

HALIFAX REGIONAL MUNICIPALITY

DISTRICT 12 PLANNING ADVISORY COMMITTEE

May 8, 2006

MINUTES

PRESENT: Beverly Miller, Vice Chair
Clary Kempton
Councillor Dawn Sloane
Graeme Gunn

ABSENT: Heather Ternoway, Chair
Lucy Trull
Mia Rankin

STAFF: Richard Harvey, Planner
Jennifer Weagle, Legislative Assistant
Sherryl Murphy, Legislative Assistant

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1. **CALL TO ORDER**

The Vice-Chair called the meeting to order at 6:01 p.m. in Halifax Hall, 2nd Floor, City Hall, 1841 Argyle Street, Halifax. Ms. Miller introduced Committee members, Mr. Richard Harvey, HRM Planner, and Mr. Grant J. Wanzel, President, Creighton/Gerrish Development Association.

2. **CASE 00891: PROPOSED AMENDMENTS TO THE HALIFAX MUNICIPAL PLANNING STRATEGY AND PENINSULA LAND USE BYLAW TO ALLOW FOR THE REPLACEMENT OF A 12 DWELLING UNIT APARTMENT BUILDING AT THE SOUTHEAST CORNER OF CREIGHTON AND GERRISH STREETS (PID 40877292)**

C A staff report dated April 5, 2006, was before the Committee.

Mr. Richard Harvey advised that the purpose of the meeting is to introduce a development proposal for the south-east corner of Creighton & Gerrish Streets and to receive comments from the public to both HRM staff and the District 12 Planning Advisory Committee.

Mr. Harvey went on to provide an overview of the zoning and application information and background associated with the proposed development, indicating the following:

- C the Creighton/Gerrish Development Association (“the Association”), an affordable housing group and owner of the subject property, obtained a renovation permit in October 2005, to undertake renovations to a dilapidated 12 unit apartment building on the site,
- C upon obtaining the renovation permit, the Association sought government funding for the project,
- C the building was deemed dangerous and unsightly and ordered demolished by HRM’s Dangerous and Unsightly Premises Committee, ultimately being demolished on March 3, 2006 by the Municipality,
- C the structure pre-dated current zoning regulations for the area, such as permitted land use (R-2 zoning allows for up to four units), setbacks, and parking, and as such, the land use and the building itself were non-conforming,
- C the demolition resulted in the renovation permit being revoked on the basis that the building to be renovated was demolished,
- C no other permits can be issued to allow for the replacement of the building or land use because the non-conforming status of the property has been lost,
- C the implications of demolishing the building, given the R-2 Zoning, were not understood at the time of the demolition,
- C the purpose of the application is to amend the planning policies and regulations to allow for a new building of the same size and location upon the lot as the old one.

Mr. Harvey presented slides of the elevation of the proposed building from both Gerrish and Creighton Street views.

Mr. Harvey further clarified that this meeting is the beginning of the amendment process, which will be carried out as follows:

1. Public meeting
2. Staff report & recommendation
3. District 12 Planning Advisory Committee review and recommendation
4. Peninsula Community Council review and recommendation
5. Public hearing and Regional Council decision

Mr. Harvey provided his contact information for anyone wishing to request clarification or provide additional comments after the meeting.

Mr. Fenley Evong, Halifax

Responding to questions from Mr. Evong, Mr. Harvey advised that, depending on the complexity, the amendment process could be considered in four to six weeks. Responding to questions from Mr. Evong, Mr. Wanzel advised that funding for the project is secure and will remain secure for the length of the amendment process.

Mr. Ervin Carvery, Halifax

Responding to questions from Mr. Carvery, Mr. Harvey clarified that before staff are able to go forward with the amendment process, the matter goes before Council to decide whether to go forward with the process. Mr. Harvey indicated that the April 5, 2006 report had gone before Council and Council requested that the amendment process be initiated.

Mr. Carvery requested clarification on why a renovation permit was issued and then the building was demolished. Mr. Harvey advised that the implications of demolishing the building were not understood at the time that the building was determined to be unsafe to the public and immediate action was taken to demolish the structure.

Mr. John Emberly, Halifax

Responding to questions from Mr. Emberly, Mr. Harvey clarified that a demolition permit was not applied for because the Association had planned to renovate the structure. Mr. Harvey further noted that renovations can involve demolition, as long as 75% of the building's value is retained.

