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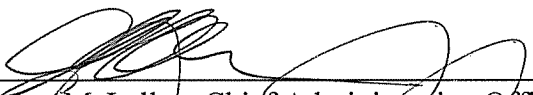



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Halifax Regional Council
March 4, 2003

To: Mayor Kelly and Members of Regional Council

Submitted by:


George McLellan, Chief Administrative Officer

Dan English, Deputy Chief Administrative Officer

Date: February 21, 2003

Subject: Case 00494: Request to amend the Halifax Municipal Planning Strategy and Land Use By-law for 5251 South Street, Halifax

ORIGIN:

Application by Rockstone Investments Limited, on behalf of Khaled Shaaban, to amend the Halifax MPS and Land Use By-law, to enable a multi-unit residential building at 5251 South Street, Halifax.

RECOMMENDATION:

It is recommended that Halifax Regional Council:

- (a) Authorize staff to initiate a process to amend the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable consideration of a multi-unit residential building at 5251 South Street, Halifax, by way of development agreement; and
- (b) Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

BACKGROUND:

The subject property is located on the north side of South Street between Church and Barrington Streets (Attachments I & II). The owner wishes to demolish the existing 22 unit non-conforming building and construct a 45 unit apartment building. A proposed concept is provided in Attachments III, IV and V.

The property has an area of approximately 16,500 square feet with approximately 100 feet of frontage on South Street. It is flanked by multi-unit buildings on South Street and there are a variety of multi-unit buildings and a few single family homes in the immediate vicinity. Nearby is Cornwallis Park as well as some mixed use commercial/residential buildings.

Municipal Planning Strategy Designation and Zoning

The property is subject to the Municipal Planning Strategy for Halifax, South End Area, and Halifax Peninsula Land Use By-law. It is designated MDR (Medium Density Residential) and zoned R-2A (General Residential Conversion) Zone. There is a height precinct of 35 feet in effect and a height restriction associated with the site's location within View Corridor 8.

A MPS amendment is required in order to enable consideration of a proposal to re-develop this property for an apartment building. Current MPS policy pertaining to areas designated Medium Density Residential and zoned R-2A restricts residential development to buildings containing no more than four units which renders the present use non-conforming. This proposal entails construction of a new building containing 45 units, and therefore a site-specific MPS amendment is required.

The South End Residential Environments Policies encourage redevelopment, particularly infill family-type housing projects which are compatible with the existing development of the neighbourhood and hence would not change the character of the area. As the character of the area is predominantly low rise multiple-unit residential, it is staff's view that a multiple-unit residential development designed to be in character with the surrounding neighbourhood could be considered provided that other policies of the MPS are met.

DISCUSSION:**Redevelopment Proposal**

It is staff's opinion that the request for a Plan Amendment has merit and should be considered for several reasons:

1. Improvement Over Existing Situation

The proposal for the 45 unit building would be an improvement over the existing situation. The existing apartment building at 5251 South Street has been in existence for over 100 years and is non-conforming. The existing building has no redeeming architectural features and is basically a wood frame box. The applicant has advised that it would not be a good investment to renovate the building because of old and inefficient heating systems, poor insulation, deteriorating windows, uneven floor levels and improper fire separation between units with no sprinklers. Additionally, the existing building is not wheel chair accessible, the existing surface parking is very limited and hard to access and there is no useable green space.

The proposed concrete building will be safer, more energy efficient, provide useable amenity area, be wheel chair accessible and provide underground parking facilities which will relieve on-street parking congestion. The proposed building design would add an architectural character to the site by incorporating elements of nearby architecture and improve the streetscape along South Street.

2. Replacing Multi-unit Stock with Multi-unit Stock

The proposal envisions replacing one multi-unit building with another multi-unit building which implies a continuity of compatibility. The property is beside and opposite existing multi-unit buildings on South Street. Additionally, to the rear, along Harvey Street, are existing multi-unit buildings. It is staff's opinion that a well designed multi-unit building has the potential to integrate well with the existing neighbourhood.

