

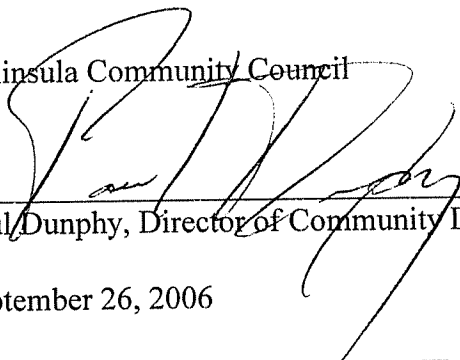


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Peninsula Community Council
November 6, 2006

TO: Peninsula Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: September 26, 2006

SUBJECT: Peninsula Zoning Review Project/Harvey Street Parking Lot

INFORMATION REPORT

ORIGIN

- July 10, 2006 Motion of Peninsula Community Council (item 9.1.1)
- April 10, 2006 Motion of Peninsula Community Council (item 11.1)

BACKGROUND

On July 10, 2006 Peninsula Community Council requested staff to comment on the status of neighbourhood area zoning review requests. Following the submission of petitions from neighbourhood residents in 2003, ten areas of the Peninsula were identified to be the subject of a "Zoning Review." Each area was to be looked at on an individual basis, one at a time.

On April 10, 2006, Peninsula Community Council requested a staff report on a proposal to rezone and redesignate the parking lot on Harvey Street associated with a Federal office building located at 1256 Barrington Street from R-2A to a zone and designation that would only allow townhouses to be developed on the site.

DISCUSSION

Addressing the Issues

As the neighbourhood zoning reviews started it became clear that the most substantial issues raised by the Public were:

- (a) Houses being constructed or altered to contain a relatively high number of bedrooms; and,
- (b) Houses being constructed or altered so that their size was out of character with their surroundings.

Through the zoning reviews these matters were only indirectly addressed by reducing the permitted height of buildings and allowed lot coverage. While these exercises were underway, development and building permits continued to be issued for houses containing an extremely high number of bedrooms that were often built to the limits of permitted lot coverage and height allowances. It became clear that the two most substantial issues needed to be addressed through a more direct approach and that this could not wait until each area was considered on an individual basis - which would have taken several years to complete.

Overall Amendments to the Peninsula Land Use Bylaw

Two overall amendments to the Peninsula Land Use Bylaw were introduced and adopted in 2005 in response to the two most substantial issues facing the identified neighbourhood areas:

1. Land use definitions respecting the number of bedrooms that might be contained within the whole of a house.

These land use definitions specify that:

- (a) A single family detached dwelling or a semi-detached dwelling unit may contain a maximum of five bedrooms;
- (b) The whole of a two unit dwelling may contain a maximum of six bedrooms;
- (c) The whole of a three unit dwelling may contain a maximum of eight bedrooms; and
- (d) The whole of a four unit dwelling may contain a maximum of ten bedrooms.

2. Gross floor area requirements over the amount of floor area that may be contained within a house.

These requirements specify the total amount of floor area that may be contained within a dwelling in the R-1 or R-2 Zones, depending upon lot size (Attachment A).

Staff believe that these overall amendments have addressed the most significant issues within the identified neighbourhood areas.

Regional Centre Urban Design Study

With the immediate development pressures of inappropriate development having been addressed through the 2005 amendments, there is an opportunity to address neighbourhood development issues in a comprehensive manner. The first step in accomplishing this is through the newly initiated Regional Centre Urban Design (HRM by Design) Study. One element of this project involves looking at how development may occur in established neighbourhood areas in a sensitive manner through design techniques. One of the initiatives of the project will be to develop and then apply these to a case study area on the Peninsula and ultimately to adopt the new urban design techniques into new Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw policies and regulations.

Future Neighbourhood Area Reviews

Reviews of parts of the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw should only occur following the completion of the HRM by Design Study. Staff, Council, and residents will be better equipped to consider the most appropriate zoning regulations for the Peninsula through a comprehensive approach with a broader array of tools. With the completion of the HRM by Design Study, staff will be able to present options to Council for the implementation of possible changes to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw.

Harvey Street Parking Lot

While staff suggest that any future zoning changes be considered only following the completion of the HRM by Design Study, we believe that it would be sensible to follow through with the recommendations concerning Peninsula Community Council Status Sheet Item 4.1.4, *Harvey Street Parking Lot*. This matter concerns amending the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to only allow townhouses on a vacant area of land that is next to several townhouses that were established several years ago along Harvey Street. This would address the preference suggested by neighbourhood property owners and the District 12 Planning Advisory Committee as part of the uncompleted Zoning Review exercise of this area.

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. Consider a project to implement possible changes to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw with the completion of the HRM by Design Study. This is recommended alternative.
2. Community Council could direct staff to address the Zoning Review in advance of the HRM by Design Study. This is not recommended for the reasons outlined above.

ATTACHMENTS

Attachment "A" - Gross Floor Area Requirements

ADDITIONAL INFORMATION

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

Report Prepared by: Richard Harvey, Senior Planner, Planning and Development Services, 490-3691

Attachment "A" - Gross Floor Area Requirements

MAXIMUM RESIDENTIAL GROSS FLOOR AREA

26D The maximum residential gross floor area for dwellings within the R-1 and R-2 Zones shall be as follows:

<u>Lot Size</u>	<u>GFA Requirement</u>
<=3,500	The maximum GFA shall be a FAR of 0.75
>3,500 to 4,000	The maximum GFA shall be 2,625 sq. ft. or a FAR of 0.70, whichever is greater.
>4,000 to 4,500	The maximum GFA shall be 2,800 sq. ft. or a FAR of 0.65, whichever is greater.
>4,500 to 5,500	The maximum GFA shall be 2,925 sq. ft. or a FAR of 0.60, whichever is greater.
>5,500 to 7,000	The maximum GFA shall be 3,300 sq. ft. or a FAR of 0.55, whichever is greater.
>7,000 to 9,000	The maximum GFA shall be 3,850 sq. ft. or a FAR of 0.50, whichever is greater.
>9,000 to 11,000	The maximum GFA shall be 4,500 sq. ft or a FAR of 0.45, whichever is greater.
>11,000 to 13,000	The maximum GFA shall be 4,950 sq. ft. or a FAR of 0.40, whichever is greater.
>13,000	The maximum GFA shall be 5,200 sq. ft. or a FAR of 0.35, whichever is greater.

GFA: Gross Floor Area
FAR: Floor Area Ratio"