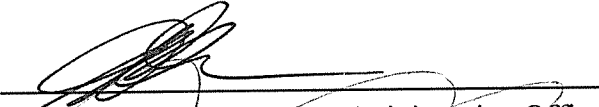



Halifax Regional Council
January 18, 2005
(Public Hearing)

TO: Mayor Peter Kelly and Members of Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: January 6, 2005

SUBJECT: Case 00702: Municipal Planning Strategy and Land Use Bylaw
Amendment - 6193 Young Street (at Windsor Street), Halifax

SUPPLEMENTARY REPORT

ORIGIN:

- . Public Hearing scheduled for December 14, 2004
- . Rescheduled public hearing January 18, 2005

RECOMMENDATION:

It is recommended that Regional Council:

- 1 Adopt the amendments to redesignate the lands at 6193 Young Street, at the north side of Young Street and the east side of Windsor Street, Halifax, to "Commercial" and to rezone to C-2 (General Business) Zone, as set out in Attachment "A"; and
2. Adopt the amendments to redesignate the existing adjacent commercial properties along Young Street to "Commercial" on the Generalized Future Land Use Map, as set out in Attachment "A".

BACKGROUND AND DISCUSSION:

At the beginning of the public hearing on December 14, 2004 the first presenter stated that the civic number in the public hearing notice was incorrect as it referenced 6139 instead of 6193 Young Street. Regional Council directed that the public hearing be re-advertised as a result of this error.

The incorrect civic number was also used in the staff reports of September 9 and October 29, 2004. As a result, the resolutions attached to the staff report of October 29, 2004 were also in error with respect to the correct civic number. Revised resolutions are attached as Attachment "A." The revised resolutions also include the amendments to redesignate the existing adjacent commercial properties along Young Street to "Commercial" on the Generalized Future Land Use Map.

Staff have reviewed the circumstances related to the error and it appears it was the result of reversing the order of the last two digits in the Civic number at the time the file was first opened. This is the first time an error of this nature has occurred. A process has been put in place to confirm that the civic address(es) and/or PID number(s) referenced in the public hearing ads coincide with the civic numbers for properties which are the subject of any rezoning or development agreement application.

The applicant in this case has been made aware that the error made in the public hearing ad is the responsibility of the Municipality and that any costs related to re-advertising will be borne by the Municipality. The requirement to re-advertise the public hearing has not adversely impacted the construction schedule for the proposed project.

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:

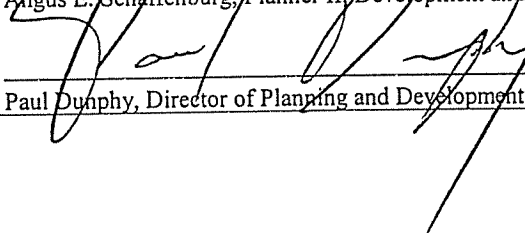
1. Proceed with the requested amendment. This is recommended for the reasons described in the report of October 29, 2004.
2. Refuse the requested amendment. This is not recommended for the reasons described in the report of October 29, 2004.

ATTACHMENTS

Attachment "A" - Amendments to Halifax Municipal Planning Strategy and Peninsula Land Use By-law

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:  Angus E. Schaffenburg, Planner II, Development and Planning Services, 490-4495

