



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 13.1.1
Halifax and West Community Council
April 9, 2019

TO: Chair and Members of Halifax and West Community Council

-Original Signed-

SUBMITTED BY:

Kelly Denty, Director of Planning and Development

-Original Signed-

Jacques Dubé, Chief Administrative Officer

DATE: March 14, 2019

SUBJECT: **Case 22005 – Internal Residential Conversions in the Peninsula West Area 1
Schedule of the Land Use By-Law for Halifax Peninsula**

ORIGIN

On May 15, 2018, the following motion was PUT and PASSED by Halifax and West Community Council:

THAT Halifax and West Community Council direct staff to prepare a recommendation report regarding the Land Use By-law for Halifax Peninsula for lands within the Peninsula West Area 1 schedule to enable the internal conversion of existing residential buildings to a maximum of six units.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Give First Reading to consider approval of the proposed amendments to the Land Use By-law for Halifax Peninsula, as set out in Attachment A, to allow for the internal conversion of existing residential dwellings to a maximum of 6 units in Peninsula West Area 1, and schedule a public hearing; and
2. Adopt the amendments to the Land Use By-law for Halifax Peninsula, as set out in Attachment A.

BACKGROUND

The Peninsula West Area 1 Schedule defines a neighbourhood within the Land Use By-law for Halifax Peninsula (LUB) encompassed by MacDonald Street, Chebucto Road, Roosevelt Drive, and Flynn Street and includes Joseph Street, Philip Street, Sherwood Street, Churchill Drive and Patricia Street (Map 1).

| | |
|---|--|
| Location | Halifax Peninsula West Area 1 |
| Regional Plan Designation | Urban Settlement |
| Community Plan Designation (Map 1) | Residential |
| Zoning (Map 2) | R-1 (Single Family) |
| Current Land Use(s) | Detached dwellings, two-unit dwellings, and multi-unit dwellings |
| Surrounding Use(s) | Primarily low and medium density residential and commercial uses (West End Mall) |

In 2003, Community Council approved a rezoning of the neighbourhood to the R-1 (Single Family) Zone. Before 2003 the neighbourhood was zoned R-2 (General Residential) Zone, which permits residential dwellings up to four units. Several properties within the area had been redeveloped as multi-unit dwellings under the R-2 regulations which included some lot consolidation and demolition of single unit dwellings. This redevelopment was believed to be out of context with the neighbourhood and the area was rezoned with additional regulations created to reflect the area's desired character and built form. This included the creation of the Peninsula West Area 1 Schedule as well as a reduction in maximum lot coverage, a change in how height is calculated and removal of the ability to consolidate parcels to meet the minimum lot size requirements for three or four-unit apartment buildings.

Given that the neighbourhood over time has both prohibited and permitted multiple-unit dwellings, the resulting development pattern now contains a mix of residential uses and built form. Approximately 15% of the buildings in the area are multi-unit buildings containing two or more units. The rezoning in 2003 resulted in these multi-unit dwellings being classified as non-conforming. Non-conforming structures and uses are regulated by the HRM Charter. They may continue to exist but with strict limitations placed on them, including, but not limited to:

- that the structure may not be expanded or altered to increase the volume of the structure capable of being occupied; and
- that the non-conforming use may not be changed to any other use except a use permitted in the zone.

Proposal Details

Internal residential conversions are a development form that allows modest increases to residential density while maintaining the built form of the neighbourhood by limiting the residential intensification to exclusively interior alterations. New construction in the form of either additions or new buildings can not be considered under residential conversion provisions. Internal residential conversion clauses currently exist primarily within the Secondary Plan Areas of the Halifax Municipal Planning Strategy (MPS) and range in permitted maximum residential units from 2 to no-limit.

The discussion held at Halifax and West Community Council in advance of the motion to request this report indicated that several of the non-conforming residential buildings have capacity for five or six units but are not fully utilized due to the rezoning that took place in 2003. As other areas in the Land Use By-law for Halifax Peninsula permit internal conversion to allow for gentle density, it may be advisable to consider a similar clause for this area given its proximity to transit, employment centres, and other services and amenities.

Enabling Policy and LUB Context

The lands within the Peninsula West Area 1 schedule are designated Residential Environments under the Halifax MPS. The Residential Environments designation is found in the City-Wide policies of the Halifax MPS which are very broad in their direction. The City-Wide policies are intended to cover the whole plan area while additional, and area specific, direction is given through the Secondary Municipal Plan Strategies (SMPS). However, the Peninsula West Area 1 schedule is not within an SMPS, therefore only the City-Wide policies are applicable when considering LUB amendments such as those discussed in this report. Halifax and West Community Council may consider amendments to the residential zones and schedules of the Land Use By-law for Halifax Peninsula provided the amendments are seen to be consistent with the general residential policies set out in the MPS (Attachment B).