Mr. Emberly further inquired why the building was allowed to sit vacant and boarded up for three years. Mr. Wanzel provided a brief history of the site, noting the following:

- C obtaining funding to carry out the renovations from Provincial and Federal grant programs was a difficult and slow process,
- C Harbour City Homes were leasing the building from the Association for \$1 per year, and renting the apartments,
- C Harbour City Homes were not able to maintain the building and the tenants were moved to alternate accommodations and the building was boarded up in 2002,
- C the Association hired a superintendent to maintain daily watch over the building and keep it secured,
- C the Association was unsuccessful in obtaining assistance to maintain the building from the Municipal, Provincial and Federal levels of government,
- C the Association received numerous Dangerous and Unsightly Premises citations regarding the property, the most recent being in October 2005, shortly before the permit to renovate the building was obtained,
- C the demolition of the structure was ordered by the Dangerous and Unsightly Premises Committee in December 2005.

Councillor Sloane briefly explained the process involved with demolitions before the Dangerous and Unsightly Premises Committee, noting the following:

- C when the building came before the Committee, it had been on fire and broken into several times and therefore the Committee considered the building a danger to the public and decided it should be demolished,
- C the company awarded the request for proposals for the demolition of the structure demolished the building prior to obtaining a demolition permit,
- C HRM staff are currently working on creating policy to have boarded up buildings expropriated by HRM and demolished.

Tracey Hatcher, Halifax

Ms. Hatcher advised that she is the co-owner of a property she purchased in 2000, which is adjacent to the site in question. She noted that she has not received any voluntary communication or information on the site from the Association and she believes that the Association has a responsibility to the community to keep it informed of the development of the site.

Mr. Wanzel commented that the Association believes it is better not to create expectations and were waiting to secure funding before advising the public about this long-standing development. He advised that the composition of the Association includes several community based non-profit organizations such as the Metro Non-Profit Housing Association, Harbour

City Homes, the Black Business Initiative, and the Affordable Housing Association of Nova Scotia. Mr. Wanzel further advised that he would be pleased to provide further information on the Association and he appreciates Ms. Hatcher's concerns, which will be taken into consideration.

Responding to questions, Mr. Harvey advised that steps have been put in place with By-Law Enforcement and Planning staff to prevent similar situations from occurring in the future.

Responding to questions from the Committee, Mr. Wanzel advised the following:

- C the rental price of the units has not yet been set, however, generous grants secured will enable Harbour City Homes, which will be leasing the building, to set rent at affordable rates and provide management services to the building,
- C There will be eleven one bedroom apartments and one two bedroom apartment in the building,
- C there will not be underground parking on the site, however, there will be approximately 60-70 feet of above ground parking,
- C the building is designed by Nile Savage Architecture, the architect of several other recent developments and planned future developments in the neighbourhood,
- C Gerrish Lane will not be extended until condominiums which are planned for the site are developed,
- C the property line is at the retaining wall shown on the site plan,
- C there will be a fenced area at the rear of the property with a storage shed for the use of the tenants,
- C there will be no basement below the proposed building because the ground below the site is granite,
- C many of Harbour City Homes' residents are long term residents interested in establishing a community.

Mr. Chris Laing, Halifax

Mr. Laing commented that although he had been denied an application to construct an apartment in his home in the neighbourhood because single family homes were promoted in the area, planning staff have approved an application to construct a twelve unit apartment building next door. Councillor Sloane suggested that Mr. Laing discuss his refused application with Mr. Harvey after the meeting.

At the request of the Committee, Mr. Wanzel advised the following:

- C prospective tenants can contact Harbour City Homes to inquire about adding their name to a list of apartments for rent in the building upon construction,
- C the construction drawings for the building are available and are with planning staff.

Mr. Harvey clarified that many of the images shown at the meeting are taken from the construction drawings, which are not normally released. He further clarified that this application is not for a development agreement, it is for an amendment to planning policies and regulations.

Mr. Kempton noted that materials used to construct the building will affect its layout on the property. Mr. Harvey clarified that any information relative to height, massing, use of open space, etc. will be available to the public. He further clarified that building materials are not part of the controls used in determining this application, and materials used will be up to the discretion of the Association.

3. CLOSING COMMENTS

Ms. Miller called for any further comments, and there being none, she thanked all for attending. Mr. Harvey encouraged anyone with further questions after the meeting to contact him.

4. ADJOURNMENT

There being no further business, the meeting adjourned at 6:52 p.m.

Jennifer Weagle
Legislative Assistant