3. Locational Advantages

The site has good potential for redevelopment because of its specific location on the Peninsula. South Street has a predominance of multiple unit residential buildings and is a transit route. It is recognized that higher density residential development should be located on principal streets, the concept being that increased densities increase transit ridership and accessibility. Therefore the proposal for the multi-unit building is in keeping with the objectives in the South End Area Plan for South Street.

As-of-Right Zoning vs. Development Agreement

In order to enable this development proposal, one possibility would be to rezone the property to R-3 (Multiple Dwelling Zone), as this zone permits multiple unit buildings, subject to zone requirements. While this would enable the redevelopment, the level of development control is not considered adequate. Issues related to the permitted density of development, height and design of the building, traffic generation, landscaping and amenity features, and compatibility with the existing neighbourhood, are of concern and may not be amply addressed through rezoning.

The best method to ensure sufficient control over development on this site would be through a development agreement. This approach would see a site specific set of criteria incorporated into the Municipal Planning Strategy, and any development proposal must satisfactorily address such criteria. Some issues which can be addressed in these criteria are:

- Quality of development (architectural design)
- Density, building height
- Traffic flows/site access
- Neighbourhood interests
- Landscaping and amenity features
- Relationship to surrounding areas

Public Consultation

There will be public consultation before any decision on the MPS amendment is made by Council. The applicant will meet with the public and present a preliminary concept as per Attachments III, IV, V. Area residents will have an opportunity to review the proposal and to suggest appropriate evaluation criteria for a development agreement. A development agreement can be prepared and presented concurrently with any appropriate MPS policy amendments.

Conclusion

The requested MPS amendment has merit as the redevelopment of the site with the same use could improve the existing streetscape on South Street and represents a reinvestment opportunity for this particular property. In order to consider this type of project, the development agreement mechanism is the preferred option. In order to enable this to occur, an amendment to the MPS is required.

BUDGET IMPLICATIONS:

There are no budget implications.

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 are identified for the consideration of Council:

1. Council may choose to proceed with the MPS amendments described in this report. This is the recommended course of action.
2. Alternatively, Council may choose not to initiate the MPS amendment process for this development proposal. Council is under no obligation to consider a request to amend a Municipal Planning Strategy and a decision not to amend the MPS cannot be appealed. For reasons outlined in this report, staff does not recommend this option.

