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Marine Drive, Valley and Canal Community Council
February 21, 2007

TO: Chair and Members of Marine Drive, Valley and Canal Community Council

SUBMITTED BY:


Sean Audas - Development Officer - Community Development

DATE: February 12, 2007

SUBJECT: Variance appeal at 8376 Highway 7, Musquodoboit Harbour

Supplementary Report

ORIGIN

This report has been prepared as a result of the March 9, 2006 Community Council meeting which the Variance appeal decision was deferred to October to allow the applicant time to seek permission from the Department of Fisheries and Oceans to in fill the lot to meet the watercourse setback requirements.

RECOMMENDATION

It is recommended that Council dismiss the Variance appeal.

BACKGROUND

A mobile was located on the subject property without the necessary permits. The owner/applicant was issued an order to comply. The applicant subsequently applied for a permit and was advised he did not meet the watercourse setbacks. A Variance application by the applicant was refused by the Development Officer. During the appeal hearing the applicant requested the decision of Community Council be deferred in order to fill in a portion of the water to meet the setback requirements. This request was granted by Marine Drive, Valley and Canal Community Council at the March 9, 2006 meeting.

DISCUSSION

The applicant received approval from the Nova Scotia Department of Natural Resources to fill in a portion of the watercourse near the mobile. Much of the fill was placed in the summer months and inspections conducted confirmed that the watercourse setback was met for most of the property. The applicant has recently completed the remaining deficient areas to meet the watercourse setback.

BUDGET IMPLICATIONS

There are no implications on the Capital Budget 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

Council could dismiss the Variance appeal. This is the recommended course of action.

ATTACHMENTS

Appendix 1 Pictures of site

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by: 
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