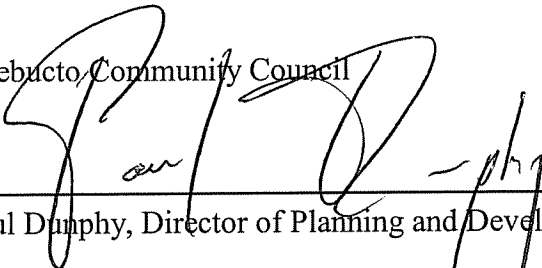




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Chebucto Community Council
November 7, 2005

TO: Chebucto Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Planning and Development Services

DATE: October 26, 2005

SUBJECT: Case 00845 - Zoning - Ralston Street Area

ORIGIN

- Residents' Petition requesting the rezoning of the "Ralston Street Area"(bounded by the Bi-Centennial Highway, Mumford Road, Joseph Howe Drive, and Pennington Street) from R-2 to R-1, tabled with Chebucto Community Council on February 7, 2005;
- Information Report dated May 24, 2005, tabled with Chebucto Community Council on June 6, 2005;
- June 6, 2005 Request by Chebucto Community Council that staff move forward with the rezoning to R1 Single Family Dwelling Zone without additional considerations.

RECOMMENDATION

It is recommended that the Chebucto Community Council:

1. Retain the existing R-2 zoning in the Ralston Avenue Area until such time as the Regional Planning Project is complete and this area is the subject of a community visioning exercise and zoning review.

BACKGROUND

The directive from Chebucto Community Council to rezone the subject area from the R-2 to the R-1 Zone originates from a petition signed by 207 residents requesting that:

“Halifax Regional Municipality rezone the area of Ralston Avenue/Pearson Avenue from the present R2 General Residential to R1 Single Family Dwelling designation. The request for R1 Single Family Dwelling designation is in order to stabilize and retain the character of the neighbourhood.”

Staff understand that the catalyst of this petition was a sizable addition to a house and its conversion from a single family detached dwelling to a duplex.

DISCUSSION

Distinction between the R-1 and R-2 Zones

The main difference between the R-1 and R-2 zones are the permitted residential uses, as illustrated below.

<u>R-1 Zone Permitted Residential Uses</u>	<u>R-2 Zone Permitted Residential Uses</u>
<ul style="list-style-type: none">• Single family detached dwellings	<ul style="list-style-type: none">• Single family detached dwellings• Duplexes• Semi-detached dwellings• Three dwelling unit apartment buildings• Four dwelling unit apartment buildings

In general terms, minimum lot size and frontage requirements increase relative to the number of possible dwelling units. For example, a single family detached dwelling requires a minimum of 40 feet of lot frontage and a minimum lot area of 4,000 square feet; whereas a three or four dwelling unit apartment building requires a minimum of 80 feet of lot frontage and a minimum lot area of 8,000 square feet.

Other requirements within the two zones are the same. For example, the allowable building height (35 feet) and maximum lot coverage (35%) are identical for both zones. There are also new requirements, approved by the Chebucto and Peninsula Community Councils in September, that

restrict the possible amount of gross floor area within a one to four dwelling unit house based upon lot size. These requirements are applicable to both the R-1 and R-2 zones and are designed to reduce the ability to establish so-called “monster homes”.

Community Council Direction and Possible Implications

The direction of the Community Council to change the zoning of the subject area from the R-2 Zone to the R-1 Zone is clear. The means to initiate this process, by “Giving Notice” to amend the Zoning Map and thereby scheduling a public hearing is outlined in the Alternatives Section of this report. However, staff have reservations about this initiative and do not support the proposed rezoning on the basis of the following:

1. The possibility of establishing so-called “monster-homes” has been limited through the recent amendments to Halifax Peninsula Land Use Bylaw relating to maximum Gross Floor Area within a house.
2. By virtue of the increasing lot size and frontage requirements relative to the number of possible dwelling units there are already inherent limitations to the establishment of higher density uses. Further to this, staff note that based upon a cursory review of lot sizes and frontages within the area, it appears that there are no further opportunities to establish three or four unit apartment buildings. Therefore the zoning change would simply eliminate the ability to create uses such as secondary dwelling units, which may be desirable to offset housing costs.
3. The subject area has a reasonable mixture of low and medium density housing that has likely been established based upon its longstanding R-2 zoning. Until this single property issue the R-2 Zone has seemingly been appropriate for the area and has not been the cause of any concerns that staff are aware of.
4. HRM is nearing the completion of the Regional Planning Project and any significant changes in zoning limits the opportunities for decision-making within a regional planning context and may ultimately be contrary to the direction that Regional Council may take with regard to future growth decisions.
5. Also pursuant to the Regional Plan, it is suggested that any significant zoning amendments should originate from a “community visioning” exercise in which residents fully consider a desired form of neighbourhood change based upon current and projected trends.

At the very least, staff are of the opinion that any zoning changes of the magnitude being contemplated by Community Council should be the subject of a public information meeting and possibly other forms of public input.

