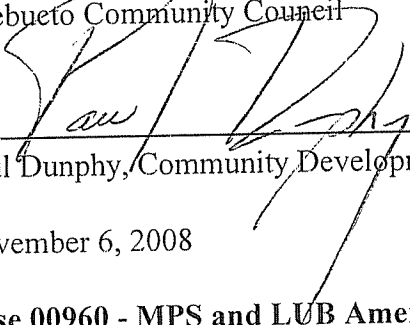




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Chebucto Community Council
December 1, 2008

TO: Chebucto Community Council

SUBMITTED BY: 
Paul Dunphy, Community Development

DATE: November 6, 2008

SUBJECT: Case 00960 - MPS and LUB Amendments for 21 Kidston Road,
Halifax

INFORMATION REPORT

ORIGIN

- June 12, 2006 - motion of Chebucto Community Council
- November 21, 2006¹ - motion of Regional Council

¹ Although Case 00960 was initiated by Regional Council, this Information Report is directed to Chebucto Community Council as its subject matter is specific to this community council.

BACKGROUND/DISCUSSION

At the June 12, 2006, Chebucto Community Council meeting a Motion was put forward that, “staff proceed with the changes necessary to rezone 21 Kidston Road to allow for the expansion of the Urban Farm Museum Society.”

The Urban Farm Museum Society (UFMS) is a not for profit organization which currently operates in Spryfield on the rear portion of lands at 62 Rockingstone Road which is a Municipally Registered Heritage property. UFMS leases the lands and entered into a Heritage Development Agreement in 2004 which allows the use and identifies the terms of operation.

An initiation report dated September 20, 2006, went to Chebucto Community Council and was then forwarded to Regional Council. On November 21, 2006, Regional Council passed a motion authorizing staff to initiate a process to amend the Halifax MPS and Mainland LUB to allow for the expansion of the Urban Farm Museum at 21 Kidston Road (PID #00327454), and subject to HRM’s Public Participation Resolution (February 25, 1997).

Shortly after initiating the process, a letter was received by Community Development on behalf of the owner of 21 Kidston Road (refer to Attachment A) indicating that they did not support proceeding with a rezoning at this time. Attempts to resolve the issue have been unsuccessful to date, consequently, no further action has been taken and this file remains “open.” A significant amount of time has passed since this case was initiated and staff intend to close the file. When all parties have agreed on a solution, a new Planning Case can be opened.

BUDGET IMPLICATIONS

None.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

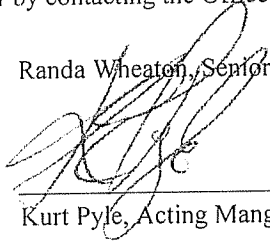
This report complies with the Municipality’s Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

