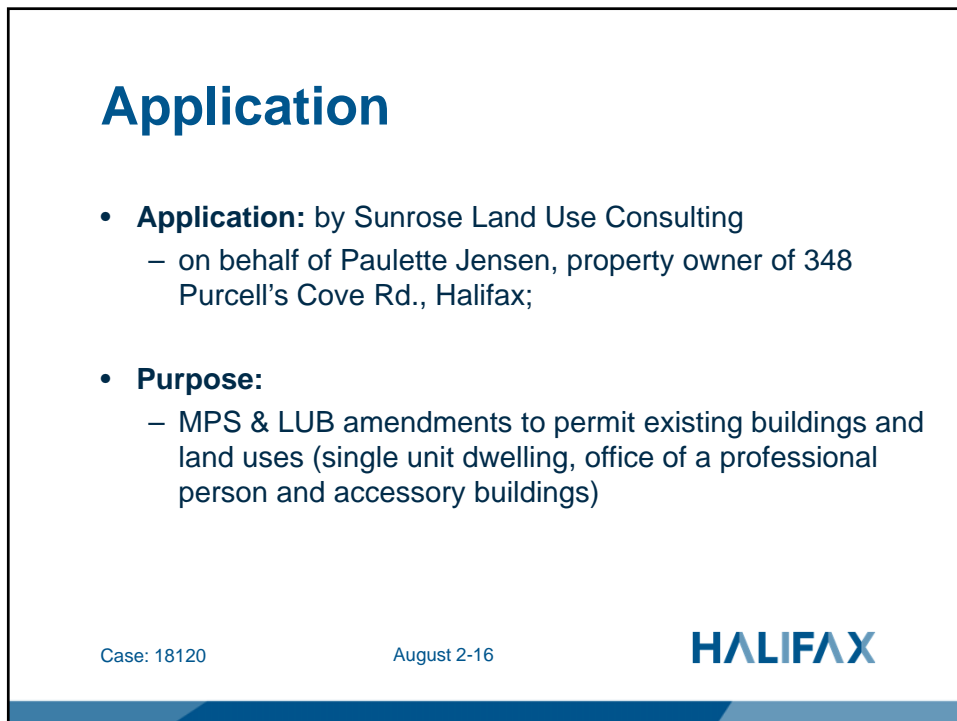


HALIFAX

Halifax Regional Council

Public Hearing - Case 18120:
MPS & LUB Amendments
348 Purcell's Cove Road, Halifax

August 2-16



Application

- **Application:** by Sunrose Land Use Consulting
 - on behalf of Paulette Jensen, property owner of 348 Purcell's Cove Rd., Halifax;
- **Purpose:**
 - MPS & LUB amendments to permit existing buildings and land uses (single unit dwelling, office of a professional person and accessory buildings)

Case: 18120 August 2-16 **HALIFAX**

Background

- The application was submitted in response to a Land Use By-law compliance case;
- The property owner pled guilty and paid a fine;
- Dental office use has been discontinued;
- There remain several issues of non-compliance with LUB;
- Applicant is seeking to resolve remaining issues through MPS & LUB amendments

Case: 18120

August 2-16

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Site of Proposal

348 Purcell's
Cove Road

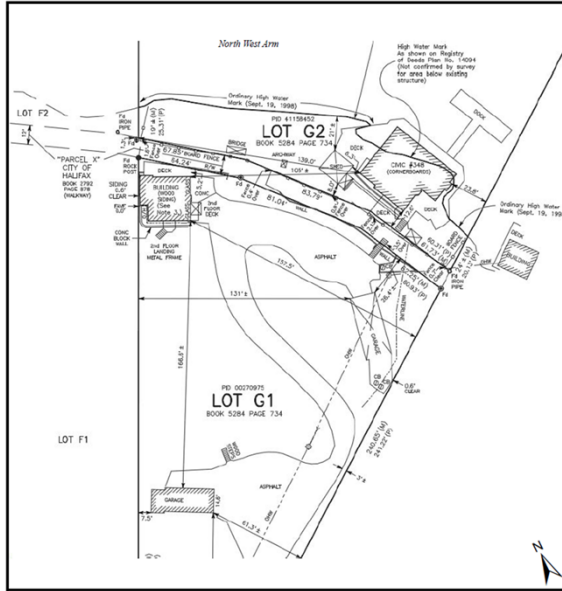


Case: 18120

Site of Proposal

348 Purcell's Cove Road

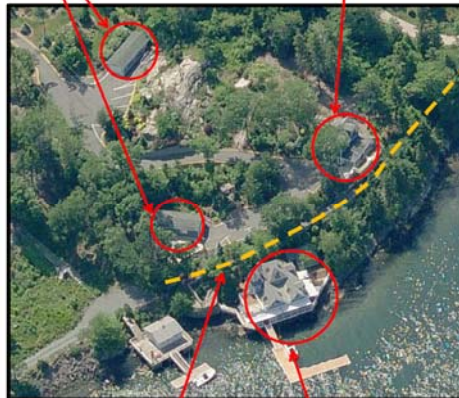
Case 18120



Site of Proposal

Garages

Professional Office



Approximate location
of HRM Property

Dwelling

Lot G1 – Professional Office



Lot G1 – Office (side view)



