

4.1.3

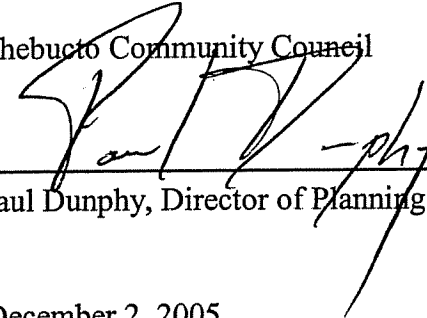


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

**Chebucto Community Council
December 12, 2005**

TO: Chebucto Community Council

SUBMITTED BY:



Paul Dunphy, Director of Planning & Development Services

DATE: December 2, 2005

**SUBJECT: Case 00843 - MPS Amendments Respecting Dwellings and Rooming
Houses for Halifax Mainland**

ORIGIN

Request by Chebucto Community Council - April 4, 2005

RECOMMENDATION

It is recommended that:

- Chebucto Community Council request that Regional Council initiate a process to consider amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use Bylaw to amend the definitions related to dwellings and rooming houses in the vicinity of Mount St. Vincent University;
- Regional Council approve the request to initiate the process to consider amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use Bylaw;
- Regional Council request staff to follow the public participation program as approved by Council on February 25, 1997.

BACKGROUND

Chebucto Community Council is concerned about the possible proliferation of houses with a relatively high number of bedrooms in the vicinity of Mount St. Vincent University. This originated with the development of a semi-detached dwelling containing a total of 14 bedrooms. Some local residents have referred to this house as a “rooming house” or a “boarding house”, a use which is not permitted within the zone in which it is located.

DISCUSSION

Within the Land Use Bylaw, the distinction between boarding houses and regular low density houses such as detached one-family dwellings, duplexes and semi-detached dwellings, is largely based upon whether individual rooms are being offered for rent. As a result, a house with a relatively high number of bedrooms may be established within a low density zone provided that the entire dwelling is the subject of a single lease.

Based upon the possible emergence houses with a relatively high number of bedrooms, amendments to the Land Use Bylaw to address this issue are viewed as being warranted. The direction that staff suggest pursuing is to limit the ability for houses to contain a relatively high number of bedrooms. This approach is favoured because it is problematic from a legislative context for municipalities to differentiate between land uses based upon factors such as the characteristics of its inhabitants or their tenure (occupation by owner or renter). Specifying the maximum number of bedrooms that may be established within a house is an approach that was recently adopted by the Peninsula Community Council.

Staff believe that it will be suitable to limit the scope of the amendments to an area within the vicinity of Mount St. Vincent University, where this issue originated. To accomplish this it is necessary to identify the exact boundary of the area and to develop the rationale for adopting such special bylaw regulations through amendments to the Halifax Mainland Municipal Planning Strategy. This boundary and the specific details of the amendments will be more precisely determined through a public consultation process.

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 MPS amendment process. This is the staff recommendation.
2. Council may choose not to initiate the MPS amendment process. This is not recommended for the reasons outlined above.

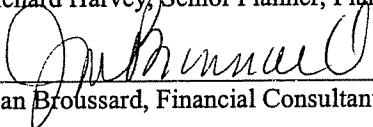
ATTACHMENTS

None.

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

Report Reviewed by:


Joan Broussard, Financial Consultant