

3834 Robie Street, Halifax

***Application for Rezoning from R-2 (General Residential) to
R-2A (General Residential Conversion)***

March 2, 2017

(amended October 6, 2017)

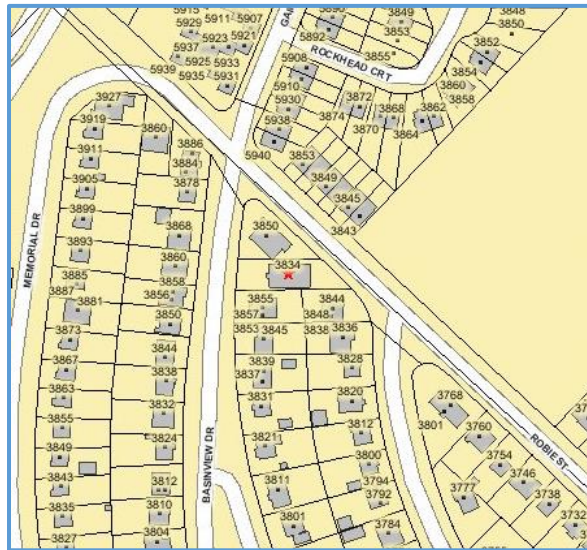
Shelley Dickey Land Use Planning

***sd@shelleydickkey.com
www.shelleydickkey.com***

902.463.2004

Introduction:

I am pleased to submit this application for rezoning on behalf of Pang Investments Ltd. to enable the continued use of 3834 Robie Street as a six unit dwelling. We are requesting a rezoning from the R-2(General Residential) zone to the R-2A (General Residential Conversion) zone of the Halifax Peninsula Land Use Bylaw.



Supporting Material:

In support of this application the following materials are included:

- Completed planning application form
- Application fee of \$2600 (see attached note)
- Site plan (4 copies)
- Floor plans (4 copies)
- Email regarding application from David Lane- Planner III
- Electronic copies of above material

Background/History:

The property at 3834 Robie Street currently contains 6 dwelling units. It is our understanding that permits were issued to allow a 4 unit dwelling to be constructed in approximately 1963. Subsequently two additional dwelling units were created in the basement of the dwelling by a previous owner in the mid 1960's. Pang Investments Ltd. purchased the dwelling in 1988. It was recently determined that only four units are permitted by the Peninsula Land Use Bylaw (LUB) - the two additional basement units, therefore, do not meet the provisions of the LUB.

This property is located within the Halifax Municipal Planning Strategy area and is designated Residential and zoned R-2 (General Residential) under the Peninsula LUB. This zone permits residential uses up to 4 dwelling units subject to lot size and setback requirements.

The Property/Building:

This property is approximately 8000 square feet in area with frontage on both Robie Street and Basinview Drive (see site plan). There is 50 feet of frontage on Basinview Drive and 73 feet of frontage on Robie Street. The footprint of the building is approximately 2,148 square feet with a gross floor area of 6,444 square feet. This multiple unit two storey building with finished basement currently contains 6 units – 5 three bedroom units and 1 one bedroom unit (see floor plans). Each of the three bedroom units is approximately 915 square feet in area, while the one bedroom unit is approximately 605 square feet. There is a small common area in the basement which includes a storage area, an electrical room, and a laundry room. There are seven separately accessible parking spaces at the Basinview frontage of the dwelling (see photos).



