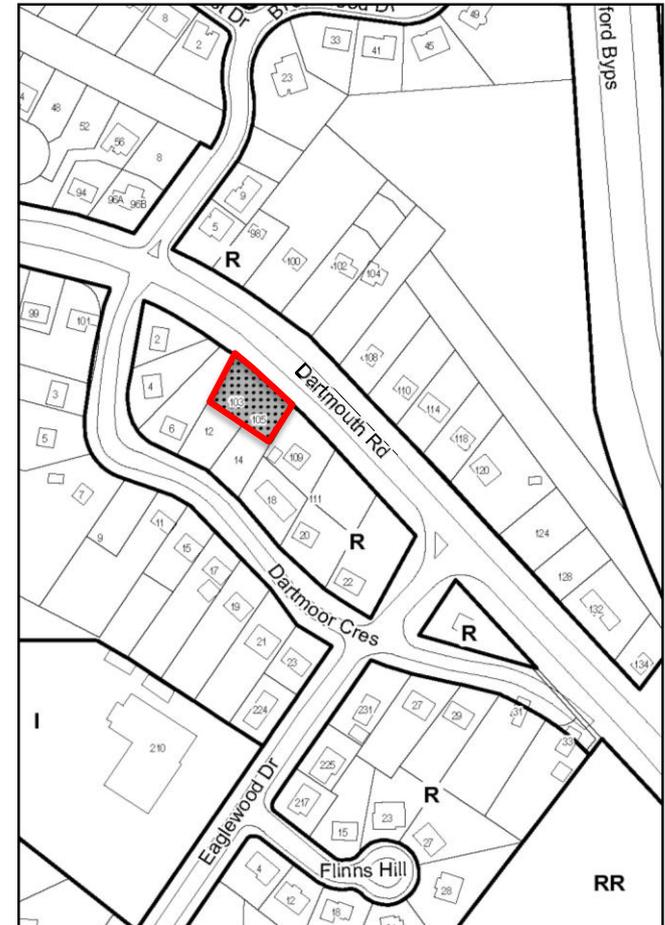
Subject site looking west from Dartmouth Road

Planning Policy

Bedford Municipal Planning Strategy

Residential Designation

- Provision for a choice of housing types
- Provision for construction of affordable housing
- Preservation of character for existing neighbourhood
- Encourage provisions of housing for those with special needs