Lot G1 – Accessory Garage/ Parking



Lot G1 – 2nd Accessory Garage



Lot G2 – Dwelling & Shed



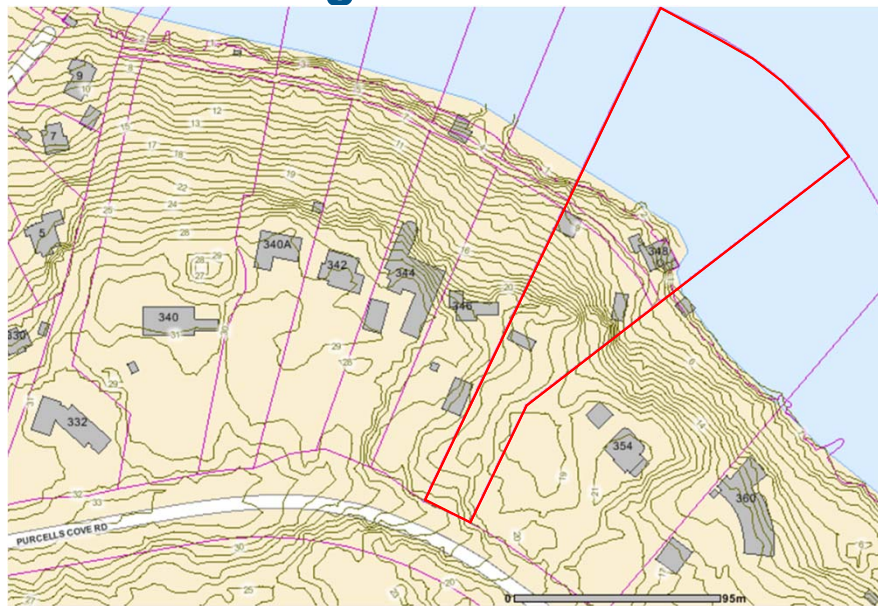
HRM-Owned Pathway



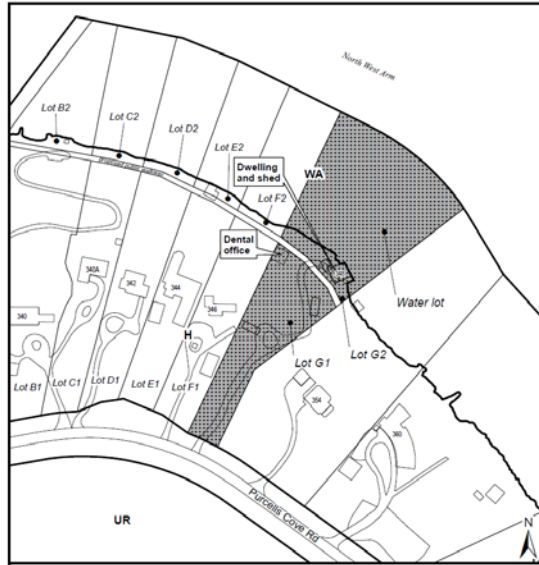
Surrounding Area



Surrounding Area



Zoning



Holding Zone:

- Single Family Dwelling
- Business Uses/
Professional offices

Water Access Zone:

- Wharves, docks
- No dwellings or
accessory buildings

Development Agreement:

- Approved in 1982
- Still in effect

HALIFAX

Development Agreement

- 1982 Development Agreement allowed for:
 - A single family dwelling and accessory uses on Lot G1 (road side lot), and
 - Non-habitable boathouse and accessory uses on Lot G2 (waterfront lot)

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Land Use/ Building Issues

- The use of the waterfront lot (lot G2) for a dwelling;
- Building setbacks from property lines, including NW Arm;
- Height of one accessory building (former dental office);
- Accessory buildings not on same lot as main use (dwelling);
- Related issues:
 - Encroachments into HRM walkway parcel;
 - No permits exist for buildings and sewage disposal system

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Council Direction

- Regional Council directed staff to prepare MPS & LUB amendments to permit the existing land uses and buildings with the following exception:
 - The office use on lot G1 be used only as an accessory building
- Amendments included as Attachments A & B (Staff report dated May 20, 2016)

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Implications/ Risks

Outlined in staff report dated May 20, 2016

- Substantive implications to property owner if Council **refuses** the proposal – removal and/or alteration of existing structures
- Significant risks to HRM if Council **approves** the proposal – reputational harm, less effective by-law enforcement program, deterrence for compliance, environmental

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Motion for Consideration

That Halifax Regional Council adopt the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB) as set out in attachments A and B of the Supplementary staff report dated May 20, 2016.

- Staff recommend that Regional Council:
 - Refuse to amend the Halifax MPS & LUB
- Alternative:
 - Regional Council may adopt modified MPS & LUB amendments (may require another public hearing)

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