Robie Street view

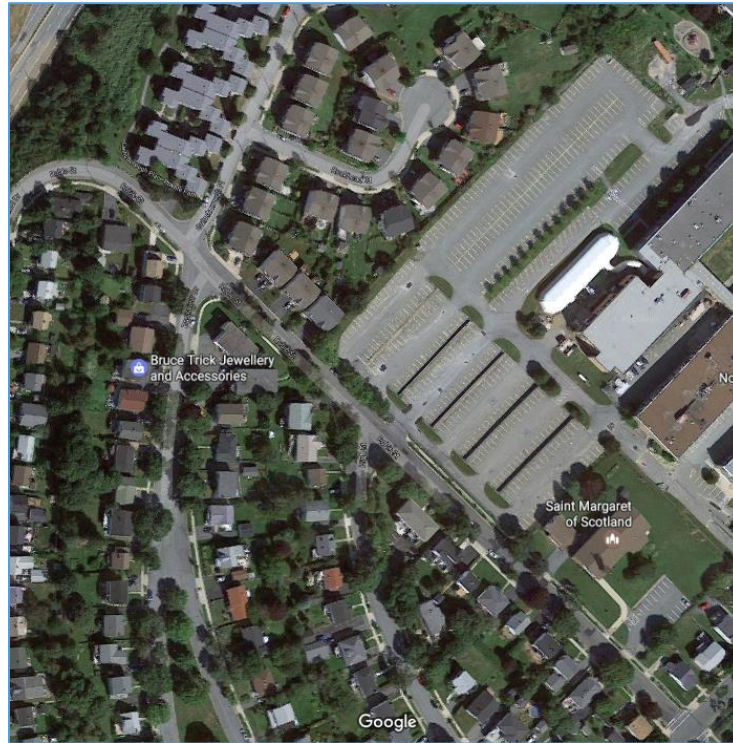


Basinview Drive View

Neighbourhood Context:

This multiple unit building is part of a predominately residential neighbourhood in the North End of Halifax which has a mix of single family dwellings, semi-detached units, triplexes and small apartment buildings with up to 6 units. There is also a large 55 unit townhouse complex located near this property at Gainsborough Place. There are other dwellings on Robie Street in proximity of this site which could accommodate 6 units as they are of a similar size and configuration to 3834 Robie Street. Many of the dwellings along Robie and Basinview north of this property have been converted to 2-4 units. There are a number of semi-detached dwellings directly across Robie Street. Overall the immediate area of 3834 Robie Street is comprised of a variety of dwelling types - many of which were built as or converted to contain a range of unit counts and densities.

This property is also located directly across from the Nova Scotia Community College- Institute of Technology Campus. This area is well serviced by transit with the frequent #7 Robie bus route which stops within a 3 minute walk of the property. In addition St. Stephens Elementary School is located within a 6 minute walk and there are two churches nearby. Merv Sullivan Park at Novalea near Glebe Street provides recreational services for this area and includes a playground, ball field, tennis and basketball courts, and is located within a 12 minute walk of the property. There is a small neighbourhood commercial area located an 8 minute walk south of the property at Lady Hammond/Duffus and Robie Streets.



Site context view

Proposal:

It is requested that this property be rezoned under the existing policies of the Halifax Municipal Planning Strategy from the R-2 zone, which allows a maximum of 4 units, to the R-2A zone. Rezoning is being requested in order to authorize the use of the property as a 6 unit dwelling. No additions or internal conversions would be sought to increase the number of dwelling units beyond 6 units.

The property would be converted to a maximum of 6 units using Section 43A1 of the Peninsula LUB and would meet the requirements of this section.

Section 43A1 A building which was in existence on September 17, 1987 may be converted to R-1, R-2, or R-2A uses provided:

- i) there is no increase in building volume; and*
- ii) in the case of R-2A uses, fifty percent (50%) of the dwelling units contain a minimum of 800 square feet of floor area.*

The R-2A use being sought is a Converted Multiple Dwelling House which is defined in the LUB as follows:

Converted Multiple Dwelling House “means a building located on a lot, both of which existed on September 17, 1987 and to which additions or conversions have occurred, resulting in a building containing a minimum of 5 and a maximum of 14 self contained dwelling units”.

As previously noted this dwelling was constructed in 1963 and has retained its current volume since that time. Attached is a location certificate from 1973 demonstrating that the current building and lot configuration have been in place since at least 1973. In addition five of the six units in the dwelling (83%) are over 800 square feet in area at 915 square feet per the requirement of Section 43 AI of the LUB.

It is our understanding, based on discussions with HRM Development, that conversion of the existing dwelling under Section 43AI to permit 6 units would preclude any further internal conversions to permit any additional dwelling units under R-2A zoning.

Potential for Additions:

It is our opinion that R-2A zoning on this property would restrict any additions of either floor area or additional units to the existing dwelling. Generally, Section 43 AD of the Peninsula LUB allows the potential for additions to R-2A zoned properties to include up to 14 units if the following conditions are met:

1. Side yard additions must result in a side yard of 6 feet (43 AD (iv)). As the current side yards of 3834 Robie Street are just over 6 feet there is no potential for side additions.
2. Additions to the rear of the building are not permitted if the rear yard abuts a street (43 AD(viii)). As the rear of this property abuts Basinview Drive, there is no potential for rear additions.
3. Additions to a dwelling cannot exceed the height of the existing dwelling (43AD (ix)). This precludes the ability to add an additional storey to the existing building.

