

For:

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Re:

Updates to Request for Substantive Amendments for Development Agreement at the 771 - 819 Bedford Highway (Case 21826)

Dear Mr. Joudrey,

On behalf of our client, United Gulf Developments Ltd., I am pleased to submit this update to the application to substantively amend the existing development agreement for 771 and 819 Bedford Highway.

In early 2015, Community Council approved a development agreement to permit the conversion of a portion of the existing motel buildings into small commercial units. The approved agreement allows for the full conversion of the Travelers Motel Site for commercial uses and allowed for a partial conversion of the Motel Esquire Site, while retaining a portion of the motel use. The approved agreement also allows for use of an existing "house" and cabins for commercial.

Our client found success with the permitted commercial spaces, and later in 2015 applied to amend the development agreement to permit conversion of the remaining portion of the Esquire Motel. That application also included a request to permit roof-top signage, as well an expansion in the types of permitted commercial uses.

The late-2015 application received feedback from both the Planning Advisory Committee and from Community Council, including concerns about the rooftop signage and adequate parking supply. This application letter and supporting information update the site design and application to respond to this commentary, and to accommodate additional changes requested by our client.

In support of this application update I have enclosed the following information:

- Outline of requested changes and rationale
- Updated reduced-format site plan
- Reference building concepts

Our traffic engineer is currently reviewing the TIS conducted in 2013 to determine required updates. I will submit this to you as soon as it is complete.

We are excited to work with staff, Council and the community on this proposal. Please do not hesitate to contact me if you have any questions.

Sincerely,

Ian Watson, MCIP

1 Background



The subject site. The red lines show the approximate location of external property lines

1.1 Location

The subject site is located at 771 - 819 Bedford Highway, near the intersections with Glenmont Avenue and Millview Avenue.

1.2 Surrounding Uses

The surrounding neighbourhood is a mixture of residential dwellings and commercial businesses.

Immediately to the northwest is the “Avella”, a recently-built, three-storey commercial complex. Immediately to the southeast is the four-storey building containing Clearwater Seafood’s offices and retail store. The northeast property line of the subject site is bordered by the railway, with the Bedford Basin on the far side of the rails. To the southwest of the subject site—across the Bedford Highway—is a mix of commercial properties and undeveloped land. Behind this is a residential neighbourhood consisting primarily of single-detached homes.

1.3 Site Characteristics

The subject site was the home of the former Travelers Motel to the northwest and the Esquire Motel to the southeast. The two buildings that made up the Travelers Motel have now been renovated and converted to small commercial spaces under the terms of the approved development agreement. These commercial spaces are fully leased for small businesses such as a clothing store, restaurants, and a salon. The “house” that once served as the motel office has been demolished, and the eight cabins on the site have also been converted to commercial spaces. The Esquire Motel currently remains in operation as a motel.

Parking areas are provided in front of the buildings. Much of the remainder of the site is heavily treed.

1.4 Trial Period

Conversion of the former Travelers Motel was underway at the time of the initial request to amend the development agreement. At that time, Community Council felt there was some need for a “trial period” to evaluate the use of that space for commercial businesses before considering conversion of the Esquire Motel. Four years have now passed, and time has shown both that the site is successful in providing commercial spaces for small businesses, and that some amendments are needed to the existing development agreement to improve the overall functioning of the site.

2 Proposal

2.1 Existing Development Agreement

The existing approved agreement permits full conversion of the Travelers Motel buildings to commercial, 100 percent of one Esquire Motel building, and 57 percent of the other Esquire Motel building. Permitted uses include retail, motels, personal and household services, restaurants, offices, and commercial photography.

2.2 Current Proposal

United Gulf has reviewed the comments from PAC and Community Council and has updated their plans for the site in an effort to alleviate these concerns and to allow for practical use of the site as a going concern until such time as the whole Comprehensive Development District can be comprehensively developed. Specifically, United Gulf requests the following amendments to the existing agreement. Requests 1 through 4 are explored in more detail in the “Project Rationale” section of this letter.

1. Permit General Business District (CGB) Zone uses

The Commercial Comprehensive Development District (CCDD) Zone (which applies to the subject site) specifically permits CGB Zone uses. Bringing the development agreement in line with the underlying zoning would be logical, and would allow for uses such as funeral homes and “doggy daycare”, as requested by United Gulf. The immediate neighbourhood includes CGB zoning on the properties across from the Esquire Motel, so this would be consistent with the commercial character of the area.

2. Permit the full conversion of the Esquire Motel site to commercial uses

The current Esquire Motel is obsolete as a motel, while the commercial units in the former Travelers Motel are fully leased, illustrating that there is market demand for small spaces to serve local businesses. Permitting commercial uses in the Esquire Motel would spur renovation of the building and create additional small commercial spaces.

3. Permit a removable “module” hotel to the rear of the Esquire site

While the current motel building is obsolete as a motel, demand for quality, modernized accommodations along the Bedford Highway is still very much present. Such accommodations do not require the same visibility from the street as retail uses, and can successfully be integrated at the rear of the site. These 45 hotel units would be located in custom-built “modules” with the same dimensions as shipping containers. This means they can be transported using established logistics systems, and can easily be transported to a different site when the time comes to conduct a full comprehensive redevelopment of the area.

