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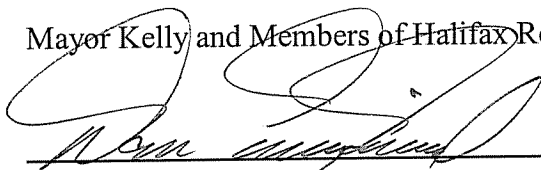


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

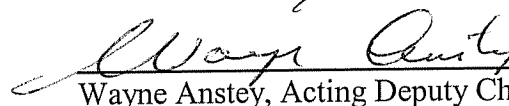
Halifax Regional Council
September 27, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Acting Chief Administrative Officer



Wayne Anstey, Acting Deputy Chief Administrative Officer

DATE: September 15, 2005

SUBJECT: Case # 00817 - Amendment to the Dartmouth Municipal Planning Strategy (Pinecrest/ Highfield Park)

ORIGIN

Application by *TransGlobe Property Management Services* to amend the Municipal Planning Strategy and Land Use By-law for Dartmouth (within the Secondary Planning Strategy area of Pinecrest/Highfield Park) to enable a development agreement to permit the offices of a property management firm at 32 Primrose Street in the R1-M zone.

RECOMMENDATION

It is recommended that Regional Council:

1. Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Dartmouth to enable a development agreement to permit the offices of a property management firm at 32 Primrose Street in the R1-M zone; and
2. Request staff to follow the Public Participation Program as approved by Council in February, 1997.

BACKGROUND

The Proposal:

32 Primrose Street is an existing building on a lot of 8,720 square feet within the Pinecrest/Highfield Park Secondary Planning Strategy area of Dartmouth. The current owner, TransGlobe Property Management Services, has received a zoning confirmation letter issued by HRM in March 2005 listing the legal use as a 15 room lodging house. The subject property is designated Residential and zoned Residential One Modified (R-1M) under the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Dartmouth (Map #1).

The building is currently vacant and boarded up, and was in this condition at the time of purchase by the present owner in May, 2005. TransGlobe proposes to renovate and reopen 32 Primrose Street as the local office of its property management firm. They do not plan to expand beyond the existing building envelope (Attachment A). The company would operate day-to-day management activities with approximately 12 employees, provide document storage, and onsite employee parking on the premises. According to an article in the Chronicle Herald (Sept 9, 2005), TransGlobe owns and operates 21 apartment buildings in north-end Dartmouth with a total of about 700 rental units, including the building next door at 36 Primrose Street. It has been actively refurbishing and renovating run-down and vacant units.

MPS Policy and Zoning:

With the exception of home occupations and certain business uses considered potentially compatible with residential areas (e.g. day cares, medical clinics) which are permitted by development agreement, the Residential designation of the MPS does not support the development of commercial or business uses. For this reason, an amendment to the Municipal Planning Strategy has been sought to accommodate this proposal.

In 1990, Dartmouth City Council commissioned Sperry/MacLennan Architects & Planners to undertake a study of the Pinecrest/Highfield Park area as the basis for amending the Dartmouth MPS and LUB. This Neighbourhood Plan identified a number of problematic conditions including, but not limited to, an over-concentration of medium density apartment buildings permitted under the R-3 Zone which applied to a large part of the area. The study sought to outline solutions to the growing problem of urban blight, as many of these rental buildings had fallen into a state of disrepair.

This document also promoted the application of the (R-1M) Zone with smaller minimum lot size requirements (2,800 square feet). The rationale for this revised zoning was to encourage the development of owner-occupied single detached housing forms. Council ultimately adopted new MPS policies for the Pinecrest/Highfield Park area in 1991 (Attachment B), and amended the land use bylaw and zoning map for the area to establish the R1-M zone.

DISCUSSION

Amendments to the MPS are not considered routine and while Council has the ability to amend an MPS, it is under no obligation to do so. Furthermore, the decision to amend an MPS or not, cannot be appealed. Requests for an MPS amendment should only be considered where:

- a) there has been a change in circumstance since the MPS was adopted or last reviewed;
- b) there is a significantly different situation than what the MPS anticipated; or
- c) to correct an error.