City-Wide Policies in Section II, policies 2.2, 2.4, 2.7, and 2.8 of the Residential Environments section indicate an intent to permit the redevelopment of portions of existing neighbourhoods by encouraging infill housing and rehabilitation of existing housing stock and fostering the provision of housing for different income levels provided the redevelopment is compatible with the existing neighbourhood. The policies speak to the importance of retaining the existing character and development pattern of stable residential neighbourhoods and ensuring that any change is compatible in terms of use, intensity and scale.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public information meeting held on November 21, 2018. Attachment C contains a copy of a summary from the meeting. The public comments received include the following topics:

- Proposal will lead to unwarranted change of the neighbourhood
- Area is dense enough – no need for additional density
- Increase in transient population
- Increase in parking and refuse problems
- Proposal will provide more housing options/increase affordability

Halifax Peninsula Planning Advisory Committee

On January 28, 2019, and subsequently on February 25, 2019, the Halifax Peninsula Planning Advisory Committee (PAC) recommended that Halifax and West Community Council request a supplementary staff report regarding the intent of Council's motion and timing of the motion in relation to Center Plan. No comments were provided on the proposed regulations. While the purpose of a PAC is to advise Community Council with respect to planning matters, they are not required to provide them with a recommendation. As in all matters reviewed by them, PAC's advice may be considered by Council in their decision-making process.

A public hearing must be held by Halifax and West Community Council before they can consider approval of the proposed LUB amendment. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing. The proposal will potentially impact local residents and property owners.

DISCUSSION

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the Halifax MPS. Attachment A contains the proposed Land Use By-law amendment that would

allow the internal conversion of existing residential buildings to a maximum of six units on lots 6,000 square feet or greater.

LUB Amendment Review

Attachment B is an evaluation of the proposed amendment in relation to relevant MPS policies. Of the matters reviewed to satisfy the MPS criteria, the following have been identified for more detailed discussion:

Lot Area Requirement

Under the proposed regulations the first test of eligibility requires the property have a minimum lot area of 6,000 square feet to qualify for the conversion provisions. Lot of this size or larger represent 11% of all the lots within the area in question.

This requirement limits conversions to properties with relatively large lot areas to reduce the overall impact on the neighbourhood and to reflect compatibility with the existing development pattern. Larger lots tend to have larger buildings which in turn tend to have greater capacity for conversion. Additionally, larger lots would typically have increased capacity to meet the parking regulations and provide more on-site amenity space (i.e. decks). Lastly, as many of the existing multi-unit buildings are located on large lots, this requirement would contribute to the preservation of the established scale and character of the neighbourhood by limiting the introduction of new multi-unit buildings.

Existing Building and Lot Requirement

A second test of eligibility is that both the building and lot where any conversion is proposed must have existed prior to the adoption of this LUB amendment. Further, no subsequent additions to the buildings would be permitted as of the same adoption date. This requirement incents the retention of existing housing stock and limits exterior alteration of the building (additions) to accommodate conversions. These requirements encourage the retention and rehabilitation of existing housing stock by limiting this type of re-development to the interior of the structure while assisting in preserving the scale of the neighbourhood built form. The requirement also prevents the consolidation of lots to achieve a greater lot area to meet the minimum lot area requirement.

Unit Size Requirement

Requiring units of a minimum 1,000 square feet provides a variety of housing options within the neighbourhood and could increase housing alternatives for individuals of different income levels. Allowing conversions could provide opportunities for families who cannot afford to purchase a single-family dwelling but could afford to rent or own a unit to live in the area. Alternatively, owners renting an additional unit may be provided income to supplement the costs of home ownership.

Parking/Landscaping Requirement

The area is centrally located on the peninsula with good pedestrian connections and good access to public transit. Therefore, a parking ratio of 1:1 for each unit could be excessive and may lead to undesirable impacts such as an increase in impermeable surfaces, a potential loss of tree canopy and decreases in landscaped space in the side and rear yards of eligible properties. Further, the Urban Forest Master Plan speaks to the importance of private and rear yard trees in achieving a sustainable urban forest in HRM. The target tree canopy for this area is 70% and reducing the amount of required parking and introducing new landscaping requirements helps the Municipality meet this target canopy coverage.