4. Permit a removable shipping container commercial complex on the northwest end of the site

The northwest portion of the subject site is intended to be a road reserve for eventual access to the Develop Nova Scotia (Waterfront Development) lands. In the meantime, these lands are a “missing tooth” when driving along the Bedford Highway, and would be well-served with attractive, interim commercial uses. Shipping containers have, in recent years, been converted for temporary commercial uses around the world. Notable examples in HRM include the Stubborn Goat Beer Garden and adjacent food court, and the kayak and bicycle rental businesses on the Salter Block.

5. Permit new accessory buildings

The former motel units generally function well as boutique spaces for small businesses. However, their existing footprint only allows for limited storage space, and some tenants have requested small accessory buildings to store things such as excess stock, recyclable materials, and restaurant supplies. The current development agreement does not allow the development of new buildings or accessory buildings (S3.4.1). We request that new accessory buildings be permitted, with reasonable controls on size, number per business, and location so as to avoid visual impact on the Bedford Highway.

6. Enable subdivision of the property

United Gulf is interested in subdividing the property to place the Esquire Motel on its own lot, for financing purposes. However, the current development agreement only allows subdivision in compliance with the Land Use By-law (S3.5), while the CCDD Zone in the Land Use By-law says that any lots must be in compliance with an approved development agreement. This circular reference means the Development Officer cannot grant a subdivision on the lot. There is ample street frontage (479 metres) and lot area (3.41 ha) to create two lots under any reasonable planning standard. The proposed subdivision would place the Esquire on a lot with approximately 165 metres of street frontage and 1.4 hectares of lot area. For comparison, the CGB Zone requires 60 feet (18.2 metres) of street frontage and 10,000 square feet (0.093 hectares) of lot area.

7. Update the site plan to remove the “house” from in front of the former Travelers Motel

United Gulf has removed the “house” located in front of the former Travelers Motel. This building was the former motel office. United Gulf took this approach to allow reconfiguration of the parking lot to be more efficient—which should help alleviate some of PAC’s concerns about parking—and to provide better visibility to the businesses that were located behind the “house” and blocked from view of the street. The updated site plan reflects the fact that the “house” has been demolished.

8. Allow expansion of the northwest parking area by non-substantive amendment

A portion of the existing Building E parking area is located within the HRM road right-of-way. As a result, it is not included within the boundary of the development agreement. United Gulf has initiated the process of acquiring that portion of the road right-of-way; at which time the portion should be included within the development agreement to formalize the long-standing use of this area for parking. Because this is a relatively minor administrative matter and that the use of that land will be given due consideration through the land acquisition process, we request that expansion of the development agreement to cover these lands be made possible as a non-substantive amendment.

3 Project Rationale

3.1 Policy Context

The subject site is part of a Commercial Comprehensive Development District (CCDD) that includes the Avella to the northwest, and the Clearwater site to the southeast. Bedford Municipal Planning Strategy (BMPS) Policy C-13 addresses the specific site:

"It shall be the intention of Town Council to enter into a Development Agreement with the owners of the Travellers' Motel, Esquire Motel and Clearwater Lobster Limited properties to permit CCDD development when municipal services become available. In recognition of the site's unique position at the entrance to the Town overlooking the Bedford Basin, an agreement if entered into shall specify that two thirty foot wide separations are to be provided between the buildings on either side of the entrance road to the waterfront project to provide views from the highway and from the existing homes above the site. Buildings are to be set back 60 feet on either side of the entrance road to the waterfront project to provide a view. As well, the maximum building height is to be 75 feet."

The preamble also recognizes that the adjacent Develop Nova Scotia (Waterfront Development) lands could be developed at some point in the future, and that development of the subject site could occur in conjunction with those lands.

However, it would appear as if redevelopment of the Clearwater site is not likely to happen within a near- to medium-term time horizon. The site has shown continual growth as a seafood operation since its establishment in the 1980s, and HRM has recently approved the development of a parking garage on the site (Case 21094). Development of the Develop Nova Scotia lands also appears to be in limbo, with the last update to that project provided in 2017.

As a result, comprehensive development of this CCDD remains a long-term proposal. In the meantime, the subject site must continue to operate as a going concern, and do so in a manner that will not prejudice or preclude the ultimate comprehensive redevelopment of the larger area. This interim use of the land has four components:

1. Recapitalizing and repurposing the Esquire Motel building
2. Accommodating a range of commercial uses on the site
3. Developing a removable "module" hotel in the rear of the Esquire building
4. Siting a removable shipping container commercial plaza on the north end of the site

3.2 Esquire Building Conversion

The motel units in the Esquire building have reached the end of their functional life and require renovation to bring them up to modern standards. However, the conversion of the former Travelers Motel has shown that the layout of these buildings, and the high visibility from the Bedford Highway, suggest the highest and best use of the existing structure is as commercial units. The motel rooms can efficiently be converted to small, boutique-sized units that appeal to local businesses. Indeed, the Travelers buildings are fully leased, and the renovation of those buildings has brought new life to a tired former motel and has much improved the aesthetics of the site.