The decision to amend can be justified if the proposal is consistent with the overall intent and vision for the area and if changing circumstances warrant a further review of the policy. TransGlobe has offered the following rationale, based on existing MPS policies, that their proposal has merit:

1. The elimination of a 15 room lodging house accords with the stated objective of reducing high-density dwellings in the neighbourhood (Secondary Planning Strategy, Section 2.1).
2. The transformation of a boarded up building into a pleasant and useful property is also supported by the Secondary Planning Strategy concern regarding parts of the neighbourhood that look neglected and unattractive (Section 2.2).
3. Policy 7.0 of the Secondary Planning Strategy indicates that residents are concerned about the need for a higher level of policing and security because the Pinecrest/ Highfield area is perceived to have a high crime rate and a lack of security. The continued occupancy and daytime activity associated with a working office at 32 Primrose will deter criminal activity.
4. The establishment of a small professional building intended to be for long-term usage, would increase the level of neighbourhood stability in this area.
5. The transformation of the property into an office would not disrupt the current balance of commercial and residential uses, being very close geographically to the commercial zone at the corner of Primrose Street and Victoria Road.

Staff have considered these arguments and agree they have merit. Staff would also add that since 32 Primrose Street is located directly between and across the street from apartment buildings, the property is unlikely to be desirable for redevelopment as a single unit dwelling, as the R1-M zone intends. Furthermore, the physical configuration and size of the existing building would not easily lend itself to conversion into a single unit dwelling (it has 15 bedrooms). The Plan also contains policy that speaks to the need for "... Council to investigate methods by which the management of apartment buildings can be made more responsive to the needs expressed by the community." It

could be argued that the office of a property management company in close proximity to the buildings it manages would improve service for tenants.

The present condition as a vacant, boarded-up building is an eyesore in the community. For the above reasons, there appears to be adequate justification to consider a plan amendment as the present condition of this property appears to represent a significantly different situation than what the Plan anticipated. Furthermore, the amendment sought is site specific in nature, and would not affect other properties in the area with unknown consequences.

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

1. Council may choose to initiate the process to consider MPS amendments as outlined in this report. This is the recommended alternative.
2. Council may refuse to initiate amendments to the MPS.

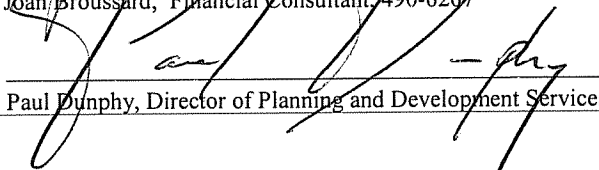
ATTACHMENTS

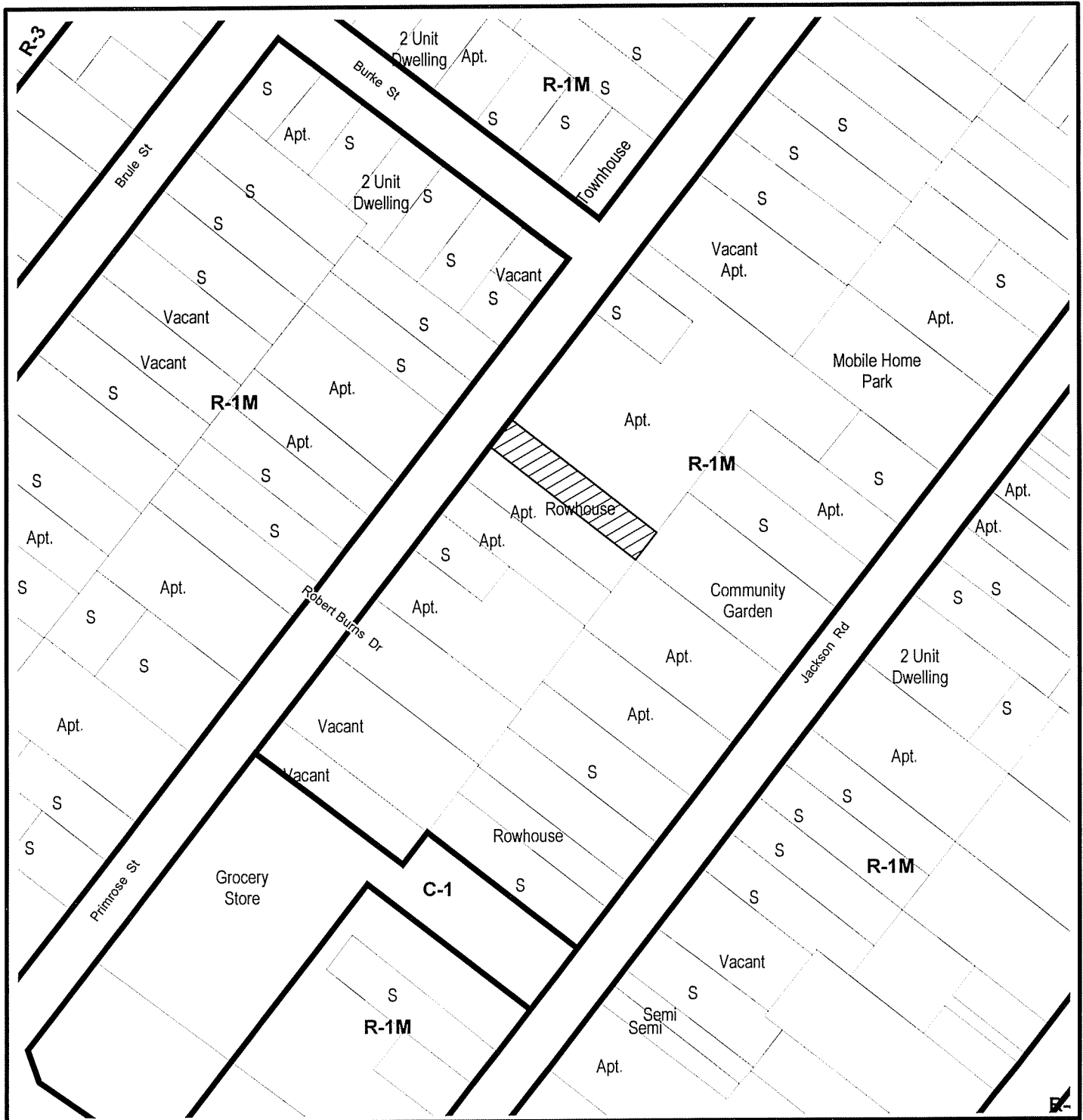
Map 1 - Location & Zoning Map
Attachment A -- Site Plan & Elevations
Attachment B -- Relevant Secondary Planning Strategy Policy

