

ITEM 22
MANAGER'S REPORT NO. 29
COUNCIL MEETING Apr. 16, 1973

22. Re: 5429 LOUGHEED HIGHWAY (TOTEM MOTEL)
REZONING REFERENCE NO. 53/70

Following is a report from the Director of Planning regarding Rezoning Reference No. 53/70.

RECOMMENDATION:

THAT the rezoning reference by-law be brought forward for final adoption.

* * * * *

PLANNING DEPARTMENT

APRIL 12, 1973

OUR FILE: RZ 53/70

RE: 5429 LOUGHEED HIGHWAY (TOTEM MOTEL)
REZONING REFERENCE NO. 53/70

INTRODUCTION

In a letter dated March 29, 1973 Mr. Arnold F. C. Hean speaking on behalf of the owners of the property has requested that the Council abandon the bylaw (which has received three readings) to amend the existing Tourist Commercial District (C5) to a Multiple Family Residential District (RMI).

The principal reason appears to be based not upon the issue of the best use of the land, but upon the fact that there have been previous informal requests to abandon the bylaw.

BACKGROUND

As shown on the attached sketch 5429 Loughheed Highway is located within the block of land bounded by Loughheed, Springer, Broadway and Holdom.

As long ago as 1964, a Land Use Study of the Brentwood Area was adopted by Council establishing that this block of land should be developed for low density residential use rather than be retained for tourist commercial use.

The approved report at that time stated:-

"Area 5, (the block in question), presently included in the Auto Court Zone, has been the subject of a number of rezoning applications. The area has not

developed as a successful "tourist centre" for auto courts. Commercial use of the block would, it is felt, result in overzoning for this type of use in this particular area and encourage undesirable ribbon development along the Loughheed Highway. The development of Area 5 for apartment use would, on the other hand, complement and provide support for the existing commercial facilities at Parkcrest Plaza. Multiple family residential development of the garden apartment type would also be compatible with the surrounding low density residential areas and provide a zone of transition between the industrial development south of the Loughheed Highway and the single family residential district on the north side of Broadway."

This decision was confirmed by Council in 1966 with the adoption of the Apartment Study and reconfirmed in 1969, when the Apartment Study review once more designated the area as being suitable for low density multiple family use.

Based upon this firmly stated policy the zoning in the area, through a series of applications has changed from C5 to R1, to the point where the subject property is the only remaining piece of tourist commercial zoning within a now residentially zoned block.

The subject property itself has had a considerable amount of time and effort spent on it, not only by staff and the previous owners but also by a committee of Council charged in 1971 with the job of producing a suitable plan of development for the property. This work, involving primarily Alderman Ladner, Mr. Babkowski and Mr. Parr led to an amending bylaw receiving two readings subject to normal bylaw requirements.

A third reading was given to the bylaw towards the end of 1972 when the new owner approached the Department and raised the question of using the property for tourist commercial use. A copy of the report the department submitted at that time is attached and in my view there is nothing improper in the recommendations which served to reaffirm the residential designation and were adopted as follows:

- 1) The present rezoning be brought forward for Third Reading. This would re-affirm Council's intention that family accommodation of a permanent nature would be the appropriate category of use for this property.
- 2) Authorization be given the Planning Department to work with the new owner or his designee to effect a suitable plan of development for the site reflecting the concerns expressed above. (It will be noted that the previous applicant never satisfactorily solved the difficulties of site crowding and proximity to the Loughheed Highway in planning his site development). A good standard within the bounds of R1 zoning should be re-emphasized.

PRESENT STATUS

It is now clear that the current request for abandonment of the bylaw causes the two previous recommendations to conflict.

ITEM 22

MANAGER'S REPORT NO. 29

COUNCIL MEETING Apr. 16/73

Residential development is still the appropriate category of use for the property, but the new owner is not interested in working with the Planning Department on a suitable plan of development for residential purposes.

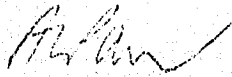
There are therefore two alternatives open to the Council as follows:

1. Abandon the bylaw as requested, recognizing that this will permit the development of an ill-located tourist commercial use in close proximity to recently developed housing. This alternative is of course contrary to the Brentwood Area Study of 1964 and the Apartment Studies of 1966 and 1969.
2. Give final adoption to the zoning bylaw, without the fulfillment of the zoning requirements in order to preserve the appropriate use of the land, recognizing that the existing motel will remain non-conforming until such time as the residential development plans are rejuvenated. At that time compliance with the RML zoning requirements will satisfy the current zoning conditions of a suitable plan of development and a high standard of landscaping.