These conditions cannot be met, therefore the provisions of the R-2A zone would prohibit any additions to this property.

Policy Analysis:

It is our opinion that this property is appropriate for rezoning to R-2A, with a limit of 6 units as discussed above, as this would permit only a minor increase in the intensity of residential uses on the property, and is situated in an area which is suitable for this type of intensification.

Regarding the property, the internal conversion to 6 units would be accomplished within the existing building which has been in place in this neighbourhood for over 50 years. As the form of the dwelling will be retained there will be no impact on the Robie Street or Basinview Drive streetscapes or on adjacent properties. In terms of function there is adequate parking and access for each of the 6 units as the existing parking area can accommodate 7 cars.

In relation to the surrounding community, this area of the Peninsula currently has a number of residential uses of higher intensity and a major institutional use which reflects the fact that it is well served by transit, recreational services, educational institutions and commercial uses. This property at the northern terminus of Robie Street is in an area of transition from the lower density neighbourhoods to the south and west and the higher intensity areas to the north and east. Rezoning this property to R-2A to permit a maximum of 6 units in this existing building would recognize the site and context of this property.

This requested rezoning from R-2 to R-2A is required to be consistent with the relevant policy criteria as set out in Part II of the Halifax Municipal Planning Strategy which is considered in detail as follows:

SECTION II POLICIES (Halifax Municipal Planning Strategy)	
Policy	Analysis
2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.	This requested rezoning would enable this property to retain the two additional dwelling units within the current building. This type and level of residential intensification is compatible with the existing neighbourhood which currently has a mix of residential forms and densities.
2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	The integrity of this neighbourhood would be maintained by this rezoning as a 6 unit dwelling is a similar intensity of residential use as currently established in this neighbourhood. Enabling the continuation of this 6 unit dwelling is also related to the needs of the neighbourhood. Students of the adjacent NSCC Campus would benefit from having the choice of nearby affordable rental housing options that a 6 unit apartment building can provide. In addition, the fact that the majority of units within this dwelling are three bedroom provides affordable housing choice for families in this neighbourhood.

Policy	Analysis
<p>2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p>	<p>Permitting 6 units within this existing multiple unit dwelling retains the residential character of this North End neighbourhood. Also, it provides an additional choice of residential accommodation to those who wish to live in this stable residential neighbourhood.</p>
<p>2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The internal conversion of this dwelling to 6 units permits residential intensification in a manner which preserves the existing building scale and character of this neighbourhood, and, therefore, contributes to the stability of the area.</p>

Policy	Analysis
2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	Allowing this 6 unit dwelling through internal conversion is infill at a scale compatible with this neighbourhood, with its variety of residential building forms and densities.
2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).	A six unit building at this location allows a choice of housing options for a variety of income groups, and is compatible in form and function with the existing neighbourhood.

Implementation Policies (Halifax Municipal Planning Strategy)	
Policy	Analysis
3.1.1 The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.	See previous comments.

Centre Plan:

It is our opinion that the draft Centre Plan would encourage the addition of two units through internal conversion as proposed for 3834 Robie Street. Under Centre Plan this property is proposed to be designated as an *established residential area*. The policy direction for these areas is to “*permit modest redevelopment opportunities which respect the existing scale, character and built form of these areas.*” *Low scale apartment style buildings and housing conversions* are considered to be appropriate housing types. In addition one of the housing objectives in Centre Plan is to “*enhance opportunities for new units within existing structures and infill housing*” There is the encouragement of additional “*hidden and gentle density*” in existing buildings such as basement apartments, and the development of small apartment buildings of up to 3 storeys in certain neighbourhoods.

It is our opinion that in addition to meeting the existing policies of the Halifax Municipal Planning Strategy as detailed above, permitting the retention of this low rise multiple unit dwelling with 6 units (accomplished through internal conversion of the basement level), within this mixed density area, meets the overall vision and the housing policy directions and objectives of the draft Centre Plan.