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> (choose the appropriate meeting date) or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Hanita Koblenz, Planner I, 490-4181

Financial Review: 
Joan Broussard, Financial Consultant, 490-6267

Report Approved by: 
Paul Dunphy, Director of Planning and Development Services



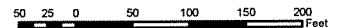
Map 1
Location & Zoning
 32 Primrose Street



Subject Property



HALIFAX
 REGIONAL MUNICIPALITY
 PLANNING AND
 DEVELOPMENT SERVICES



Land Use

S Single Unit Dwelling
 Apt Apartment Building

Zone

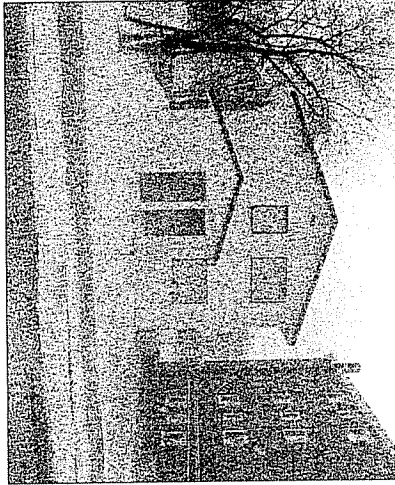
R-1M Single Family (Modified) Residential Zone
 C-1 Local Business Zone

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

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

Dartmouth Land Use By-Law Area

PROJECT LOCATION
32 PRIMROSE STREET
DARTMOUTH, NS



LIST OF DRAWINGS - CONCEPT DRAWINGS

- EXISTING / PROPOSED SITE PLANS SITE 1
- EXISTING / PROPOSED FLOOR PLANS INT 1.2
- EXISTING ELEVATIONS INT 1.3
- PROPOSED ELEVATIONS INT 1.4

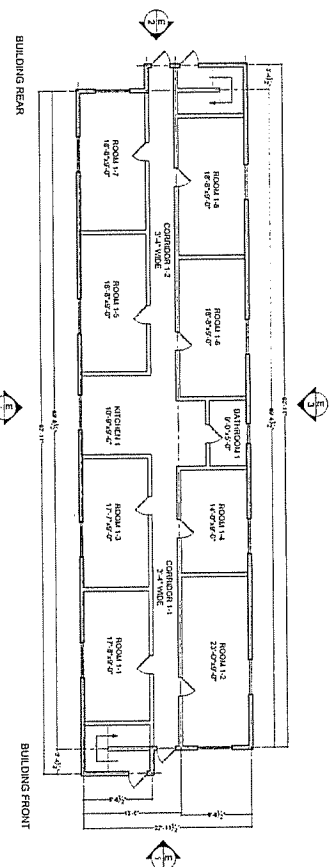
PRS
INTERIOR DESIGN AND FACILITIES PLANNING
REGINALD R. SCHRAM A.R.I.D.O., I.D.C.
595 AIRPORT RD. SUITE 300 MISSISSAUGA, ON, M3T 5V7
TEL: (905) 672-8861 FAX: (905) 672-8817
ASSOCIATION OF REGISTERED INTERIOR DESIGNERS OF ONTARIO

