

Info # 3



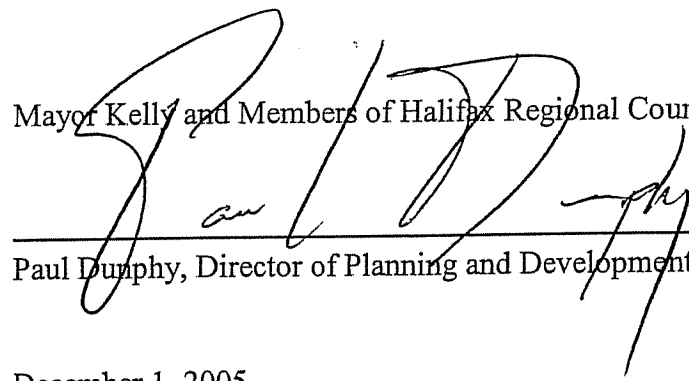
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Halifax Regional Council
December 13, 2005

TO:

Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Paul Murphy, Director of Planning and Development Services

DATE:

December 1, 2005

SUBJECT: MPS Amendments for Dartmouth Marine Slips and Sheppards Island

INFORMATION REPORT

ORIGIN

Council requested an explanation as to why staff recommended in favour of the recent planning process for development of the Dartmouth Marine Slips when an earlier application for development of Sheppards Island was refused (Status Sheet item 9.1.5 - November 22, 2005).

BACKGROUND

At the November 22, 2005 Council meeting, staff presented a report in favour of initiating the planning process to accommodate a substantial redevelopment of the former Dartmouth Marine Slips.

In February of 2005, HRM's Development Officer refused an application for a Development Permit to accommodate a "Condo-Hotel" on property in Dartmouth fronting directly on the Halifax Harbour. That refusal was appealed to the Utility and Review Board (URB) and the decision of the Development Officer was upheld.

DISCUSSION

These two properties are similar in that they both have direct harbour frontage and both are subject to proposals for redevelopment from industrial uses to a mix of non-industrial uses. However, the nature of the application processes chosen by the owners are substantially different.

In the case of the Dartmouth Marine Slips, the owner acknowledged that the proposal was not consistent with the existing regulations and chose to apply to amend those regulations to suit the proposal. Staff supported this application as it was deemed to have sufficient merit to warrant consideration by Council and the public. Decisions with regard to that type of application are subject to a public process and are ultimately at Council's discretion.

In the case of Sheppards Island, the property owner felt that the proposal was consistent with the existing regulations and believed there was a legal entitlement to the permit without public consultation or Council approval. As a result, an application for a Development Permit was submitted. In applications of this type, there is no opportunity for staff to indicate support or lack thereof. Approval or refusal of the permit is based purely on technical compliance with existing regulations. That application was refused because the proposed residential use was not seen to be consistent with the existing industrial zoning requirements. That decision was ultimately upheld by the URB.

BUDGET IMPLICATIONS

There are no budget implications associated with this status update report.

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

This report is presented for information only. There are no alternatives presented for Council's consideration.

ATTACHMENTS

None

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

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