While the current development agreement does permit the conversion of a portion of the Esquire Motel to commercial, this is functionally undesirable because it will result in:

1. a building that is only partially renovated;
2. potential conflicts from a very close mixing of uses (*e.g.* a restaurant directly next to a guest's motel unit); and
3. challenges with providing motel management services when the number of motel units drops below the critical mass needed to sustain an on-site manager.

3.3 A Range of Commercial Uses

The current development agreement is tailored to the specific commercial uses that were proposed back in 2015. This narrowness around uses was in line with the idea at the time of conducting a “trial period” to see how the conversion would function and whether it would be successful and attractive for the surrounding community. In the time since then a number of other local businesses have seen the success of the location and expressed desire to locate on the subject site. These uses, such as funeral services and a doggy daycare, would be permitted in any General Business District (CGB) Zone. The Commercial Comprehensive Development District Zone actually permits all CGB Zone uses, and the supporting policy clearly contemplates these uses. BMPS Policy C-7 reads:

*“It shall be the intention of Town Council to designate the lands shown on Map 3 as Commercial Comprehensive Development Districts, and in the Land Use By-Law the lands shall be zoned Commercial Comprehensive Development District (CCDD). The CCDD Zone will permit mixed use, residential/commercial projects, including single unit dwellings, two unit dwellings, multiple-unit buildings, senior residential complexes, neighbourhood commercial, office buildings, **CGB Zone uses**, convention facilities, recycling depots, park uses, and institutional uses. Existing uses within the CCDD Zones shall be considered as permitted uses and be allowed to continue operation.”*

[Emphasis added]

*It shall be the intention of Town Council **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. Multiple unit buildings shall be constructed in accordance with the RMU zone requirements. Maximum building height may be increased to four stories in the case of sloped lots where the building is designed to fit the natural topography of the site. Lot area requirements shall be calculated on the basis of 2000 square feet per unit, regardless the unit size. Lot area associated with each building may be reduced in size to increase the common open space. The architectural, landscaping, and streetscape considerations for multiple unit buildings within the RCDD zone, as articulated in Policies R-12A, R-12B and R-12C, shall apply to multiple unit developments within the CCDD zone.”*

[Emphasis added]

It is clear from this policy that a wide range of commercial uses are permitted, and indeed promoted/required on CCDD sites. Allowing all CGB Zone uses in the development agreement would be consistent with Council's policy, and would support ongoing operation of the subject site. This is also consistent with the surrounding context; the land immediately adjacent from the Esquire Motel is zoned CGB.

3.4 Removable “Module” Hotel

As noted above, the CGB zone is intended to permit, and indeed encourages, a wide range of commercial uses, including hotel uses. While the current motel building is obsolete, there is still a need for quality accommodations along the Bedford Highway.

The spatial needs of hotel units lend themselves well to modular architecture. This approach to architecture uses dimensions of 20' x 8' or 40' x 8' to take advantage of the ubiquity and mobility of the global supply chain. These are the same dimensions as the common shipping container, and equipment for moving these modules is likewise common. While converted shipping containers are often featured in architectural publications, they are not well-suited to a hotel use because too much interior space is lost trying to insulate the steel structure to human habitability standards. Instead, custom-built modules provide the best of both worlds by meeting the functional needs of a hotel, while using standardized shipping dimensions.

The proposal includes 45 hotel modules (40' x 8') placed into four groupings. These are supplemented by 3 of the 20' x 8' modules, which will be used for housekeeping. Front desk services will continue to be provided from the current Esquire Motel front desk at the centre of the building.

This proposed approach allows the site to continue to fill the need for accommodations in the area while liberating the existing building for a higher and better use as commercial space. At the same time, the amount of site preparation needed for the modules is minimal, and they can easily be moved to another location; this maintains the longer-term possibility of redeveloping the site in conjunction with neighbouring properties whenever their owners are prepared to do so.

3.5 Shipping Container Commercial Plaza

Unlike hotel units, retail and restaurant uses can functionally locate within actual shipping containers that have been appropriately converted for the use. This approach has become popular in recent years, and attractive examples are becoming more common all the time (see precedent images). As noted above in 3.1, BMPS Policy C-13 recognizes the eventual development of a road to the waterfront project, and will require buildings to be set back from that road to provide views of the Bedford Basin. These views do not currently exist from the Bedford Highway due to tree cover at the rear of the property, but they do exist from homes on Glenmont Avenue.

The proposal includes approximately 10 containers organized and stacked in an offset pattern, providing sculptural interest to the site. Containers on the ground level would provide restaurant and retail space, while second floor containers would be seating areas or office space. The low height of these structures means the views from Glenmont Avenue will be maintained. When the road to the waterfront lands is developed the containers can be easily removed to provide for the road itself, and to establish views from the Bedford Highway down the new road to the Bedford Basin.