TansGlobe
Property Management Services

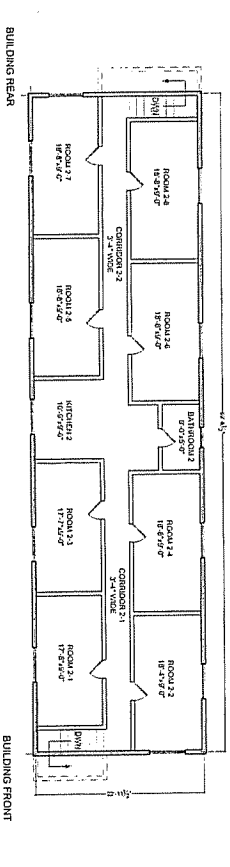
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Attachment A

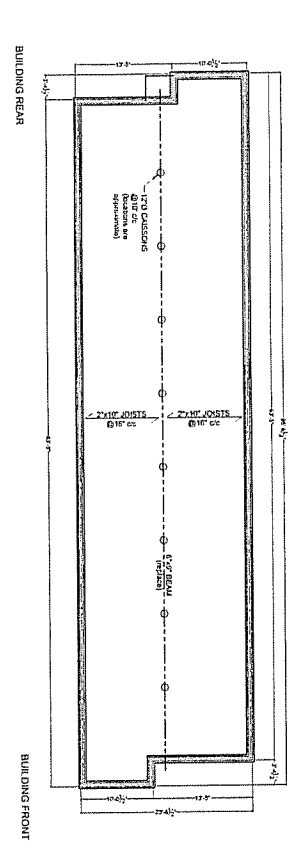
Site Plan & Elevations



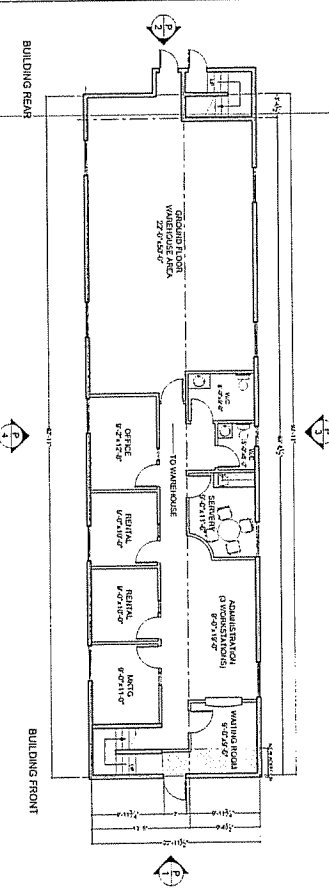
1. EXISTING GROUND FLOOR PLAN
INT 1.2 SCALE: 1/8" = 1'



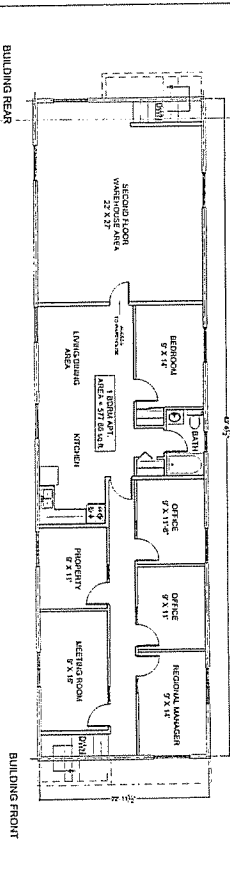
2. EXISTING SECOND FLOOR PLAN
INT 1.2 SCALE: 1/8" = 1'



3. EXISTING CRAWL SPACE (TO REMAIN AS IS)
INT 1.2 SCALE: 1/8" = 1'



4. PROPOSED GROUND FLOOR PLAN
INT 1.2 SCALE: 1/8" = 1'



5. PROPOSED SECOND FLOOR PLAN
INT 1.2 SCALE: 1/8" = 1'

NO.	DATE	BY
1	09/01/05	JLB
2	09/01/05	JLB
3	09/01/05	JLB
4	09/01/05	JLB
5	09/01/05	JLB
6	09/01/05	JLB
7	09/01/05	JLB
8	09/01/05	JLB
9	09/01/05	JLB

NOT TO SCALE

ALL DIMENSIONS AND SPACING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SPACING BEFORE CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