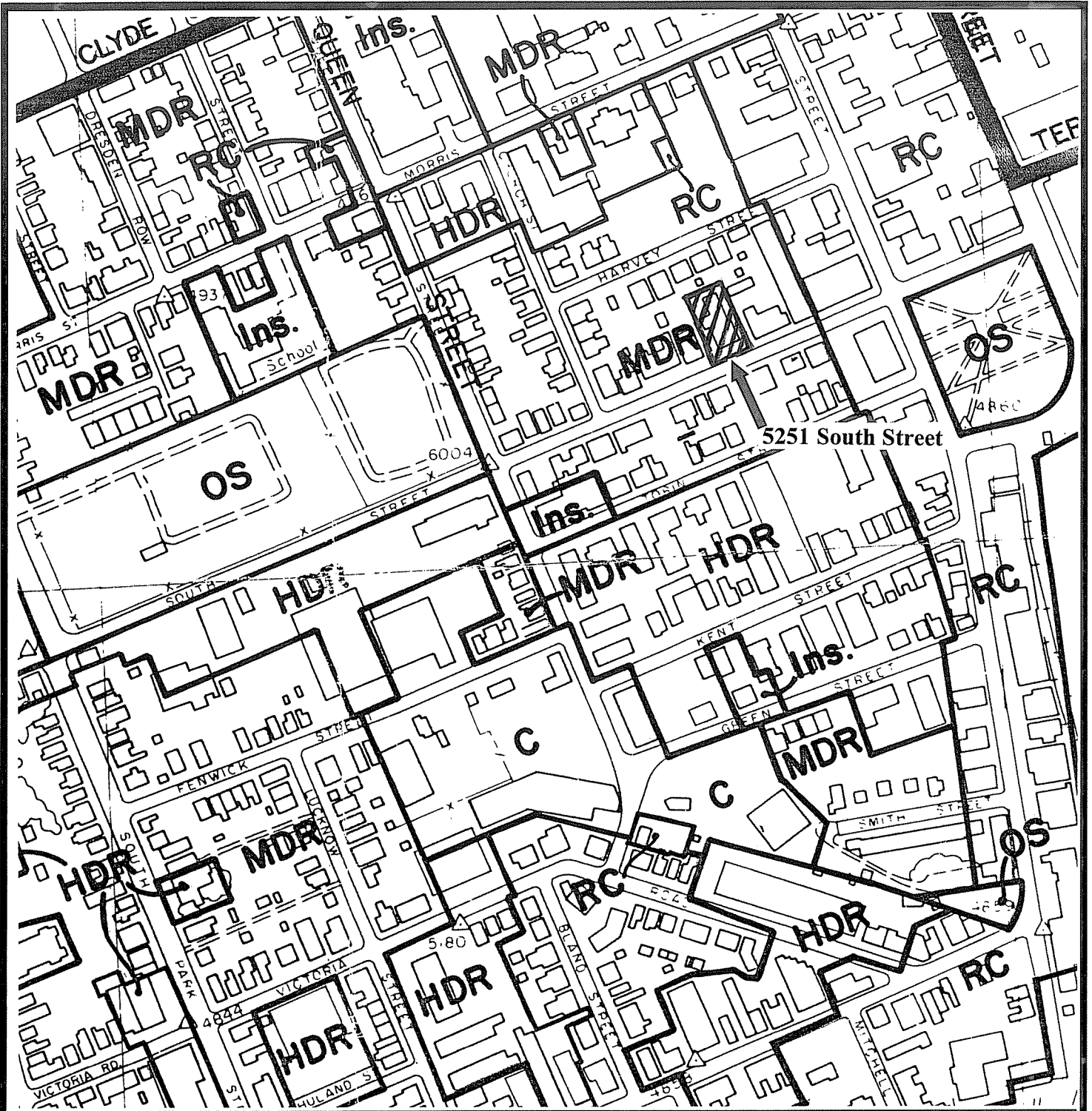
ATTACHMENTS:

- I Generalized Future Land Use
- II Zoning
- III Concept - Front and Left Side (west) Elevations
- IV Concept - Right Side (east) and Rear Elevations
- V Concept - Site Development Plan

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: Randa James, Planner 1, 490-4499