Report Approved by: 
Paul Dunphy, Director of Planning and Development Services

Attachment A

Case 00702: Amendment to Halifax Municipal Planning Strategy

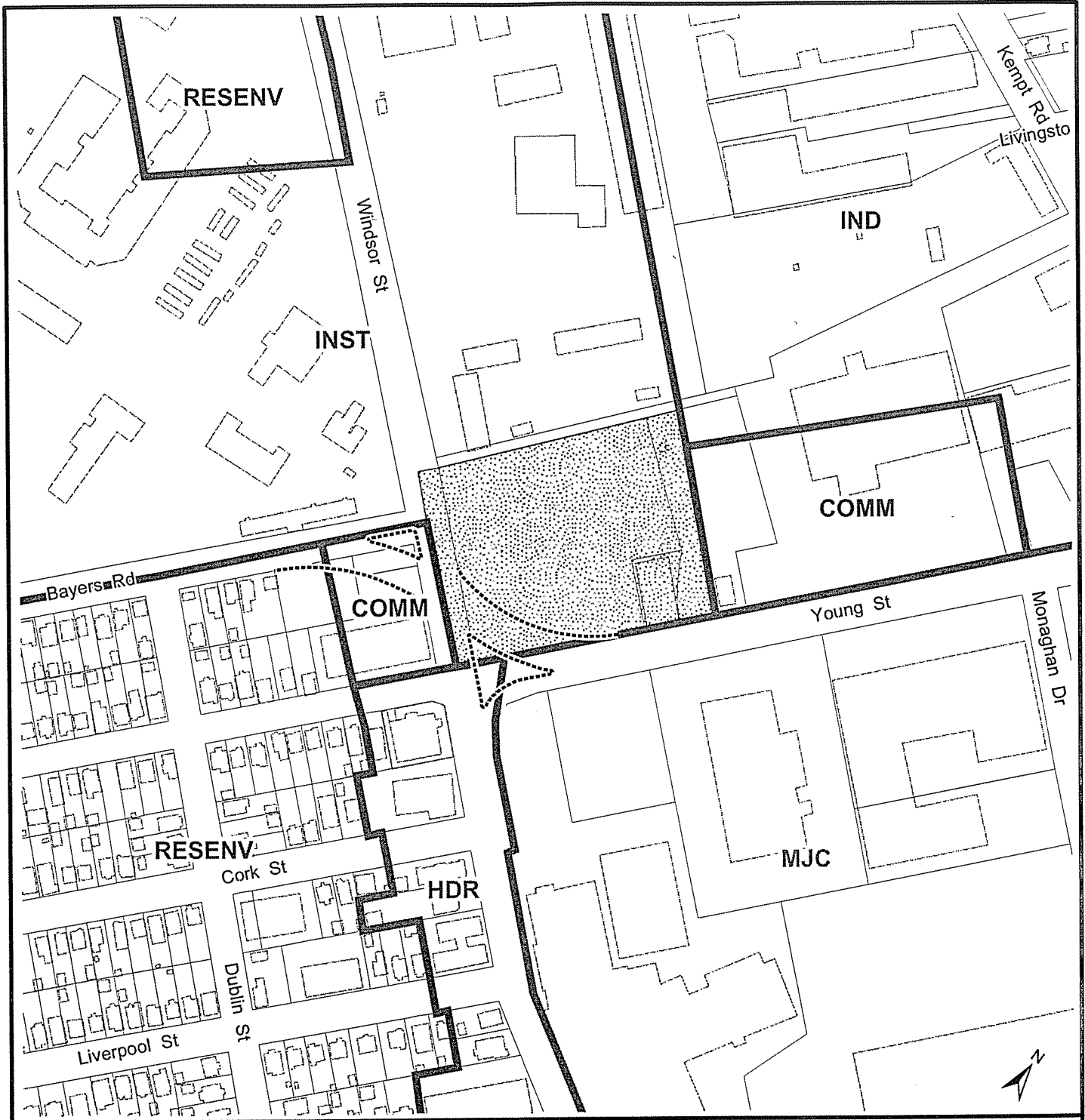
BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy of Halifax as enacted by City Council of the City of Halifax on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August 1978 as amended, is hereby amended as follows:

1. Amend the Generalized Future Land Use Map (Map 9) by redesignating the property at 6193 Young Street (PID 00153106) (at Windsor Street) to "Commercial" from "Institutional" as shown on Map 1 attached hereto. In addition, amend the Generalized Future Land Use Map (Map 9) by redesignating the adjacent properties on Young Street (6189 and a portion of 6171) to "Commercial" from "Institutional" as shown on Map 1 attached hereto.

I HEREBY CERTIFY that the amendment to the Municipal Planning Strategy for Halifax, as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ___ day of _____, 2005.


GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ___ day of _____, 2005.


Jan Gibson, Municipal Clerk



Map 1 - Generalized Future Land Use

6193 Young Street
Halifax

 Area to be redesignated from INST (Institutional) to COMM (Commercial)

 New road alignment

Halifax Plan Area


Designation - Halifax Plan

RESENV Residential Environments
 COMM Commercial
 IND Industrial
 INST Institutional

Designation - Peninsula North

HDR High Density Residential
 MJC Major Commercial

HALIFAX
 REGIONAL MUNICIPALITY
 PLANNING AND
 DEVELOPMENT SERVICES

0 20 m


This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Plan Area.