RRS
RESIDENTIAL REPAIR & RESTORATION SERVICES

REGINA & SCOTLAND N.B. 100
1000 AVENUE 50, SUITE 200, WINGFIELD, S1L 1K1
TEL: 866-674-9344 FAX: 866-674-9344
WWW.RRSREPAIR.COM

TransGlobe
Project Management Services

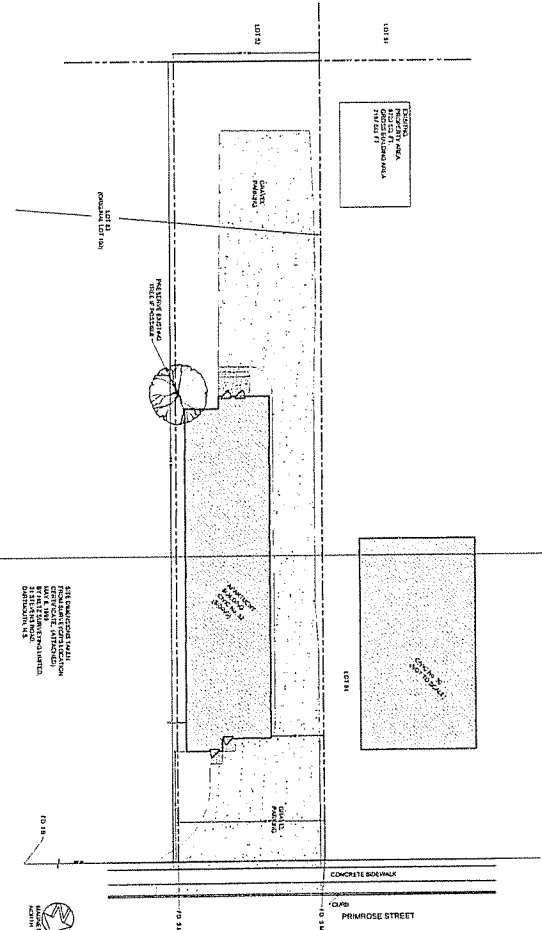
32 PRIMROSE STREET
DARTMOUTH, NS

PROJECT NAME:
PROJECT NO.:
DATE: 01 SEP 2005

EXISTING FLOOR PLANS & CONCEPT FLOOR PLANS

PREPARED BY: JLB
SCALE: AS NOTED
DRAWING NO: INT 1.2

1 EXISTING SITE PLAN
SITE SCALE: 1/8" = 1'

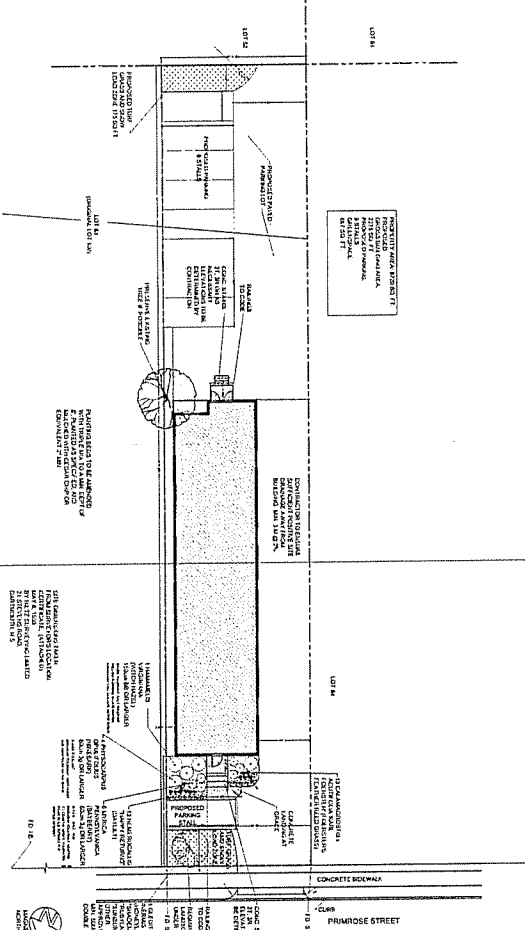


DO NOT SCALE DRAWINGS

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS TO FACE ARE TO BE USED FOR CONSTRUCTION. DIMENSIONS TO CENTERLINE ARE TO BE USED FOR LOCATION. DIMENSIONS TO CENTERLINE ARE TO BE USED FOR LOCATION. DIMENSIONS TO CENTERLINE ARE TO BE USED FOR LOCATION.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	08/15/05	DW
2	ISSUED FOR PERMITS	08/15/05	DW
3	ISSUED FOR PERMITS	08/15/05	DW
4	ISSUED FOR PERMITS	08/15/05	DW
5	ISSUED FOR PERMITS	08/15/05	DW
6	ISSUED FOR PERMITS	08/15/05	DW
7	ISSUED FOR PERMITS	08/15/05	DW
8	ISSUED FOR PERMITS	08/15/05	DW

2 PROPOSED SITE PLAN
SITE SCALE: 1/8" = 1'



PROJECT NAME: 32 PRIMROSE STREET, DARTMOUTH, N.S.