BUDGET IMPLICATIONS

None.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

The following alternatives may be considered by Chebucto Community Council:

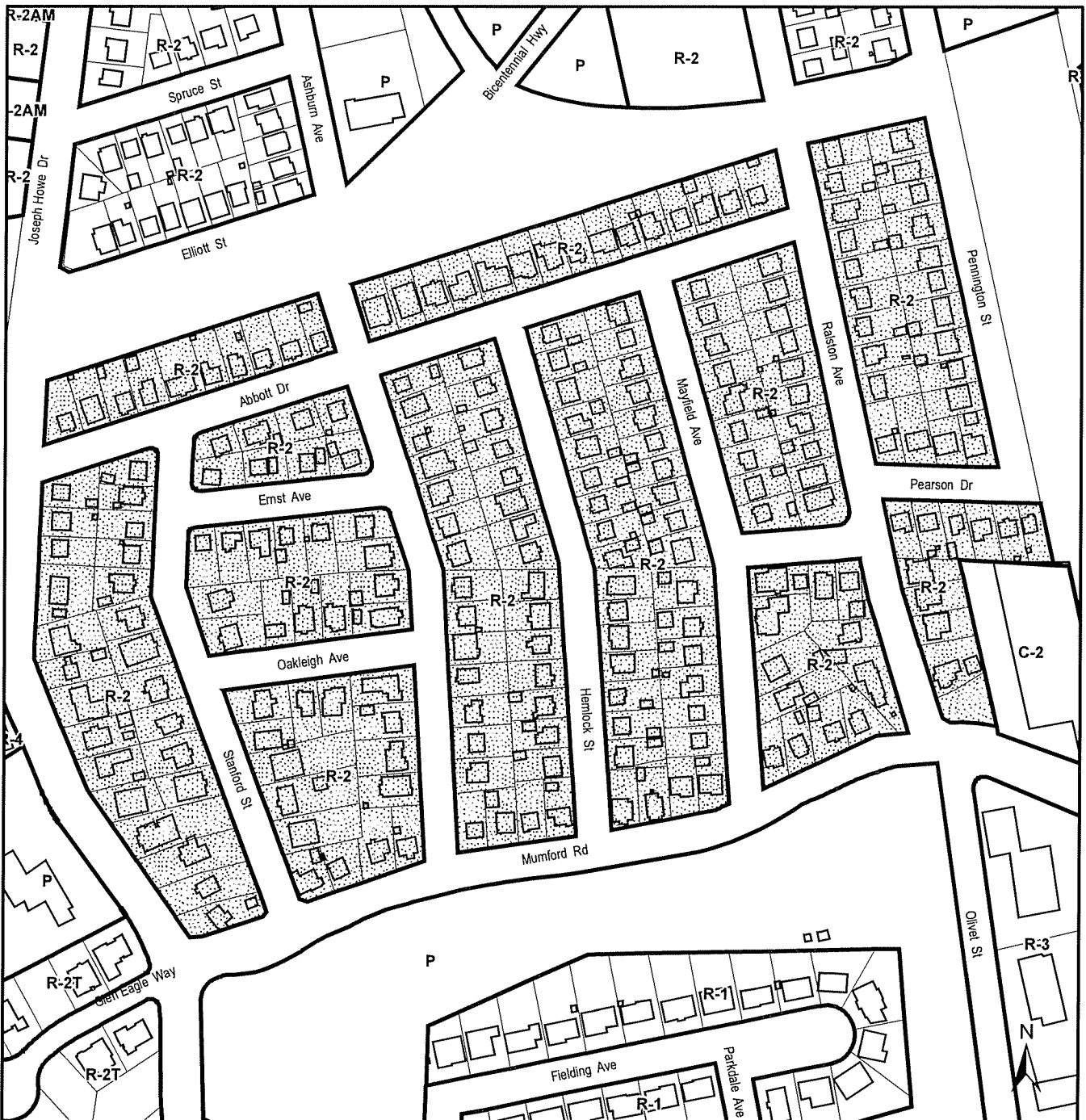
1. Council may retain the existing R-2 zoning in the Ralston Avenue Area until such time as the Regional Planning Project is complete and this area is the subject of a community visioning exercise and zoning review. This is the recommended alternative.
2. Council may wish to only consider possible changes to the Land Use Bylaw following a public information meeting and possibly other forms of public input. Staff support this alternative if Council does not endorse the recommendation to retain the existing zoning for the area
3. Council may proceed to consider rezoning the subject area, by adopting a "Motion to consider amending the Halifax Peninsula Zoning Map to rezone the Ralston Avenue Area, bounded by the Bi-Centennial Highway, Mumford Road, Joseph Howe Drive, and Pennington Street and as more particularly identified on Map 1 of the October 26, 2005 staff report, from R-2 to R-1, by scheduling a public hearing." Staff does not recommend this alternative for the reasons outlined above.

ATTACHMENTS


Map 1 - Proposed Area to be Rezoned from R-2 to R-1

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Richard Harvey, Senior Planner, 490-3691



Map 1 - Zoning
 Ralston Street area
 Halifax

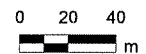
 Area to be rezoned from
 R-2 (Two Unit Dwelling) to
 R-1 (Single Unit Dwelling)

Halifax Peninsula
 Land Use By-Law Area

Zone

- R-1 Single Family Dwelling
- R-2 General Residential
- R-2AM General Residential Conversion
- R-2T Townhouse
- R-3 Low-Rise Apartment
- C-2 General Business
- P Park and Institutional

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This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula Land Use By-Law area.

HRM does not guarantee the accuracy of any representation on this plan.