The following table summarizes the main components of this proposed LUB amendment:

| Proposed LUB Requirements | 34E(1) |
|----------------------------------|---|
| Date standard (building): | June 1, 2019 (example date only)* |
| Date standard (lot): | June 1, 2019 (example date only)* |
| Minimum lot area: | 6,000 sq. ft. |
| Exterior Building Alterations: | None Permitted |
| Minimum unit size: | 3 units at least 1,000 sq. ft. (sliding scale based on proposed unit increase) |

| | |
|--------------------------|--|
| Parking requirement: | 1 space per every new 1,000 sq. unit |
| Landscaping requirement: | New parking areas to be screened or buffered along side and rear lot lines |

**this date will be the date of the coming into effect of the proposed amendments to the land use by-law.*

Conclusion

Staff have reviewed the substance of HWCC's motion in terms of all relevant policy criteria and advise that the request is reasonably consistent with the intent of the Halifax MPS. Current plan policies support the redevelopment and rehabilitation of existing structures by encouraging investment in their adaptation while maintaining development patterns and neighbourhood character. The proposed amendment seeks to permit modest redevelopment and rehabilitation while ensuring that any change remains compatible with the existing neighborhood character by limiting it to interior changes and restricting it to approximately 11% of the properties within the Peninsula West Area 1 Schedule.

Under these circumstances, staff recommend that the Halifax and West Community Council approve the proposed LUB amendment.

FINANCIAL IMPLICATIONS

The HRM cost associated with processing this planning application can be accommodated with the approved 2019-2020 operating budget for C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

Council's consideration of this amendment should include an acknowledgement that Centre Plan 'Package B' is anticipated to be presented to Council following the 2019 conclusion of the ongoing 'Package A' work. Among other things, Package B is expected to provide new policy and regulation pertaining to the distribution of density within existing lower density residential communities in the entire Regional Centre. These policies and regulations have yet to be developed and community engagement has not yet commenced. While the content of Package B cannot be presupposed at this time, it may include new internal conversion regulations or other similar policies that could differ from the regulations contained within this report. Under these circumstances, this amendment, if adopted, should be considered an interim measure until such time that the full Centre Plan is adopted.

Beyond those outlined above, there are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed LUB amendment are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

1. Halifax and West Community Council may choose to approve the proposed LUB amendment subject to modifications. Such modifications may require further discussion with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this

proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

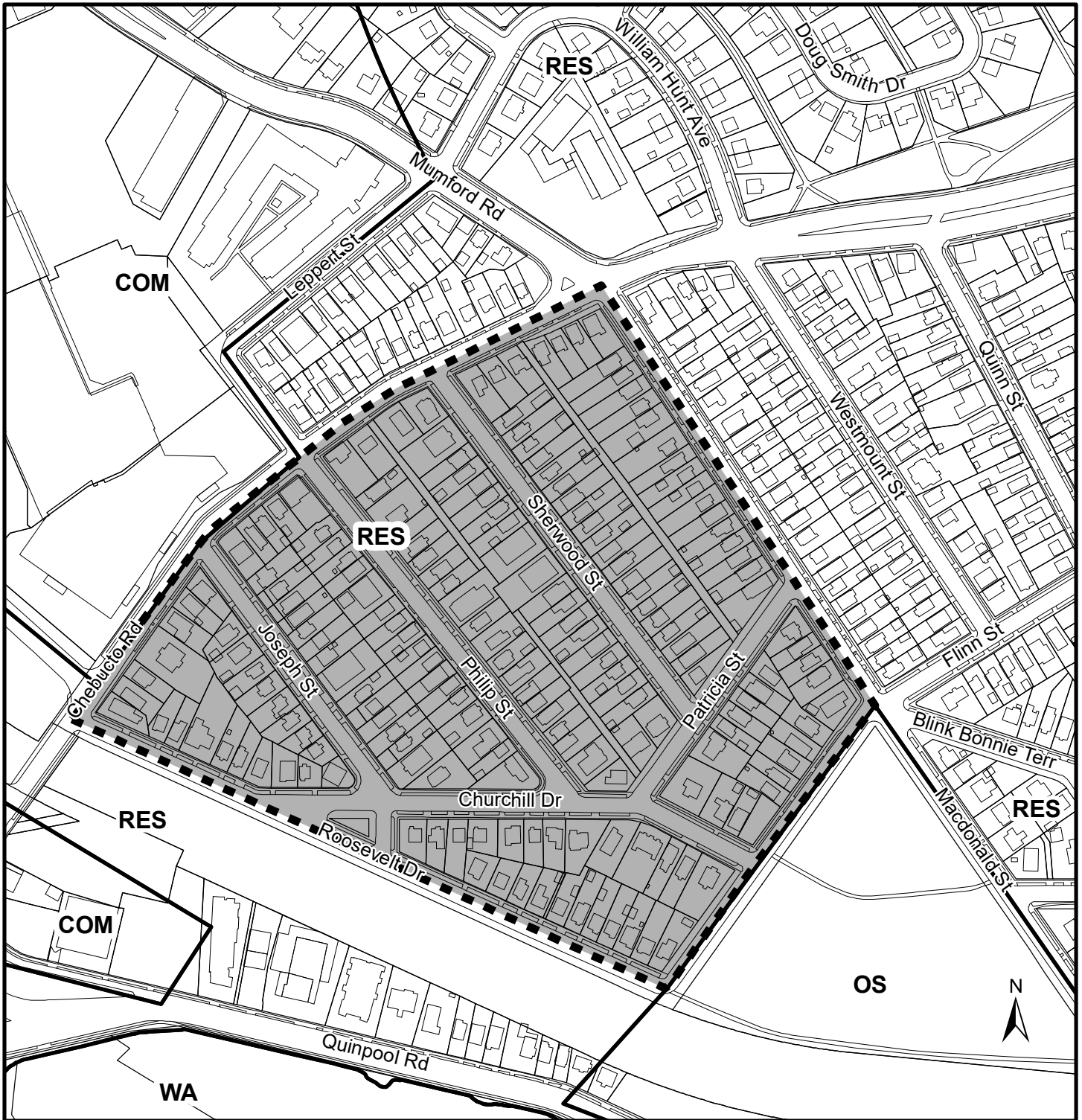
2. Halifax and West Community Council may choose to refuse the proposed LUB amendment, and in doing so, must provide reasons why the proposed amendment does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