CLIENT: REGINALD R. SCHUMAK R.L.D., LTD.

ARCHITECT: RRS ARCHITECTURE AND INTERIOR DESIGN

DATE: 1 SEPT 05

SCALE: 1/8" = 1'

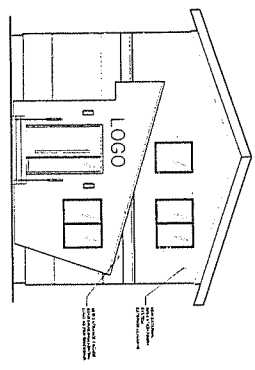
PROJECT NO.: 205-098

DESIGNED BY: DW

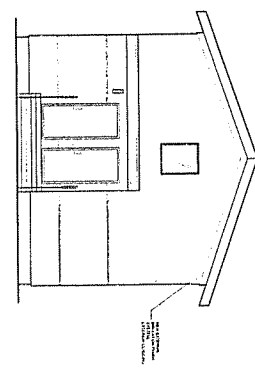
DRAWN BY: DW

DATE: 1 SEPT 05

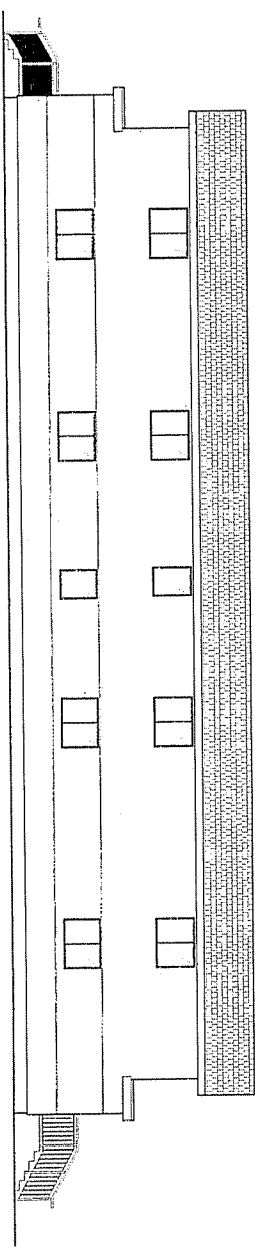
SITE 1



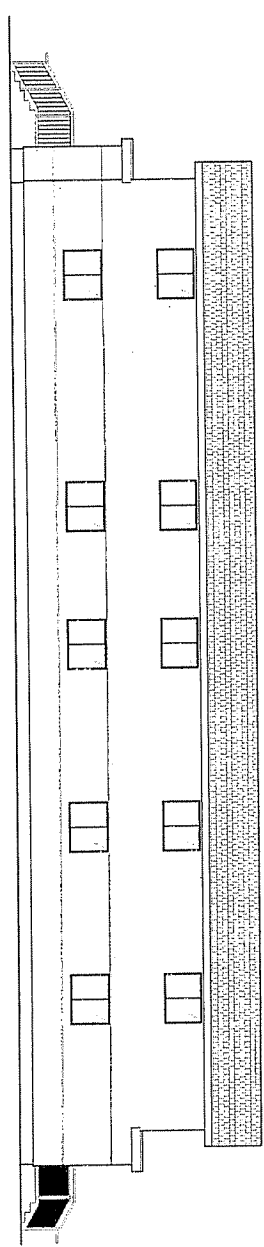
1 PROPOSED FRONT ENTRY ELEVATION (P1)
INT'1,4 SCALE: N.T.S.



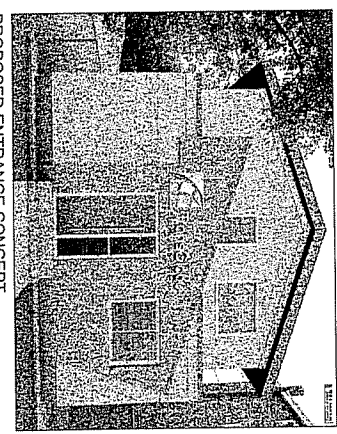
2 PROPOSED REAR ENTRY ELEVATION (P2)
INT'1,4 SCALE: N.T.S.