Summary/Conclusion:

In summary, it is our opinion that the rezoning of 3834 Robie Street to R-2A to permit the retention of the existing 6 units meets the relevant policy criteria of Section II of the Halifax Municipal Planning Strategy which have been put in place to ensure that any development which results from a rezoning process maintains the integrity and stability of the existing residential neighbourhood, and provides a choice of housing opportunities to its residents.

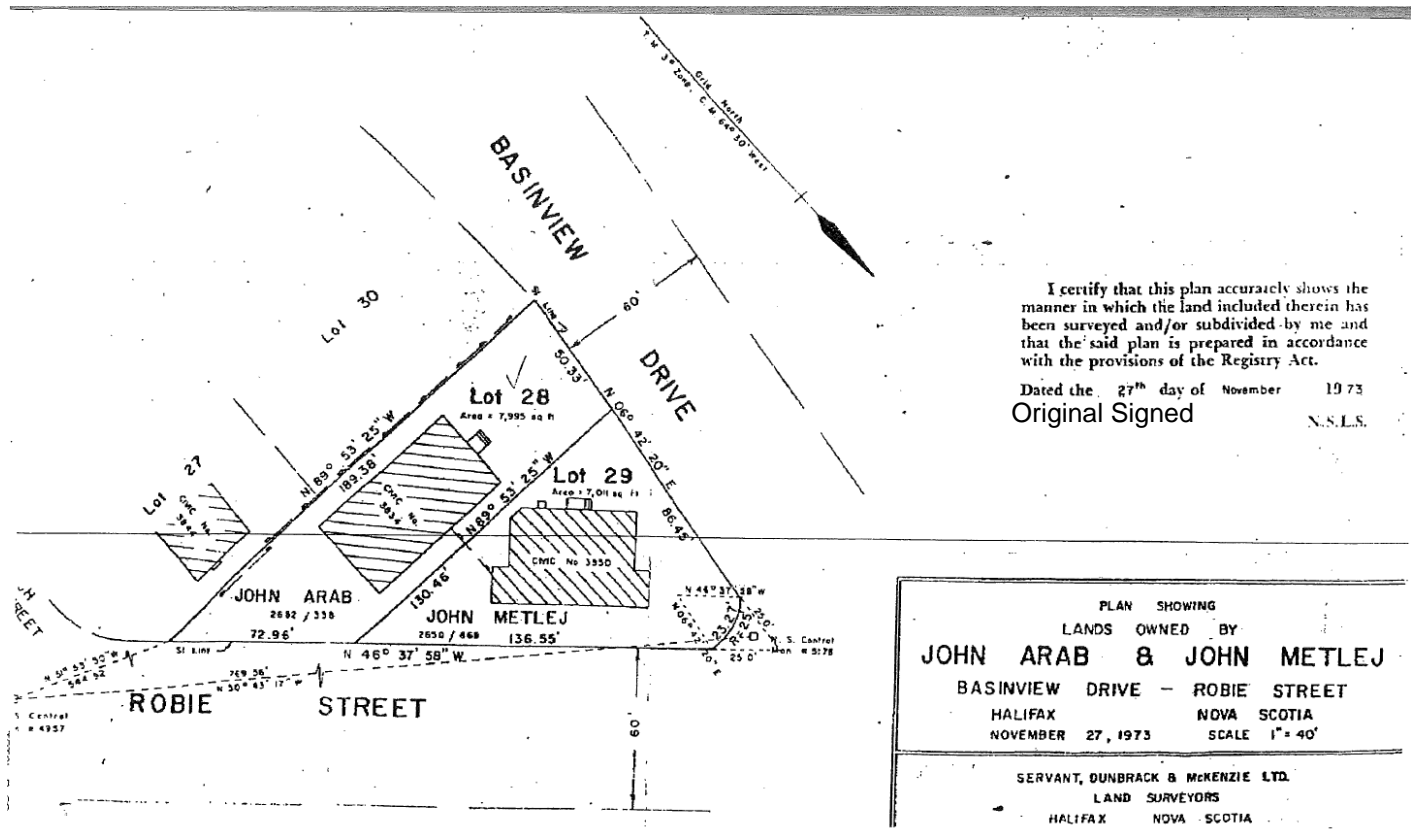
We trust that this application submission is complete and satisfactory and look forward to advancing this planning process.

Respectfully submitted;

Shelley Dickey

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1973 Location Certificate



1973 Location Certificate