| | |
|---------------|---|
| Map 1: | Generalized Future Land Use |
| Map 2: | Zoning and Notification Area |
| Attachment A: | Amendments to the Land Use By-law for Halifax Peninsula |
| Attachment B: | Review of Relevant Halifax MPS Policies |
| Attachment C: | Public Information Meeting Summary |

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

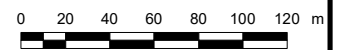
Report Prepared by: Dean MacDougall, Planner II, 902.490.4193




Map 1 - Generalized Future Land Use

HALIFAX

Chebucto Rd, MacDonald St, Flinn St, and Roosevelt Dr,
Halifax



 Subject Area
(Peninsula West Area 1 Schedule)

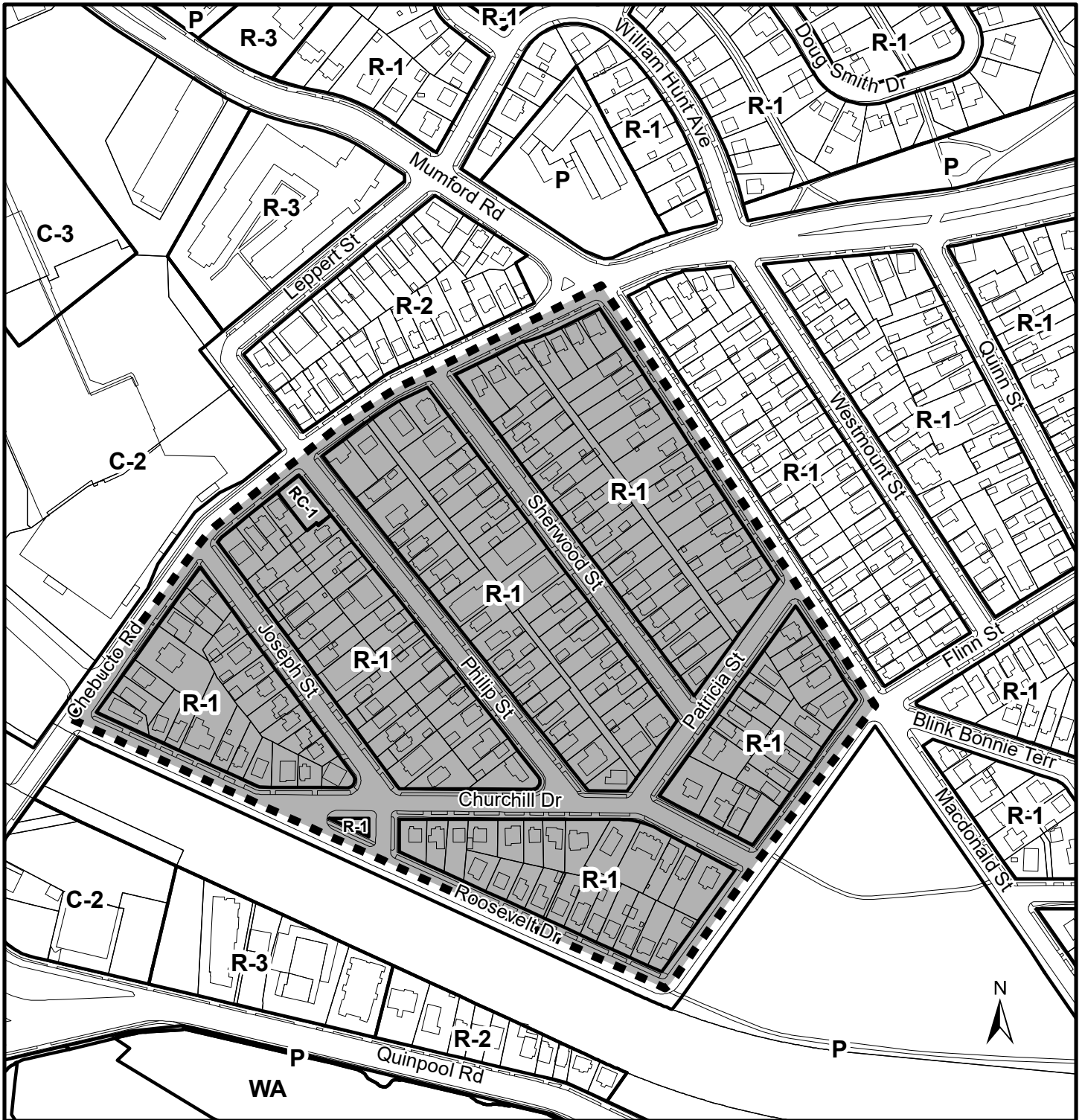
Designation

- RES Residential Environments
- COM Commercial
- OS Major Community Open Spaces
- WA Water Access Area

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Halifax Plan Area



Map 2 - Zoning and Notification

Chebucto Rd, MacDonald St, Flinn St, and Roosevelt Dr, Halifax

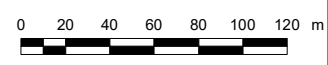
HALIFAX

Subject Area
(Peninsula West Area 1 Schedule)

Area of Notification

Halifax Peninsula
Land Use By-Law Area

| Zone | |
|------|------------------------|
| R-1 | Single Family Dwelling |
| R-3 | Multiple Dwelling |
| C-2 | General Business |
| C-3 | Industrial |
| P | Park and Institutional |
| WA | Water Access |



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Attachment A: Amendments to the Land Use By-law for Halifax Peninsula

BE IT ENACTED by the Halifax and West Community Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby further amended as follows:

1. Adding the following section after Section 34E and before Section 34F(1):

CONVERSIONS PENINSULA WEST AREA 1