Report Approved by: 
Paul Dunphy, Director, Planning & Development Services

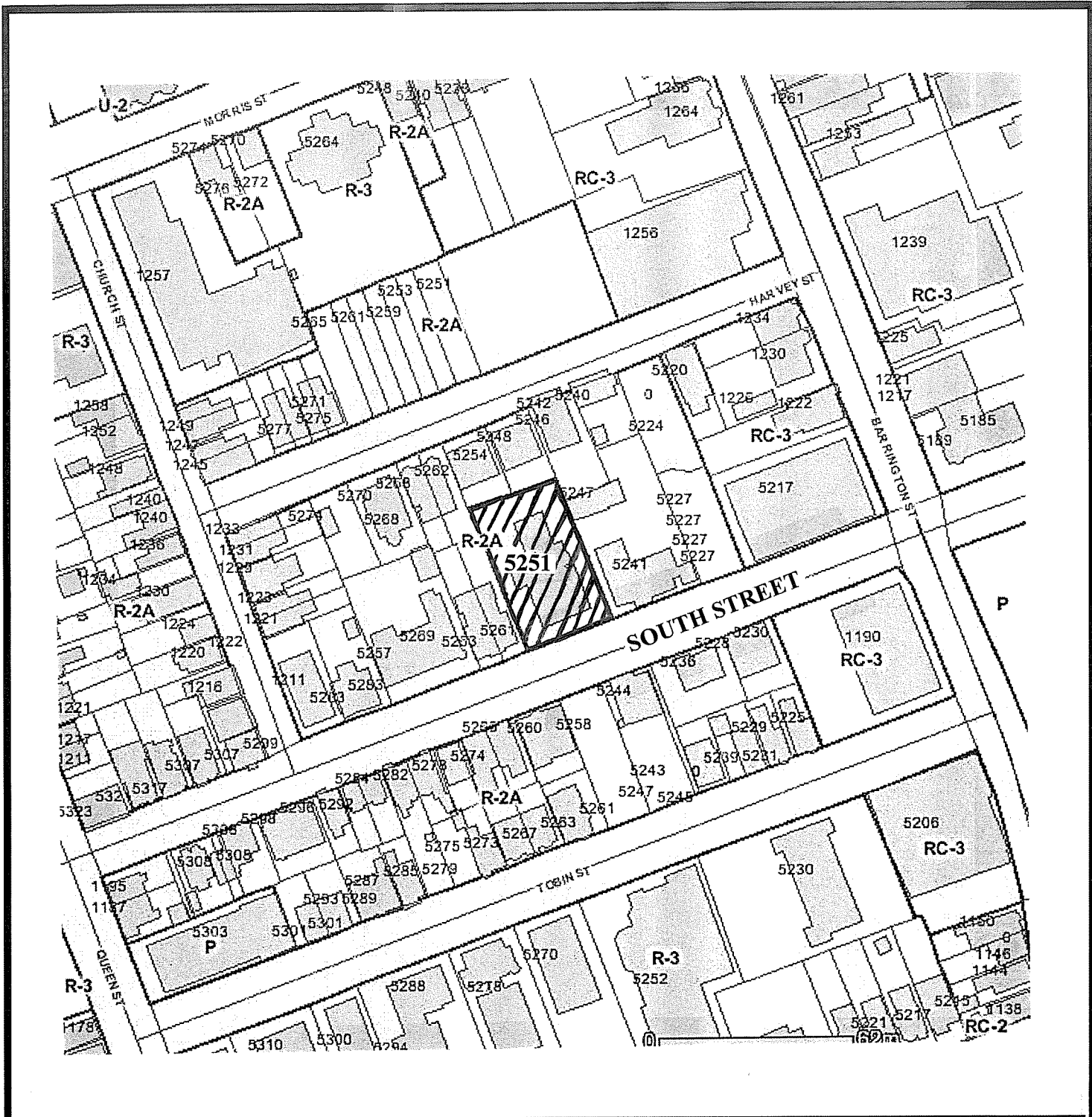


Attachment I
 Generalized Future Land Use



Planning and Development Services

- MDR Medium Density Residential
- HDR High Density Residential
- OS Open Space
- C Commercial
- Ins. Institutional
- RC Residential - Commercial Mix

