



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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Halifax Regional Council
April 22, 2003

TO: His Worship Mayor Peter Kelly and
Members of Halifax Regional Council

FROM: 
Councillor Dawn Sloane, Acting Chair
Peninsula Community Council

DATE: April 16, 2003

SUBJECT: **Case # 00451: Request for a Municipal Planning Strategy/Land Use
Bylaw Amendment to Permit a Lounge at 5576 Fenwick Street,
Halifax**

ORIGIN

Peninsula Community Council April 14, 2003

RECOMMENDATION

That Peninsula Community Council:

1. Recommend that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw as contained in Attachment "B" of the staff report dated April 2, 2003 and schedule a public hearing for May 13, 2003;
2. Recommend that Regional Council adopt the amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to permit a lounge use at 5576 Fenwick Street through development agreement as set out in Attachment "B" of the staff report dated April 2, 2003.

PLEASE RETAIN FOR PUBLIC HEARING

BACKGROUND

This matter was before Peninsula Community Council as the result of a request on February 20, 2002 to amend the Halifax Municipal Planning Strategy and Land Use By-law to permit a lounge at 5576 Fenwick Street (operating under the name "My other Brother Darrell's"). Regional Council on March 18, 2003 approved proceeding with a site specific amendment process and a public meeting was held on March 31, 2003.

DISCUSSION

Peninsula Community Council gave First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to permit a lounge use at 5576 Fenwick Street through development agreement as set out in Attachment "B" of the staff report dated April 2, 2003 and set May 13, 2003 as the date for a joint public hearing with Regional Council.

Note should be made that Community Council did not accept the recommendation of staff with regard to this matter. Community Council recognized that circumstances in the neighbourhood have changed. There has been a significant amount of development in the area since this particular property was last considered. Consequently, it is reasonable to consider this property under a site specific development agreement.

BUDGET IMPLICATIONS

N/A

FINANCIAL MANAGEMENT/BUSINESS PLAN

N/A

ALTERNATIVES

1. Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw and schedule a public hearing for May 13, 2003.
2. Approve staff's recommendation as contained in the April 2, 2003 report to take no further action on this request.

ATTACHMENTS

1. April 2, 2003 staff report re Case 00451: Request for MPS/LUB Amendment to Permit a Lounge at 5576 Fenwick Street, Halifax
2. Correspondence dated April 10, 2003 from Andrew McLeod, President, MCJ Restaurant Limited, "My Other Brother Darrell's Restaurant"

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: Sherryll Murphy, Legislative Assistant 490-6517.