34E(1) A residential building in existence on or before [insert adoption date of sub-section], within the area shown as Peninsula West Area 1 on Schedule ZM-2, may be permitted to convert to a maximum of 6 units, provided that:

(a) the lot on which the building is situated contains an area of not less than 6,000 square feet, and is in existence on or before [insert adoption date of sub-section];

(b) there is no increase in height or volume and that the external dimensions of the building have not changed since [insert adoption date of sub-section];

(c) where a conversion is to:

- i. three or four dwelling units, one of the new dwelling units shall be a minimum of 1,000 square feet;
- ii. five dwelling units, two of the new dwelling units shall be a minimum of 1,000 square feet; or
- iii. six dwelling units, three of the new dwelling units shall be a minimum of 1,000 square feet;

(d) one separately accessible parking space at least 8 feet wide and 16 feet long is provided for every new 1,000 square feet dwelling unit, as required per subsection (c) above; and

(e) any increase in parking area shall be located in the side or rear yard and screened or buffered along side and rear lot lines either by:

- i. an opaque wood fence or masonry wall at least 6 feet tall; or
- ii. a 10 foot buffer which is to be fully landscaped, except where driveway or pedestrian access points are required. Landscaping shall consist of ground cover and a minimum of one shrub for each 40 square feet of required landscaped area and one tree for every 80 square feet of required landscaped area.

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax and West Community Council held on [DATE], 2019.

