

Planning Services

Case 16656
United Gulf Developments, Former YMCA Site,
Lake Banook, Dartmouth

Mitch Dickey, Planner
Planning Services – Eastern Region



The Application:

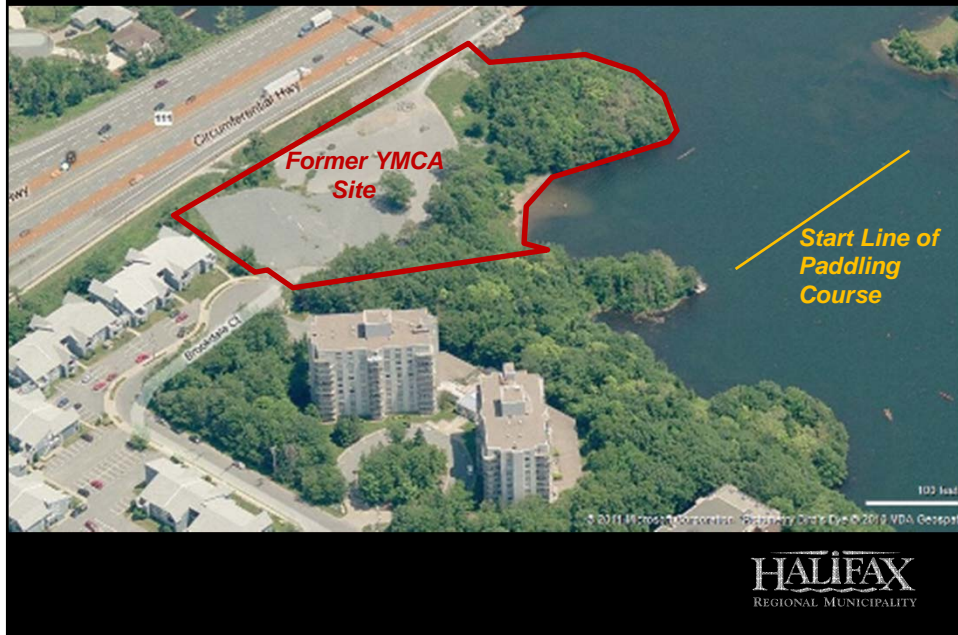
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United Gulf Developments is requesting:

Amendment to the Dartmouth MPS to allow
consideration of development over 35' in height
on former YMCA property.



The Site:



Background - Site Specific Policy

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2002: MPS and LUB changes approved to enable medium density housing on site.

Site specific policy enables DA process. One criteria of policy is to minimize wind impacts on paddling course.

2003: Wind study undertaken as part of DA process. Project was deemed to cause unacceptable impact.

Background – Paddling Course Protection

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2005:

Regional Council amends MPS to limit allowable building height around lake to 35'.

No flexibility in policy to allow variances to this height.

Site specific policy enabling medium density development remains in place.



New Proposal

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New site concept devised by United Gulf, for two 17-storey buildings.

Modeled & tested in wind tunnel by RWDI Inc. in 2008.

RWDI & CKC developed more refined evaluative criteria.

CKC advises that impacts of new concept are not substantial.



Discussion

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- Council was given the option of using the DA process to allow consideration of taller buildings near the lake - but chose a “zero flexibility” option.
- Policy IP-10 precludes any rezoning or development agreement process for buildings over 35' in height
- Despite opinion of CKC, some risk exists that there could be impacts on the paddling course.
- Impact of “as of right” development

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Conclusion:

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MPS amendments considered when circumstances have changed since adoption:

- CKC satisfied that proposal will not have a substantial impact on paddling course – however there is potential for impacts.
- Council in 2005 decided not to allow any flexibility through a DA process.

Staff position is that circumstances have not changed sufficiently.

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Recommendation:

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It is recommended that Regional Council not initiate the MPS amendment process.

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