RECOMMENDATION

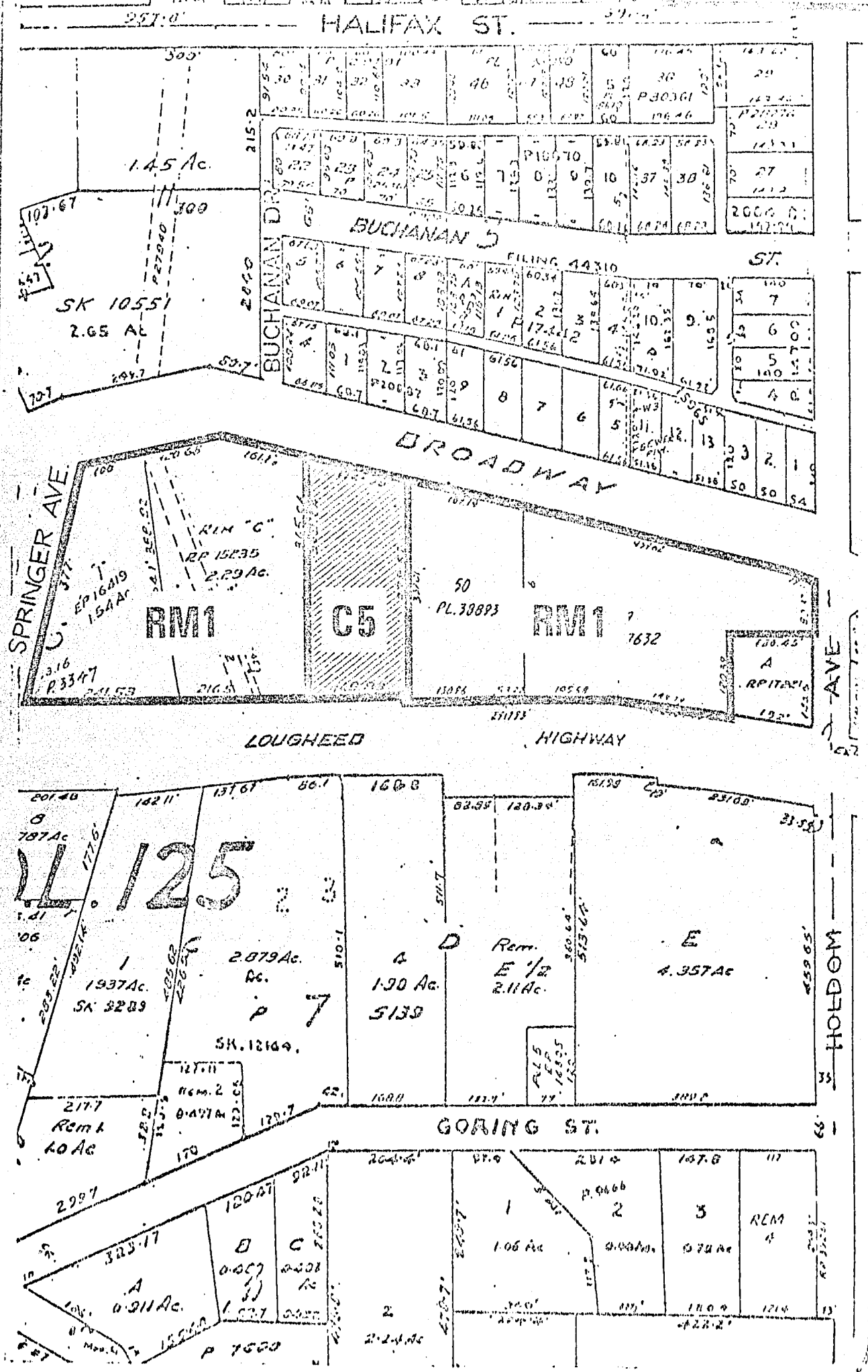
THAT the rezoning bylaw be brought forward for Final Adoption.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING

ALP/mp

Attachments



SCALE 1"=200'

DRAWN V.M.

DATE APRIL 73



CITY OF HALIFAX

COMMUNITY DEVELOPMENT DEPARTMENT

3. Re: Rezoning Reference #53/70
 Lot 19, Exc. Pcl. "A", Sk. 12407, Blk. 4, D.L. 125, Plan 3520
 5429 Lougheed Highway (Totem Motel)
 (Item 3, Report No. 55, September 7, 1971)
 (Item 53, Report No. 45, July 12, 1971)

Background

Council most recently dealt with this property on September 7, 1971, at which time the additional prerequisite of a \$7,000 landscaping bond was attached to the proceeding as insurance that a good standard of site development could be achieved (~~see attached material~~). Previously, extensive discussions had taken place between the Planning Department and the designer for the applicant to achieve a workable plan for re-development of the site. At present, the property contains a two-storey structure which houses the Totem Motel. The rezoning has long been inactive as the applicant sought the \$7,000 to enable site development to proceed.

Present Considerations

Recently, the Planning Department has been approached by a gentleman purporting to be the new owner of the property in question. Realizing that the site is presently zoned for motel use, he wishes to abandon the rezoning to R1 and redevelop the Motel, under C5. The Planning Department has reviewed this proposal and advises as follows:

- "a) The Motel use is a redundant one, dating from the early 1950's when a different pattern of land-usage was on this block.
- b) Council has previously recommended adoption of the 1969 Apartment Study to include this property for medium density multi-family usage.
- c) The site in question is the only remaining lot in this block not already zoned for multi-family use.
- d) Family accommodation occupies the majority of the block at present. Rezoning to permit this pattern have taken place over the last several years.
- e) A motel use, under the present zoning, could provide up to seventy units on the site. These would be small units appealing either to a transient population, or perhaps providing substandard dwelling accommodation for students and others in the off season.
- f) Given the emphasis placed upon development for family accommodation on other properties in this block and at the earlier phases of this rezoning, it is seen as totally inconsistent to encourage continuation of the motel use on this property, even with some measure of proposed redevelopment."

In light of the above, the Planning Department has recommended that the following approach be taken toward the proposal to re-introduce motel use:

- 1) The present rezoning be brought forward for Third Reading. This would re-affirm Council's intention that family accommodation of a permanent nature would be the appropriate category of use for this property.
- 2) Authorization be given the Planning Department to work with the new owner or his designer to effect a suitable plan of development for the site reflecting the concerns expressed above. (It will be noted that the previous applicant never satisfactorily solved the difficulties of site crowding and proximity to the Lougheed Highway in planning his site development). A good standard within the bounds of R1 zoning should be re-emphasized.

RECOMMENDATION:

THAT the recommendations of the Planning Director be adopted.