Kevin Arjoon
Municipal Clerk

Attachment B: Review of Relevant Halifax MPS Policies

SECTION II CITY-WIDE OBJECTIVES AND POLICIES

| Part 2: Residential Environments | |
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| Policy | Staff Comment |
| <p><i>Policy 2.1</i> Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.</p> | <p>Allowing internal conversions in existing building stock encourages residential development and future growth on the Peninsula.</p> |
| <p><i>Policy 2.2</i> The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p> | <p>The present neighborhood development pattern is eclectic in that there are a variety of residential uses and built form. Approximately 15% of the buildings in the area are existing multi-units. This proposal would minimally increase that percentage as the proposed amendment would affect approximately 11% of the properties within the area, most of which are already multi-unit buildings. The proposal does not differ in use or intensity of use from the present development pattern as this proposal is continuing the mixed housing type development pattern at the existing scale. There is no concern relative to this policy with the proposed regulations.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p> |
| <p><i>Policy 2.4</i> Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p> | <p>The proposed change will be compatible with the existing neighbourhood and may contribute an alternative tenure type within the larger residential market.</p> <p>The requirements of the proposed internal conversion clause encourage the retention of the existing residential character and built form by discouraging the demolition of housing stock and the consolidation of lots, which would alter the character and scale of the neighbourhood, by requiring any rehabilitation and reinvestment to happen within existing structures on existing lots.</p> |

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| | <p>Also, by focusing any possible reinvestment and redevelopment on properties with larger lot area reduces the overall impact on neighbourhood. Larger lots tend to have larger buildings which are able to be converted, and potentially have more room to meet parking regulations and provide more on-site amenity space (i.e. decks). Larger lots also have existing multi-unit buildings, thus reducing the amount of new, not existing before, multi-unit buildings to the neighbourhood - which preserves the scale and character already established.</p> <p>Requiring 1,000 sq. ft. units as part of conversion provides for the possibility of a variety of housing options within the neighbourhood and could foster the provision of housing for people with different income levels.</p> <p>Lastly, as the neighbourhood is centrally located and has access to alternative modes of transportation, parking for every unit is considered inappropriate. Requiring more parking could lead to an increase in impermeable surfaces which would be incompatible with the character of the neighbourhood. This could be more impactful than the additional units hidden within existing building frames.</p> <p>The Urban Forest Master Plan speaks to the importance of private and rear yard trees in achieving a sustainable urban forest. The target tree canopy for this area is 70%. Reducing the amount of required parking and introducing new landscaping ensures rear yard and private trees contribute to the Municipality attempts to meet this target.</p> |
| <p><i>Policy 2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict</i></p> | <p>The requirements in the proposed amendments seek to ensure that the effect of the change is compatible with the existing neighborhood character by restricting it to approximately 11% of the properties within</p> |

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| <p><i>with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i></p> | <p>the Peninsula West Area 1 schedule. Most of which are already multi-unit dwellings.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p> <p>See Policy 2.4 above</p> |
| <p><i>Policy 2.4.2 In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</i></p> | <p>The uses listed are currently permitted within the R-1 Zone of the Halifax Peninsula Land Use Bylaw and this will not change with the insertion of an internal conversion clause.</p> |
| <p><i>Policy 2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i></p> | <p>The proposed amendment encourages a limited amount of residential intensification, exclusively within existing buildings, through internal conversions. It promotes density while retaining existing housing stock. The requirements seek to ensure that any change this proposed amendment may cause is compatible with the existing neighborhood character by restricting it to approximately 11% of the properties within the Peninsula West Area 1 schedule. Most of which are already multi-unit dwellings.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p> <p>See Policy 2.4 above</p> |
| <p><i>Policy 2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).</i></p> | <p>Research has shown that the housing needs of low-income households can be better met by neighbourhoods of greater density, a greater variety of housing types, and mixed land use than by neighbourhoods dominated by low-density, single-family homes.</p> <p>The change may provide for an alternative tenure type within the larger residential market. Inserting the internal conversion</p> |

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| | <p>provides for a variety of housing choices for citizens by offering rental units of varying size within the Regional Centre. In addition, allowing conversions could provide opportunities for families, who cannot afford to purchase a single-family dwelling but could afford to rent or own a unit in a duplex or a triplex, to live in the area; or to have a second unit generating income to supplement mortgage payments.</p> <p>The proposed amendment provides the ability to create additional units at a scale that is compatible with the neighborhood as the proposed amendment supports maintaining current development patterns, and the maintenance and rehabilitation of existing structures by encouraging investment in their adaptation.</p> <p>See Policy 2.4 above</p> |
| <p><i>Policy 2.9</i> <i>The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.</i></p> | <p>N/A</p> |
| <p><i>Policy 2.10</i> <i>For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</i></p> | <p>This requirement is covered under the existing regulations of the Land Use Bylaw and will be applied to the individual lots at the permit stage.</p> <p>Additional provisions are provided within the proposed amendment that required any increase in parking area in the side and rear yards to be screened or landscaped along adjacent property lines.</p> |
| <p><i>Policy 2.11</i> <i>For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.</i></p> | <p>This requirement is covered under the existing regulations of the Land Use Bylaw and will be applied to the individual lots at the permit stage.</p> <p>Additional provisions are provided within the proposed amendment that required any</p> |