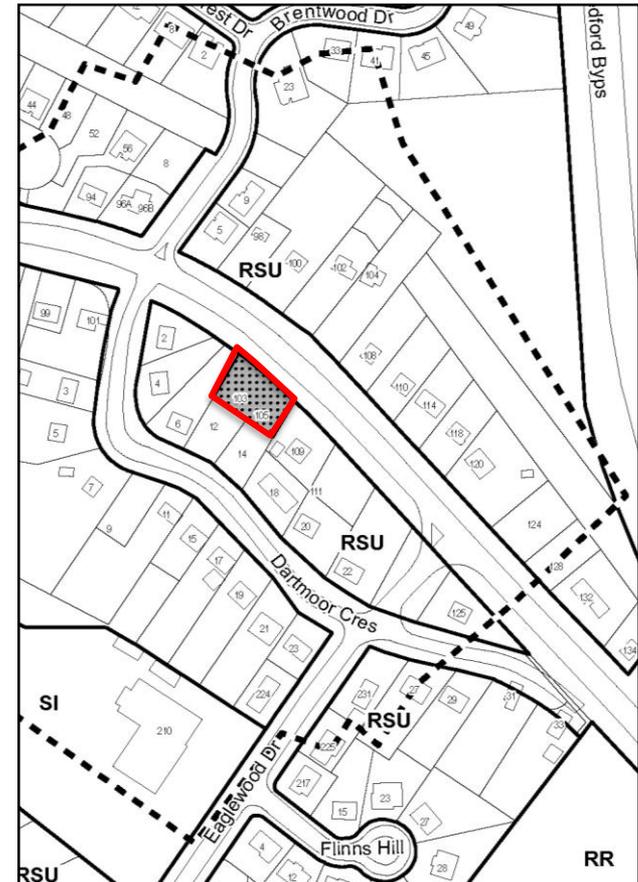


Land Use By-law

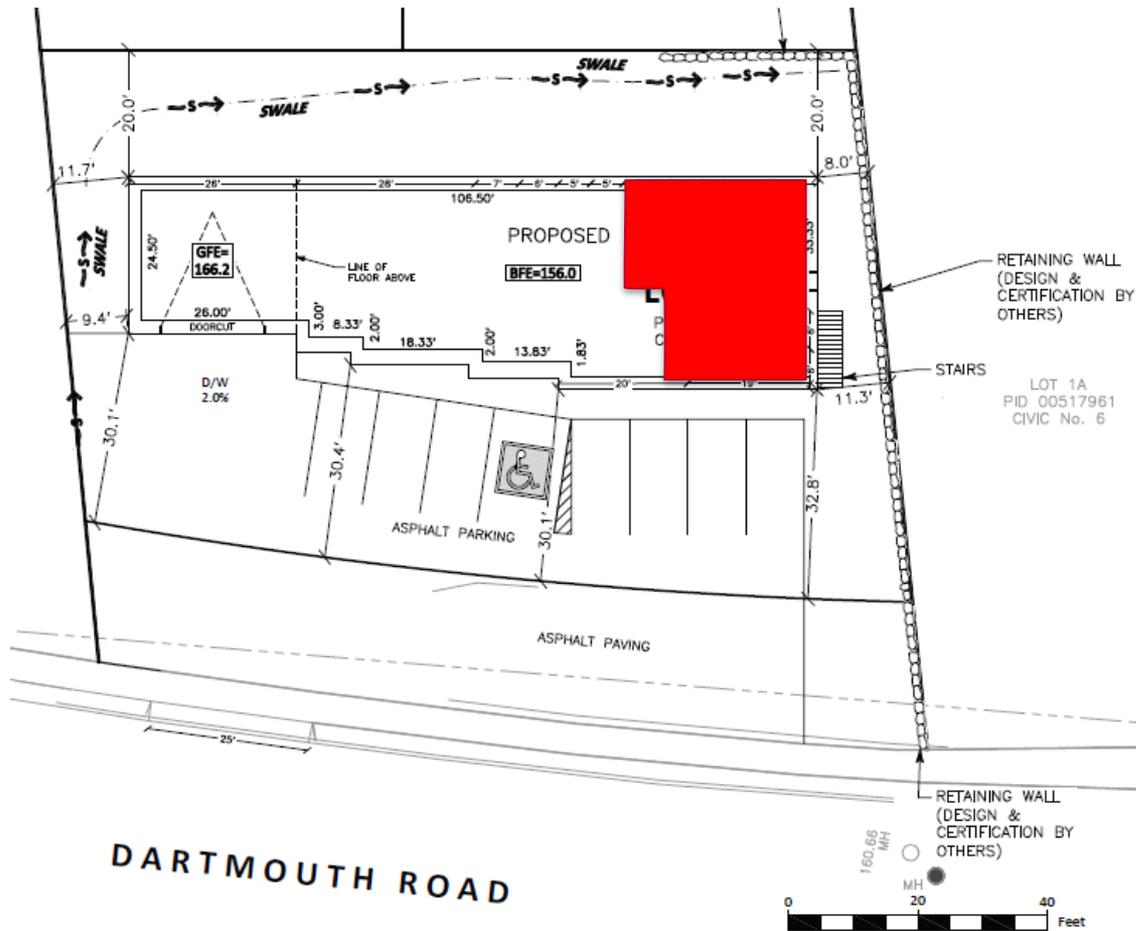
Bedford LUB

RSU - Single Dwelling Unit Zone

- Single detached dwelling units
- Neighbourhood parks
- Special care facilities for up to 10 residents
- Uses accessory to the foregoing uses
- Existing two unit dwellings



Proposal Details



- Add apartment to dwelling, 654 sqft total, in the basement level
- Access from Northwest of the dwelling, down a set of stairs, below street grade and internal access
- Required to be built the standard of the National Building Code of Canada

DARTMOUTH ROAD

Site Plan

HALIFAX

Policy Consideration

Enabling Policy R-8: Promotes neighbourhood stability within established areas which are zoned residential and requires a plan amendment to consider rezoning or development agreements which would increase the number of units or alter land use.

Policy R-8 notes that Council may consider applications for development agreements to permit an apartment within a single unit dwelling in the RSU Zone and states that units shall not exceed 700 sqft in area.

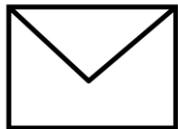
Implementation Policy Z-3:

Policy Z-3 is the implementation policy when considering zoning amendments and development agreements.