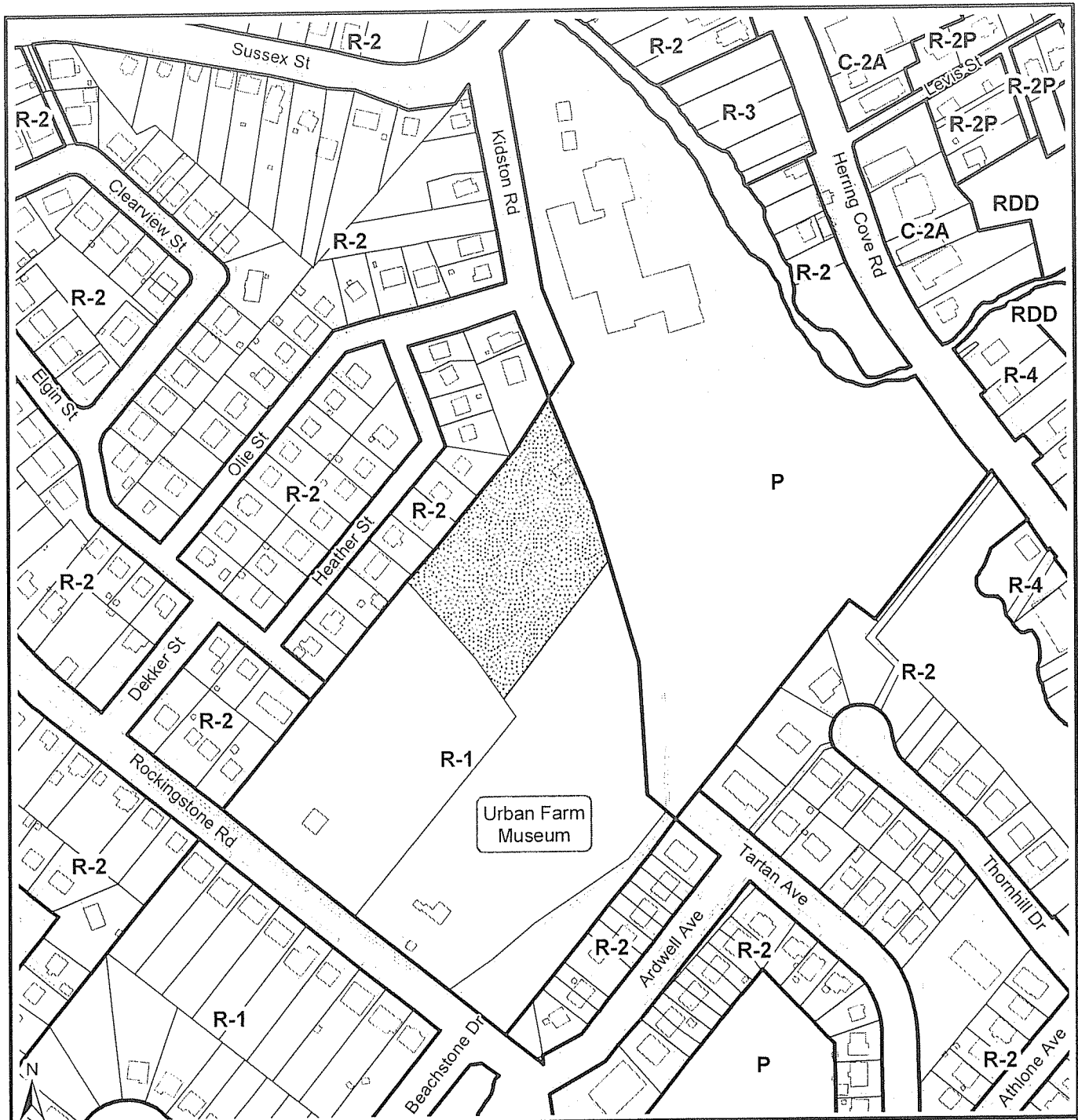
Map 1	Location and Zoning
Attachment A	Letter from Medjuck & Medjuck

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

Report Prepared by : Randa Wheaton, Senior Planner, 490-4499




Report Approved by: Kurt Pyle, Acting Manger of Planning Services, 490-7066



Map 1 - Location and Zoning

21 Kidston Road
Halifax

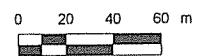
 Subject property

Halifax Mainland
Land Use By-Law Area

Zone

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-2P General Residential
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- C-2A Minor Commercial
- P Park and Institutional
- RDD Residential Development District

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Mainland Land Use By-Law Area

HRM does not guarantee the accuracy of any representation on this plan

ATTACHMENT A

MEDJUCK & MEDJUCK

BARRISTERS AND SOLICITORS

Summit Place, Suite 700
1601 Lower Water Street
PO Box 1074
Halifax, Nova Scotia B3J 2X1
Telephone: (902) 429-4061
Faxcom: (902) 422-7639

* RALPH M. MEDJUCK, Q.C.
FRANKLYN D. MEDJUCK, Q.C.

December 13, 2006

Development Department
Halifax Regional Municipality
P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

Dear Sirs:

Re: Case #00960 – 21 Kidston Road – PID #00327452/Assessment #04212851

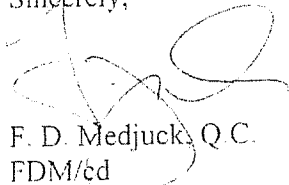
We represent the owners of this property and we note that the property has been reported in the Minutes of the Meeting of Regional Council November 21, 2006, in response to a report by Staff dated November 7, 2006.

The owners had proposed to Councillor Steve Adams to convert the lands to an urban farm but, as yet, no agreement has been reached to do so. We have not heard from the urban farm group, nor have we received a copy of the Staff Report.

You are not authorized to proceed with any zoning or rezoning of these lands without the owner's consent.

Please confirm receipt of this notice.

Sincerely,



F. D. Medjuck, Q.C.
FDM/éd
Copy: Councillor Steve Adams