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| | increase in parking area be located in the side and rear yards and must be screened or landscaped along adjacent property lines. |
| Part 9: Transportation | |
| Policy | Staff Comment |
| <p><i>Policy 9.4</i> <i>The transportation system within residential neighbourhoods should favour pedestrian movement and discourage vehicular through traffic in both new and existing neighbourhoods. A pedestrian system that utilizes neighbourhood streets and paths to link the residents with the commercial and school functions serving the area will be encouraged.</i></p> | No new transportation systems are proposed. |

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| IMPLEMENTATION POLICIES | |
| Policy | Staff Comment |
| <p><i>Policy 3.1.1</i> <i>The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.</i></p> | The application is consistent with Policy 2.4 (see 2.4 above) |
| <p><i>Policy 4</i> <i>When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.</i></p> | |
| <p><i>Policy 4.1</i> <i>The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.</i></p> | The development proposal conforms to the plan, and detailed review by staff has not indicated any conflict with other by-laws or regulations. There is no concern relative to this policy. |
| <p><i>Policy 4.2</i> <i>The City shall review the proposal to determine that it is not premature or inappropriate by reason of:</i></p> <p><i>i) the fiscal capacity of the City to absorb the costs relating to the development; and</i></p> <p><i>ii) the adequacy of all services provided by the City to serve the development.</i></p> | <p>No Municipal costs are anticipated.</p> <p>The area is serviced by water and sewer and existing street network. The proposed amendment is anticipated to have insignificant effect on these existing services.</p> |

Attachment C: Public Information Meeting Summary

HALIFAX REGIONAL MUNICIPALITY Public Information Meeting Case 22005

The following does not represent a verbatim record of the proceedings of this meeting.

Wednesday, November 21, 2018
7:00 p.m.
Halifax Forum (Maritime Hall)

STAFF IN

ATTENDANCE:

Dean MacDougall, Planner, HRM Planning and Development
Jared Cavers, Planning Technician, HRM Planning and Development
Cara McFarlane, Planning Controller, HRM Planning and Development

ALSO IN

ATTENDANCE:

Councillor Shawn Cleary, District 9

PUBLIC IN

ATTENDANCE:

Approximately 61

The meeting commenced at approximately 7:00 p.m.

1. Call to order, purpose of meeting – Dean MacDougall

Mr. MacDougall is the Planner and Facilitator for the application and introduced the area Councillors, the applicant and staff members.

Case 22005 – HRM-Initiated application to amend the internal conversion clause in the Halifax Peninsula Land Use By-law for the area known as Peninsula West Area 1 (bounded by Chebucto Road, Roosevelt Drive, Flinn Street, and MacDonald Street).

The purpose of the Public Information Meeting (PIM) is to:

- Provide information and highlight the proposal;
- Explain the planning process; and
- Receive public feedback and input regarding the proposal that will be used to prepare the staff report and go forward with this application.

No decisions are made at the PIM or have been made up to this point.

2. Presentation of Proposal – Dean MacDougall

Mr. MacDougall provided a proposal fact sheet to the audience and gave a brief presentation of the proposal for Peninsula West Area 1 Schedule outlining the status of the application, some background of downzoning in the area, the area context, the designation (Residential Environment) under the Halifax Municipal Planning Strategy (MPS), the relevant planning policies (2.4, 2.7 and 2.8) within the Halifax MPS and existing zone [R-1 (Single Family Dwelling) Zone] within the Halifax Peninsula Land Use By-law (LUB).

3. Questions and Comments

Ken Dewar, [REDACTED] is opposed to the proposal. The area is already “softly” densified. There is a mix but it is primarily a single family residential area. Mr. Dewar wondered what prompted this proposal and why. **Mr. MacDougall** explained Halifax and West Community Council (HWCC) put forth a motion that directed staff to look at this proposal. Councillor Cleary brought the motion forward in an effort to bring financial and environmental sustainable changes to the community as the population in the area has decreased over time.

Bill Niven, [REDACTED] has lived in the area for 21 years and believes this proposal was brought forward due to inquiries from developers in the area. What can the residence do to stop the approval?

Gillian Allen, [REDACTED] has lived in the area for 25 years and opposes to the proposal. Ms. Allen had assurance in correspondence from both Councillor Cleary and Mr. MacDougall that there would never be new construction considered for internal conversion. Council can make changes in the neighbourhood and things like affordable housing for seniors and small families will disappear.

Karen Weatherston-Brown, [REDACTED] is aware that there is some development happening in the area. The drainage on the street and dumping in the area are concerning. Will Council listen to the residents in the area and to the recommendation of staff? **Councillor Cleary** explained that staff is seeking feedback from the residents at this point to help prepare a recommendation in a staff report for HWCC.