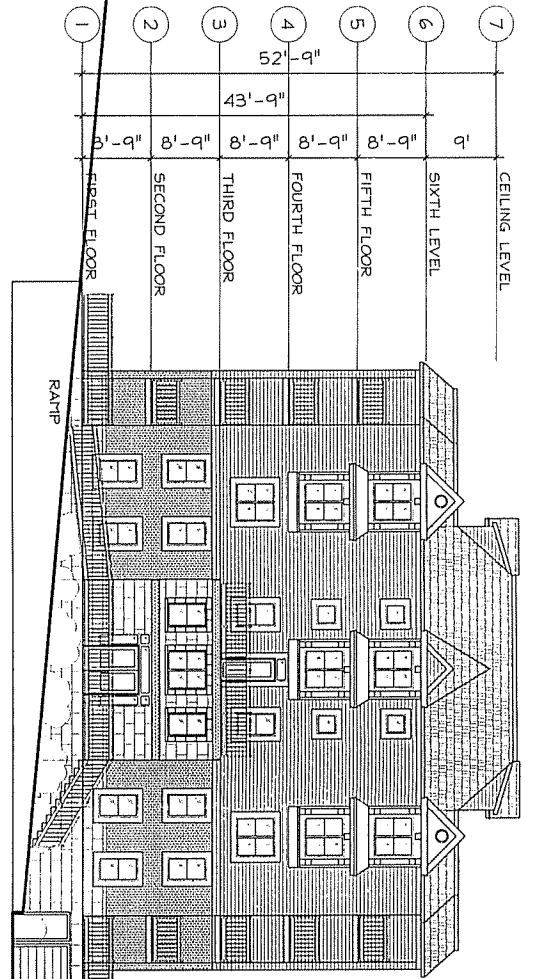


Attachment II
Area Plan with Zoning



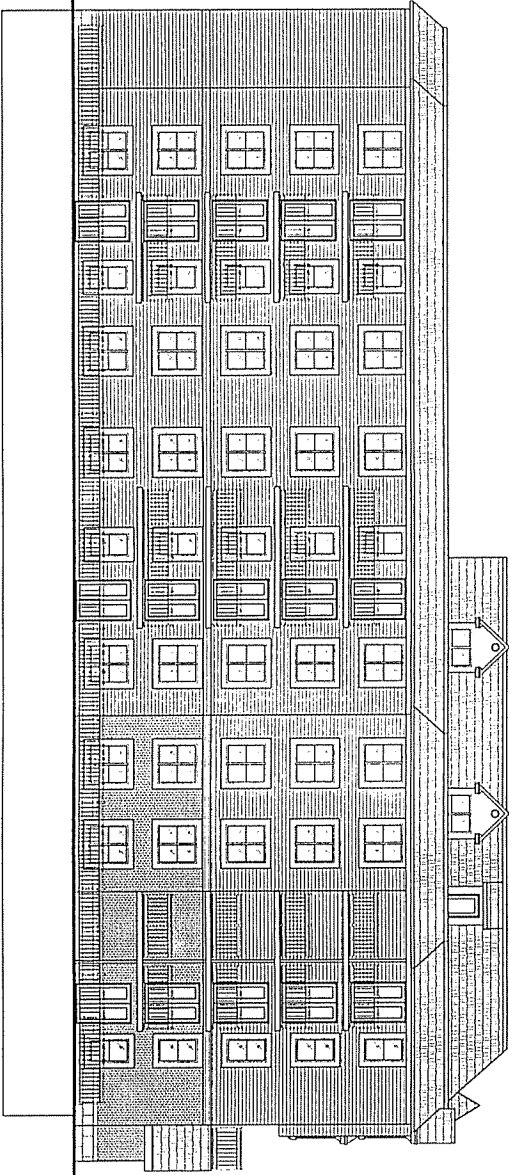
Planning and Development Services

- R-2A General Residential Conversion Zone
- R-3 Multiple Dwelling Zone
- RC-3 High Density-Residential/Minor Commercial Zone
- U-2 High Density University Zone
- P Park and Institutional Zone



1 FRONT ELEVATION (SOUTH)
1/8" = 1'-0"

7	CEILING LEVEL	0'
6	SIXTH LEVEL	8'-9"
5	FIFTH FLOOR	8'-9"
4	FOURTH FLOOR	8'-9"
3	THIRD FLOOR	8'-9"
2	SECOND FLOOR	8'-9"
1	FIRST FLOOR	8'-9"



2 LEFT ELEVATION (WEST)
1/8" = 1'-0"

General Notes:
 Builder to check and verify all dimensions and report any discrepancies before construction commences.
 All work to be completed in accordance with the approved building code of Ontario.
 All Federal, provincial and local ordinances, etc. shall be considered as part of the contract documents.
 The contractor shall be responsible for obtaining all necessary permits and approvals.
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Δ	02/03/03	REVISION	DH1