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification, newspaper ad and a public information meeting (March 28, 2019)
- Feedback from the community generally included the following:
 - Questions about Development Agreements
 - One call supporting the need for this kind of housing option

**Notifications
Mailed**



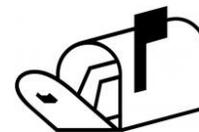
64

**Meeting
Attendees**



6

**Letters
Received**



0

**Calls
Received**



1

NWPAC Recommendation

May 2, 2019

The North West Planning Advisory Committee has reviewed the application for Case 22113 and recommends Council approval of the application as presented.

Summary: Key Aspects of Proposed Development Agreement

- Uses
 - Conversion of single unit dwelling to two units
 - New apartment not to exceed 700 sqft in area
 - Any use permitted by the Land Use By-law
- Apartment Layout
 - Wholly contained within the existing structure
 - Ground level entrance for the apartment unit from side of dwelling
 - Power metres on the side or rear

Non-Substantive Amendments

A 'Non-Substantive Amendment' is a change to the agreement which could be made without a formal Public Hearing. Instead, Community Council could authorize this change by resolution.

As proposed, Non-Substantive Amendments within this agreement include the following:

- The granting of an extension to the Commencement of Construction dates as identified in Section 6.3.1 of this Agreement.

Staff Recommendation

Staff recommend that North West Community Council:

1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated May 6, 2019.
2. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

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Thank You

Policy R-8

Enabling Policy R-8:

It shall be the intention of Town Council to promote neighbourhood stability within established residential areas which are zoned for a residential use on the Zoning Map. Established residential areas are those which are designated "Residential" and "Residential Reserve" on the Generalized Future Land Use Map.

A plan amendment shall be required in order for Town Council to consider rezoning or development agreement applications which would seek to increase the number of dwelling units or alter the land uses.

Notwithstanding the foregoing, Town Council may consider applications for a development agreement to permit the inclusion of an apartment unit within a single-unit dwelling in the RSU Zone or other housing options as identified in Policies R-18 and 19. Apartment units added within single unit dwellings shall not exceed 700 sq. ft. in area and detached garden flats shall not exceed 700 sq.ft. in area.

Policy (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.

Policy (Policy R-19)

It shall be the intention of Town Council to involve seniors in the undertaking of a study to determine specific actions which may be pursued to help seniors stay in their homes and to encourage the development of alternative affordable housing forms for them. Following adoption of the study's findings and recommendations, Town Council shall consider amending the Land Use By-Law as required to permit implementation of the recommendations.

Policy Consideration

Implementation Policy Z-3:

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:

1. 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;
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.
6. Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:
 - i) type of use, density, and phasing;
 - ii) traffic generation, access to and egress from the site, and parking;
 - iii) open storage and landscaping;
 - iv) provisions for pedestrian movement and safety;
 - v) provision and development of open space, parks, and walkways;
 - vi) drainage, both natural and subsurface;
 - vii) the compatibility of the structure(s) in terms of external design and external appearance with adjacent uses; and,
 - viii) the implementation of measures during construction to minimize and mitigate adverse impacts on watercourses.
7. Any other matter enabled by Sections 73 and 74 of the Planning Act.
8. In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:
 - i) provide Council with a clear indication of the nature of the proposed development; and
 - ii) permit staff to assess and determine the impact such development would have on the proposed site and the surrounding community.
9. To assist in the evaluation of applications to enter into development agreements, Council shall encourage proponents to provide the following information:
 - a) a plan to a scale of 1":100' or 1":40' showing such items as:
 - i) an overall concept plan showing the location of all proposed land uses;
 - ii) each residential area indicating the number of dwelling units of each type and an indication of the number of bedrooms;
 - iii) description, area, and location of all proposed commercial, cultural, mixed-use projects proposed;
 - iv) location, area, shape, landscaping and surface treatment of all public and private open spaces and/or park areas;
 - v) plan(s) showing all proposed streets, walkways, sidewalks, bus bays and bike routes;
 - vi) a description of any protected viewplanes; and,
 - vii) an indication of how the phasing and scheduling is to proceed.
 - b) For individual phases of a development more detailed concept plans are to be provided indicating such items as maximum building heights, location and configuration of parking lots, landscaping plans, and any additional information required to be able to assess the proposal in terms of the provisions of the Municipal Planning Strategy.
 - c) Plans to the scale of 1":100' showing schematics of the proposed sanitary and storm sewer systems and, water distribution system.
10. **Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)**