Brian Loughnan, [REDACTED] has owned his property for 46 years, opposes to any change and feels there is an ulterior motive. In 2003, the residents were victorious in obtaining R-1 Zoning for all the properties in the area. Most residents are not interested in the types of retail in the area and go elsewhere to shop. Is concerned of what’s to come in the area.

Adam Conter, [REDACTED]), representing a resident that lives on MacDonald Street. Mr. Conter is a developer that takes dilapidated real estate with its appropriate zoning and make it livable. This evenings meeting is a first introduction to the proposal and a chance to provide feedback to staff and the area councillor. This proposal puts forth options within the R-1 Zone for property owners in the neighbourhood. The small increase in density is what Council and city staff have been working on for the last ten years, the Centre Plan.

Peter Lloyd, [REDACTED] has lived in the area for 65 years and is opposed to the change. Mr. Lloyd was surprised to see and is curious as to why only this catchment area is being affected. In 2003, there was a long battle to rezone the area as the residents at the time were concerned as to what would happen in the neighbourhood. Mr. Lloyd would feel more comfortable if there was a larger area captured. **Mr. MacDougall’s** responsibility is to follow up on and investigate HWCC’s motion. **Councillor Cleary** explained that a secondary planning area was created in 2003 when it was downzoned and that’s the reason for the catchment area.

Erik Hahn, [REDACTED] lives across the street from one of the buildings that functions as a six-unit and parking is an issue. Mr. Hahn wondered if this particular area is down in population. **Councillor Cleary** will look into that.

Anne Landry, [REDACTED] has rented for 16 years. Parking is an issue as the house which was one time three units now functions as four units. There are four parking spots available but doesn’t accommodate visitors. Also concerned that the building will be converted to more than four units. Affordable housing is a big issue in the area.

Amir Nevo, [REDACTED] would like to do an internal conversion from four to six units and has been fixing the building by doing some external renovations. Mr. Nevo believes the area is one of Halifax's biggest wasted spaces. This is a good opportunity to densify the Peninsula.

Justin, [REDACTED] has lived in the area for about two years and it was the R-1 Zoning that attracted them to the area. These proposals have to be done with the bigger picture in mind and in this case, it is the development of the community. Justin is favor of the proposal if it could be done on a case by case scenario.

Marisha Caswell, [REDACTED] – How many buildings specifically does this affect? There is concern that this proposal might be something larger. Is this whole amendment necessary or is it possible to do variances for individual buildings and on a case by case basis? **Mr. MacDougall** – Regulations have not yet been developed that identify what properties would be eligible for internal conversion. The variance suggestion will be taken into consideration but too many variances would justify changing the regulations.

John Theakston, [REDACTED] asked for clarification on what a unit is to which Mr. MacDougall showed the definition from the Land Use By-law. Mr. Theakston is also concerned about increased traffic and parking. Who enforces these types of regulations? **Mr. MacDougall** – When staff determines how many properties are eligible, potential increases in traffic and parking can be examined by the engineers to see if a Traffic Impact Statement is warranted. The Development Officer and Compliance team would enforce regulations.

Dave Crawley, [REDACTED] – The proposal would change the neighbourhood and most people in the area oppose it. Would there be a plebiscite or would it be deferred to the next election? **Mr. MacDougall** – The recommendation will be before HWCC before the next election.

Linda MacDonald, [REDACTED] has lived in the area for 18 years and knows the history of the area very well. As a neighbor to one of the potential properties, Ms. MacDonald has had to deal with it being a party house, the noise, parking on the sidewalks, etc. and as a result, property values have decreased. The building has been vacant for four or five years and wildlife has taken over. Buildings like this do not contribute to the neighbourhood. Maintenance of the property, traffic and noise are some concerns. Ms. Macdonald is opposed to increased density in the area as it will increase traffic on Chebucto Road causing safety concerns. The area is starting to age in regards to the infrastructure.

Matthew North, [REDACTED] was drawn to the neighbourhood because of the R-1 Zoning and wonders what the motivation was in 2003 to move it to its current zoning. R-1 Zoning talks to maintaining the community and culture of the neighbourhood and preventing development from impinging on what is in place. A strong motivation for many is property investment. Transient individuals wouldn't be as mindful and appreciative of what's around them in the community. The area is also becoming more of a shortcut for traffic which causes safety issues.

4. Closing Comments – Dean MacDougall

Mr. MacDougall informed the public on how to submit comments and contact planning staff in regards to the application and thanked everyone for their feedback.

5. Adjournment

The meeting adjourned at approximately 8:20 p.m.