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

Case 00702: Amendment to Halifax Peninsula Land Use By-law

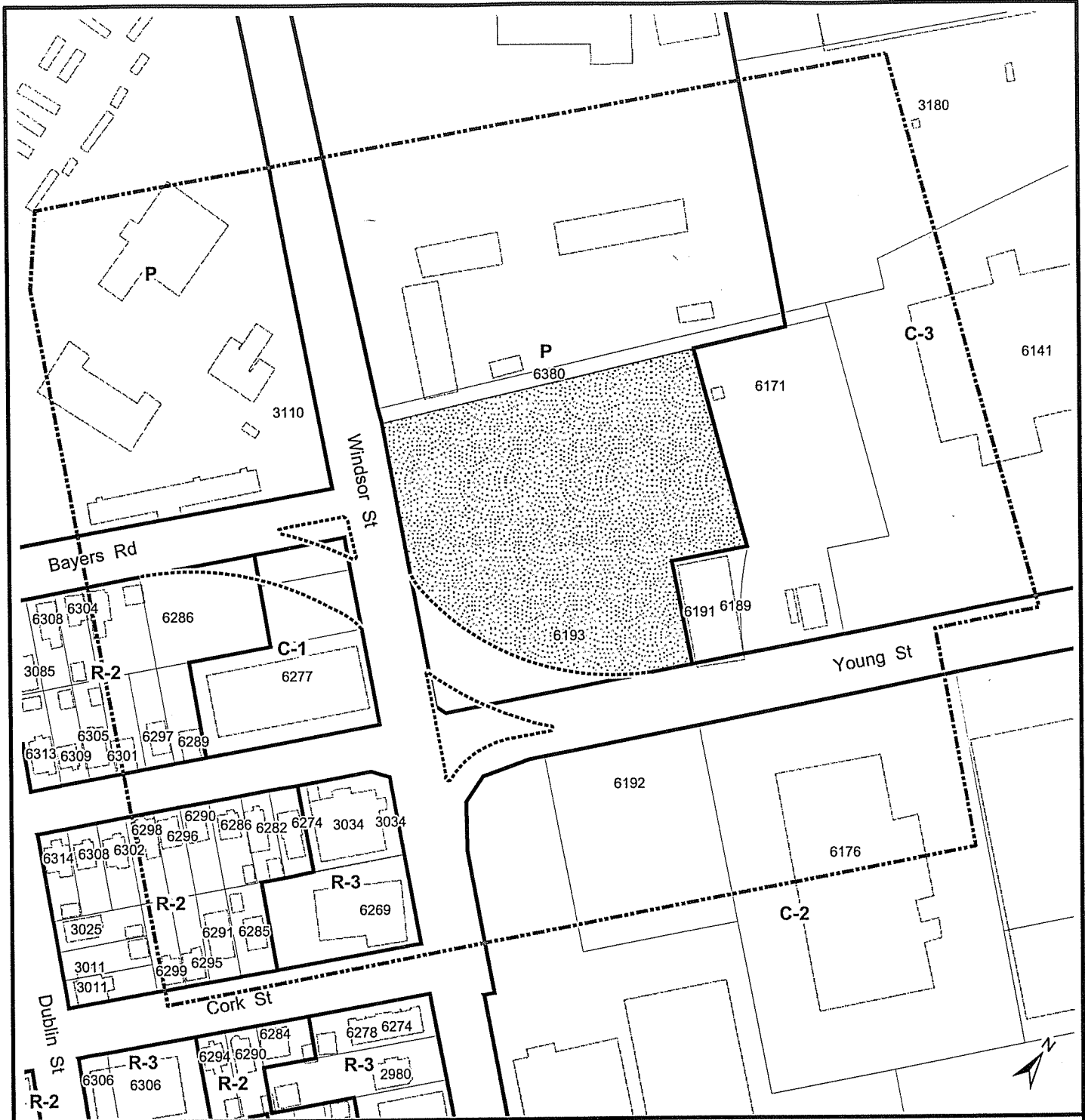
BE IT ENACTED by the Council of the Halifax Regional Municipality that the Peninsula Area Land Use By-law of Halifax as enacted by City Council of the City of Halifax on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August 1978 as amended, is hereby amended as follows:

1. Amend the Zoning Map ZM-1 by rezoning the property at property at 6193 Young Street (PID 00153106) (at Windsor Street) to C-2 (General Business) from P (Park and Institutional) Zone as shown on Map 2 attached hereto.

I HEREBY CERTIFY that the amendment to the Peninsula Area Land Use By-law for Halifax, as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ___ day of _____, 2005.


GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2005.

Jan Gibson, Municipal Clerk





Map 2 - Location and Zoning

6193 Young Street
Halifax

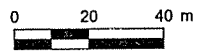
 Area to be rezoned from P (Park and Institutional) to C-2 (General Business)

Halifax Peninsula By-Law Area

-  Area of notification
-  New road alignment

Zone

- R-2 General Residential
- R-3 Multiple Dwelling
- C-1 Local Business
- C-2 General Business
- C-3 General Industrial
- P Park and Institutional



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula By-Law area.

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