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Item No. 10.5.1 (i)

**Halifax Regional Council
December 15, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Linda Mosher".

Councillor Linda Mosher, Chair, Chebucto Community Council

DATE: December 2, 2009

SUBJECT: Case 01003: MPS/LUB Amendments and Development Agreement -
Regatta Point, Halifax

ORIGIN

September 14, 2009 meeting of Chebucto Community Council.

RECOMMENDATION

That Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-Law, as provided in Attachments "A" and "B" of the November 27, 2009 Supplementary Staff Report and schedule a joint public hearing with Chebucto Community Council.

BACKGROUND/DISCUSSION

At the September 14, 2009 meeting of Chebucto Community Council a staff presentation on Case 01003: MPS/LUB Amendments and Development Agreement - Regatta Point, Halifax was provided. Staff advised that the proposed Development Agreement had gone through a second Public Information Meeting (PIM) at which additional changes to the plans were brought forward including an increase in the number of underground parking spaces.

Councillor Mosher advised that at both PIM's the Developer had committed to 34 underground parking spaces, however, the Development Agreement in the supplementary report dated July 22, 2009 (Attachment A) only included 30. She requested that an amendment be made to reflect 34 spaces.

Staff advised that upon speaking with the Developer he had indicated that 34 spaces could be included, however, they decided to leave 30 in the Development Agreement in case the detailed design plan showed there would not be sufficient room for 34.

Councillor Mosher advised that she would also like the Development Agreement to be vetted through Legal Services staff and moved Notice of Motion with the following amendments:

That the underground parking lot contain 34 spaces and that the report dated July 22, 2009 be forwarded to HRM Legal Staff prior to the scheduling a joint public hearing with Regional Council.

Legal staff did review the Development Agreement and proposed several changes to staff. These changes have been addressed in the November 27, 2009 staff supplementary report.

BUDGET IMPLICATIONS

None associated with this 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

1. Regional Council may choose not to approve the requested amendments provided in Attachments A and B of the report dated November 27, 2009

2. Regional Council may choose not to approve the amendments provided in Attachment A and B of the report dated November 27, 2009. Regional Council is under no obligation to consider a request to amend the MPS and a decision not to amend the MPS cannot be appealed.
3. Regional Council may choose to either adopt certain amendments but not others outlined in the report dated November 27, 2009, or alternatively request that additional amendments not identified in the report be made, in which case an additional staff report(s) may be required.

ATTACHMENT

None

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.

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