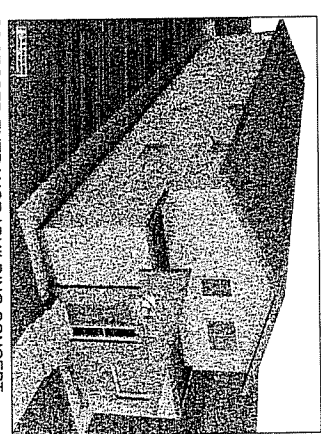
1 PROPOSED SIDE BUILDING ELEVATION (P3)
INT'1,4 SCALE: N.T.S.



4 PROPOSED SIDE BUILDING ELEVATION (P4)
INT'1,4 SCALE: N.T.S.



PROPOSED ENTRANCE CONCEPT
ARTIST'S RENDERING



PROPOSED ENTRANCE / BUILDING CONCEPT
ARTIST'S RENDERING

ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	FOUNDATION	1	SQ. FT.	10.00	10.00
2	FLOORING	1	SQ. FT.	10.00	10.00
3	CEILING	1	SQ. FT.	10.00	10.00
4	WALLS	1	SQ. FT.	10.00	10.00
5	ROOFING	1	SQ. FT.	10.00	10.00
6	MECHANICAL	1	UNIT	10.00	10.00
7	ELECTRICAL	1	UNIT	10.00	10.00
8	PLUMBING	1	UNIT	10.00	10.00
9	PAINTING	1	SQ. FT.	10.00	10.00
10	LANDSCAPING	1	UNIT	10.00	10.00
11	PERMITS	1	UNIT	10.00	10.00
12	CONTRACTOR	1	UNIT	10.00	10.00
13	INSURANCE	1	UNIT	10.00	10.00
14	UTILITIES	1	UNIT	10.00	10.00
15	DEMOLITION	1	UNIT	10.00	10.00
16	FOUNDATION	1	SQ. FT.	10.00	10.00
17	FLOORING	1	SQ. FT.	10.00	10.00
18	CEILING	1	SQ. FT.	10.00	10.00
19	WALLS	1	SQ. FT.	10.00	10.00
20	ROOFING	1	SQ. FT.	10.00	10.00
21	MECHANICAL	1	UNIT	10.00	10.00
22	ELECTRICAL	1	UNIT	10.00	10.00
23	PLUMBING	1	UNIT	10.00	10.00
24	PAINTING	1	SQ. FT.	10.00	10.00
25	LANDSCAPING	1	UNIT	10.00	10.00
26	PERMITS	1	UNIT	10.00	10.00
27	CONTRACTOR	1	UNIT	10.00	10.00
28	INSURANCE	1	UNIT	10.00	10.00
29	UTILITIES	1	UNIT	10.00	10.00
30	DEMOLITION	1	UNIT	10.00	10.00

PROPOSED ENTRANCE CONCEPT
ARTIST'S RENDERING

PROPOSED ENTRANCE / BUILDING CONCEPT
ARTIST'S RENDERING

32 PRIMROSE STREET
DARTMOUTH, NS

PROPOSED CONCEPT ELEVATIONS

DATE: 01 SEPT 10

INT'1,4

Attachment B

Relevant Policy from the Pinecrest/ Highfield Park Secondary Planning Strategy

2.0 RESIDENTIAL

2.1 Neighbourhood Stability and Residential Zoning

The Pinecrest-Highfield Park neighbourhood has one of the highest population densities in the Metro Area. The population is transient in nature, with over 90 percent of the residents renting their dwelling unit. Since people tend to move in and out of apartments much more frequently, the area lacks a sizable core of long-term residents.

The existing R-3 (Medium Density Residential) Zone has contributed to the replacement of single detached housing by medium density apartments. Furthermore, recent residential construction in the Highfield Park area has been almost exclusively apartment buildings.

Throughout the course of the Neighbourhood Plan's preparation, it was learned that the community's desire was that further apartment construction in the area be prohibited. The objective is to attain a higher level of neighbourhood stability, and this can be achieved, in part, by permitting development which encourages more home ownership and prevents the continued loss of existing single-family homes. Therefore, a new zone, R-1M (Modified), will be established in the Land Use Bylaw, to be placed on the older section of the Pinecrest area, where the majority of remaining single-family homes exist.

Besides facilitating increased stability within the neighbourhood, the new R-1M Zone has two additional advantages. Firstly, the zone will permit development on a lot size which is smaller than that allowed under the traditional R-1 Zone. This should translate into reduced lot prices, and also means that smaller housing units will be constructed, thereby significantly contributing to an affordable housing option within the neighbourhood. In order to enable small lot development to occur, an amendment to the City's Subdivision Regulations is required.