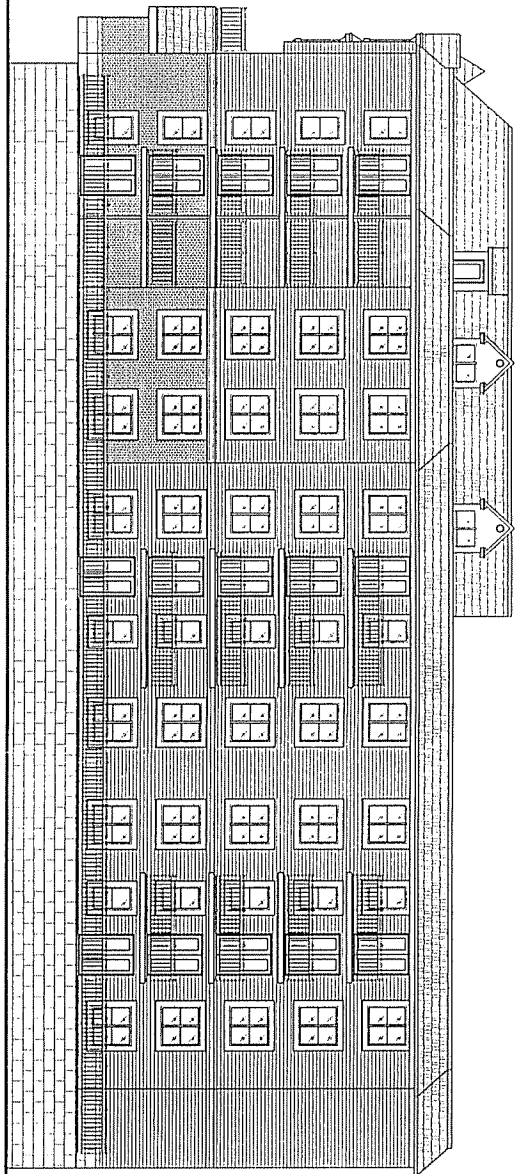
Rev	Date	Revision	By

2571 Robic Street
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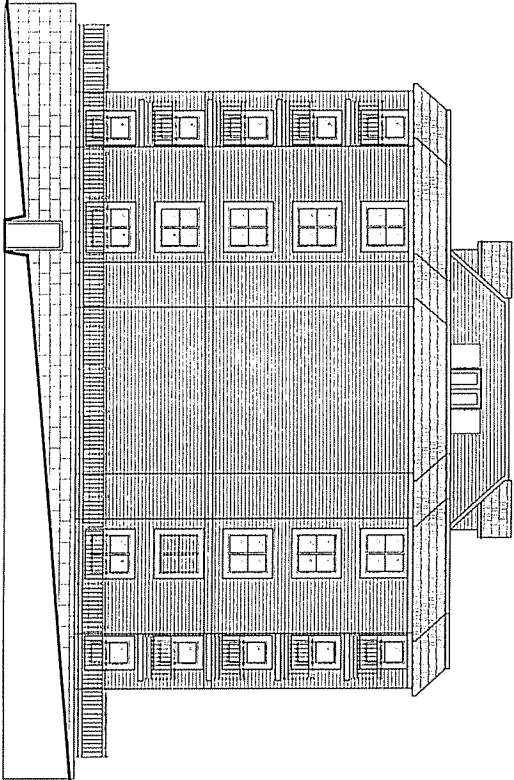
Project: HILLSIDE APARTMENTS
 45 Unit Proposed Apartment Building
 5351 South Street, Halifax, N.S.

Title: EXTERIOR ELEVATION

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Project: 220702	



3 RIGHT ELEVATION (EAST)
1/8" = 1'-0"

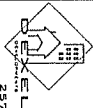


4 REAR ELEVATION (NORTH)
1/8" = 1'-0"

General Notes
 Builder to check and verify all dimensions
 construction documents before
 All work to be completed in accordance
 with the national building code of Canada
 (B.C. 1995)
 All federal, provincial and local ordinances,
 regulations and codes of practice, described
 in the contract documents, shall take
 precedence over anything shown, described
 or indicated on any other set of documents.

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Rev.	Date	Revision	By
1	22/07/03	REVISION	DM
2	02/09/03	REVISION	DM

