

# HALIFAX REGIONAL MUNICIPALITY

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## DISTRICT 12 PLANNING ADVISORY COMMITTEE SEPTEMBER 7, 2005 MINUTES

**PRESENT:** Heather Ternoway, Chair  
Beverly Miller  
Clary Kempton  
Graeme Gunn  
Councillor Dawn Sloane

**REGRETS:** Lucy Trull (Regrets)  
Mia Rankin (Regrets)

**STAFF:** Richard Harvey, Planner  
Gail Harnish, Admin/PAC Coordinator  
Sherryl Murphy, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 12:00 p.m. with the Chair welcoming Mr. Graeme Gunn, new member of the Committee.

Mr. Gunn made some brief personal background comments followed by roundtable introductions.

**2. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

The Chair noted that this meeting was called to consider a single item, Case 00821.

**3. CASE 00821 - AMENDMENT TO THE HALIFAX PENINSULA LAND USE BYLAW RESPECTING THE DEFINITIONS OF "DWELLING" AND "ROOMING HOUSE"**

- A staff report dated August 2, 2005 was before the Committee consideration.

Mr. Richard Harvey, Planner II, briefly reviewed the amendments to the Peninsula Land Use By-law as set out in the staff report. Mr. Harvey noted that the purpose of the amendments is to limit the development of dwellings containing an excessive number of bedrooms and large dwellings on comparatively small lots.

Mr. Harvey indicated that the situation being addressed is one of where there is a large number of bedrooms that are being rented within a single house. The household operates as one rather than the traditional lodging house. The intent is to differentiate between land uses based upon the number of bedrooms. The amendments differentiate between traditional housing by placing a cap on the number of bedrooms and defining housing which exceeds this cap as a rooming house rather than a lodging house.

Referring to the proposed amendments contained in the staff report, Mr. Harvey indicated that the maximum number of bedrooms in a detached one family dwelling house would be five (5). He noted, however, if there are a greater number of bedrooms existing now, the house will still be considered a detached one family dwelling house.

Mr. Harvey went on to advise that a duplex will be defined as a dwelling having as many as six (6) bedrooms spread between the two dwelling units, a semi-detached dwellings may have five (5) bedrooms. Buildings with three (3) units may have eight (8) bedrooms total and buildings with four (4) units may have ten (10) bedrooms total. Mr. Harvey indicated that a number of bedrooms greater than that which is set out above would constitute a rooming

house. Rooming houses are excluded from the R-1 and R-2 zones and only permitted in the R-3 zone.

Mr. Harvey indicated that these amendments will have no impact on the existing situations. Referring to the issue of large dwellings on comparatively small lots, Mr. Harvey reviewed the gross floor area ratio amendments as contained in Attachment A noting that these specify a sliding scale so that as lot sizes increase, the Floor Area Ratio (FAR) decreases.

The Chair thanked Mr. Harvey for his presentation following which Mr. Harvey responded to questions from members of the Committee.

Mr. Kempton noted that no mention has been made of the relationship to green space. He went on to indicate that in his opinion the Gross Floor Areas should be based on the exterior dimension of the house. He pointed out, for example, that a bungalow and a two storey house may have the same GFA, but the relationship on the lot of the two is completely different.

Mr. Harvey indicated that the 35% lot coverage that has typically been used to ensure green space. This is not necessarily true in Peninsula Halifax. Mr. Harvey suggested that this issue is one to be addressed in a separate review.

A brief discussion ensued regarding the need for provisions in the Land Use By-Law which protect green space and/or interior and exterior amenity space.

Mr. Gunn indicated that he was concerned that the grandfather clause will lead to houses that are already in disrepair to fall further into disrepair.

Ms. Ternoway, commenting that Mr. Gunn raises a good point, asked if HRM has looked at a non-conforming use designation for those dwellings which would be grandfathered under this amendment.

Mr. Harvey indicated that there are allowances under the Municipal Government Act which provide for expansion within the structure of a non-conforming residential use. Consequently, if a grandfather clause is not included, a seven bedroom single family use existing as a non-conforming could continue to increase the number of bedrooms within the dwelling. Mr. Harvey indicated that if the same dwelling is retained as a single family dwelling with seven bedrooms and subject to a grandfather clause, increasing the number of bedrooms would not be possible.

A discussion around the conversion of living rooms and dining rooms to bedrooms ensued with Mr. Harvey indicating that this is a matter of enforcement. A further discussion regarding enforcement ensued with Committee members making the following points:

- HRM should target the real estate industry in terms of public awareness around the rooming house issue
- Suggestion that there be a tear off on the residential tax form declaring how many bedrooms and if the number is above a certain number, the dwelling should be subject to an inspection
- Perhaps it is time to investigate technological solutions
- Suggest that HRM investigate the possibility of taxing additional units/rooms

Mr. Harvey indicated that the intent of these amendments is to provide the tools to begin to address these situations.

**MOVED by Councillor Sloane, seconded by Ms. Miller the District 12 PAC recommend that Peninsula Community Council:**

1. **Give Notice of Motion to consider the proposed amendments to the Halifax Peninsula Land Use By-law as contained in Attachment "A" of the August 2, 2005 staff report and schedule a joint public hearing of the Peninsula Community Council and the Chebucto Community Council.**
2. **Approve the proposed amendments to the Halifax Peninsula Land Use Bylaw.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

4. **ADDED ITEMS** - None

5. **NEXT REGULAR MEETING DATE**

The next meeting of the Committee is scheduled for September 26, 2005 with a start time of 6:30 p.m.

6. **ADJOURNMENT**

There being no further business, the meeting adjourned.