Secondly, the new zone is to be applied to that portion of the Pinecrest area having oversized existing lots (approximately 60 feet by 218 feet). The rear portion of many of these lots is not utilized. By implementing the R-1M Zone, the potential exists to develop single-family lots along newly created streets at the rear of the existing lots. This affords development opportunities for existing property owners, and further increases the single-family residential character of the neighbourhood.

Policy 2.1.1 In order to encourage the stabilization of the Pinecrest-Highfield Park neighbourhood, it shall be the intention of City Council to establish, in the Land Use Bylaw, a Single-Family Modified (R-1M) Residential Zone. The R-1M Zone shall allow those uses permitted in the R-1 (Single Family Residential) Zone. The R-1M Zone shall be applied only to the portion of the Pinecrest-Highfield Park neighbourhood, as indicated on Map 2, which presently contains the highest concentration of existing single-family dwellings.

Policy 2.1.2 In order to facilitate affordable single family housing development, it shall be the intention of City Council, within the R-1M Zone of the Land Use Bylaw, to permit development on lots smaller in size than that permitted within the R-1 (Single-Family) Zone. Therefore, it shall be the intention of City Council to amend the City's Subdivision Regulations in order to permit the creation of smaller lots within the R-1M Zone.

Policy 2.1.3 It shall be the intention of City Council to not consider rezonings which would permit higher density Residential development on lands zoned R-1M within the Pinecrest-Highfield Park neighbourhood.

Policy 2.1.4 It shall be the intention of City Council to apply the R-1 (Single-Family Residential) Zone to those properties containing existing single-family dwellings which front on Leaman Drive and Ambercrest Place, as shown on Map 3.

Policy 2.1.5 It shall be the intention of City Council to apply the R-2 (Two-Family Residential) Zone to those properties containing existing single-family or two-family dwellings which front on Monique Avenue. as shown on Map 3.

Policy 2.1.6 It shall be the intention of City Council to apply the TH (Town Housing) Zone to those properties containing existing town housing, including the Cedar Court development, a portion of Leaman Drive and a portion of True North Crescent, as shown on Map 3. The remaining vacant lands on True North Crescent shall also be zoned TH (Town Housing).

Policy 2.1.8 It shall be the intention of City Council to apply the R-3 (Multiple-Family Residential-Medium Density) Zone to those areas of the neighbourhood containing a concentration of existing medium density apartment building development, as shown on Map 3. Generally this includes the Highfield Park area, Pinecrest Drive where it abuts Highfield Park, and the area east of Pinecrest Drive to include development on Crystal Drive, Primrose Street and a portion of Leaman Drive.

It shall be the intention of City Council to apply the R-4 (Multiple-Family Residential - High Density) Zone to those properties containing existing high density apartment building development, generally bounded by Crystal Drive, Farthington Place and Pinehill Park, as shown on Map 3.

2.2 Building Maintenance and Management

Poor property maintenance of some of the rental properties within the Pinecrest-Highfield Park area means that residents are living in less than desirable housing conditions, and that parts of the neighbourhood look neglected and unattractive.

There are two avenues through which this issue can be addressed. The first involves increased enforcement of the City's Minimum Standards of Use and Maintenance of Property Bylaw. This may necessitate the allocation of additional staff for this purpose. The second involves improving the management of apartment buildings. The role of apartment superintendents is seen as being a key element in assuring high maintenance standards, but many apartment buildings are too small to support full-time superintendents (40 units in one or more buildings is seen as being the minimum number).

Policy 2.2.1 It shall be the intention of City Council to provide increased enforcement of the City's Minimum Standards of Use and Maintenance of Property Bylaw in order to more effectively deal with building and site maintenance within the Pinecrest-Highfield Park Neighbourhood.

Policy 2.2.2 It shall be the intention of City Council to investigate methods by which the management of apartment buildings can be made more responsive to the needs expressed by the community. This may be achievable through means such as education programs, incentive programs and City-sponsored demonstration projects.

7.0 POLICING AND SECURITY

Throughout the neighbourhood planning process, residents expressed concern respecting the need for a higher level of policing and security. The Pinecrest-Highfield Park area is perceived to have a high crime rate and a lack of security. This increases fear for personal safety and acts as an obstacle to community involvement.

Policy 7.1 It shall be the intention of City Council, through the Dartmouth Police Department and in cooperation with the Ward 5 Citizens' Association, to investigate means by which community security concerns can be adequately addressed. Through public workshops, meetings and other community initiatives, topics to be explored may include a Neighbourhood Watch Program, community education programs, increased policing and community-based policing.