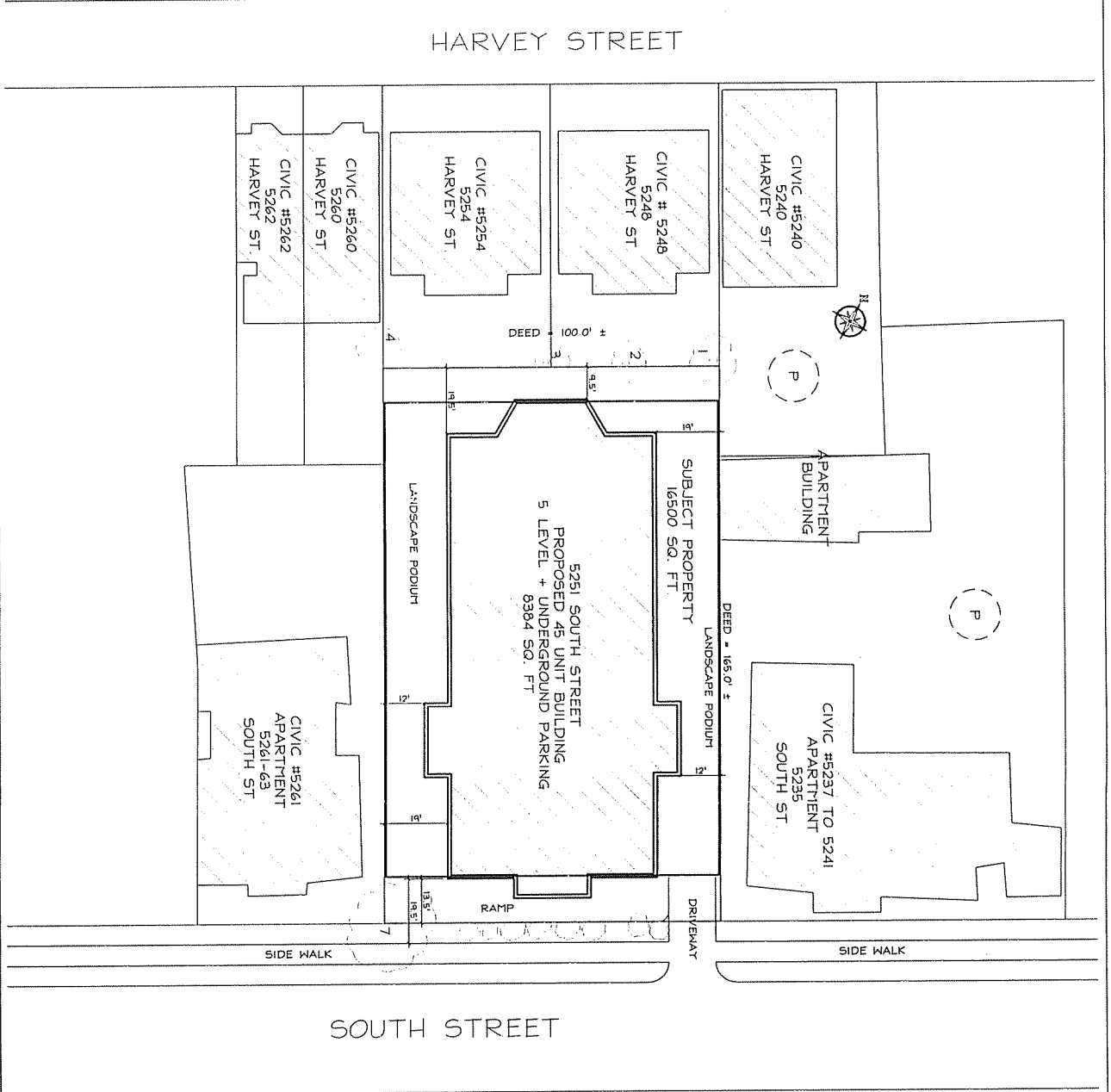


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Project:
HILLSIDE APARTMENTS
 45 Unit Proposed Apartment Building
 5251 South Street, Willow, N.S.

Title:
EXTERIOR ELEVATION

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Project	220702	
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General Notes
 Enter to check and verify all dimensions and report any discrepancies before construction commences.
 All work to be completed in accordance with the approved building code of Georgia. All federal, provincial and local ordinances, etc. shall be considered as part of the site procedure over existing shown, described or implied, if and where variances occur.

REV	DATE	REVISION	BY
1	02/03/03	REVISION	DHT
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Project: HILLSIDE APARTMENTS
 45 Unit Proposed Apartment Building
 5251 South Street, Halifax, N.S.

Title: SITE PLAN

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Project 220702	