

Item 8.1.2

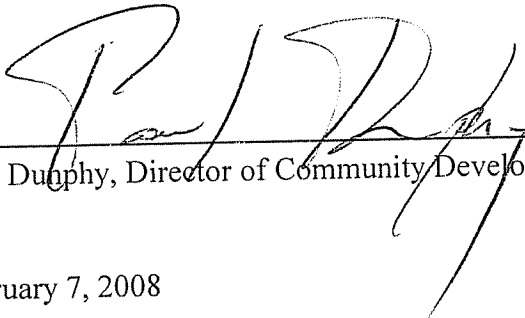


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Western Region Community Council
February 25, 2008

TO: Chair and Members of Western Region Community Council

SUBMITTED BY:


Paul Dunphy, Director of Community Development

DATE: February 7, 2008

SUBJECT: **Case 01061: Rezoning of lands located on Sarah Ingraham Drive,
Williamswood**

ORIGIN

Application from Steele Developments Ltd. to rezone lands from the PA (Protected Area) Zone to the R-1 (Single Unit Dwelling) Zone on Sarah Ingraham Drive, Williamswood.

RECOMMENDATION

It is recommended that Western Region Community Council:

1. Give First Reading of the proposed rezoning and schedule a public hearing, and
2. Approve the rezoning of lands identified as PIDs 41214099, 41214115, 41214123, and 41214149 located on Sarah Ingraham Drive, Williamswood, as shown on Map 1, from the PA (Protected Area) Zone to the R-1 (Single Unit Dwelling) Zone.

EXECUTIVE SUMMARY

In 2007 the Province of Nova Scotia exchanged Crown land on Moody Lake for private land within the Terence Bay Wilderness Area. The now privately owned property is zoned PA (Protected Area). The Chebucto Peninsula MPS contains policy that specifically addresses Crown land exchanges and permits Council to rezone the land to allow residential development. The residents of Moody Lake generally do not support the rezoning, due to the perception that the lake is currently under stress and its health is deteriorating. The empirical evidence on the lake's health, while not definitive, does not support the residents' perceptions regarding the deterioration of the lake. Furthermore, notwithstanding that the Halifax Watershed Advisory Board does not support the rezoning application they have notes that the lake's health will not likely be impacted from the proposed residential redevelopment.

The Province of Nova Scotia is the sole determiner of whether or not Crown land exchanges will improve the Crown's land holdings and whether or not those exchanges are in the public's interest. The proposal to rezone complies with the policy of the Chebucto Peninsula MPS.

BACKGROUND

In 2007, Steele Developments Limited, owned by Stephen Murphy and Frances Murphy, exchanged 106 acres of land within the Terence Bay Wilderness Protected Area for a 4.5 acre parcel of crown land with frontage on Moody Lake, in Williamswood. The 4.5 acre parcel is located on the east side of Sarah Ingraham Drive, bounded to the south by an R-1 zoned property at 55 Sarah Ingraham Drive and to the north by an R-2 zoned property at 91 Sarah Ingraham Drive. The land has approximately 800 feet of frontage on Moody Lake and is adjacent the Terence Bay Wilderness Area on the west side of Sarah Ingraham Drive.

The proposal is to rezone the 4.5 acre former crown parcel now owned by Steele Developments to the R-1 Zone to allow the development of four single unit dwellings. The 4.5 parcel contains four individual lots that require boundary adjustments to balance the area in each lot resulting in an average size of approximately 1 acre (4,100 square meters).

DISCUSSION

The property is zoned PA (Protected Area) and designated Conservation under the Planning District 5 (Chebucto Peninsula) MPS. The PA Zone is applied to certain crown lands under Regional MPS policy (see Attachment "B"). The PA Zone permits uses for scientific study and education, involving no buildings, trails, boardwalks or walkways, conservation uses, and accessory uses. The proposed rezoning to the R-1 (Single Unit Dwelling) Zone would permit, single unit dwellings, home occupations, day care facilities for not more than 7 children, fishery support uses, and open space uses.

The subject lands having been part of a crown land exchange are now under private ownership. The switch to private ownership allows the land to be considered for residential rezoning pursuant to Policy CON-5 of the Chebucto Peninsula MPS. The preamble to Policy CON-5 states, "There are certain limited situations in which crown land transfers are carried out in order to improve crown land holdings in a particular area in order to accommodate such transfers which are in the public interest, provisions for the establishment of residential zoning on lands which are transferred into private ownership as part of a crown land exchange shall be considered."

The land exchange agreement whereby Steele Development acquired the parcel was conducted over several years pursuant to the Nova Scotia Department of Natural Resources' policies and procedures on crown land exchanges. That policy states that crown land may be exchanged for privately held land where the acquisition of the privately held land has a clear benefit to the Province of Nova Scotia. To gain an understanding of those benefits, planning staff contacted the Environmental & Natural Areas Management Division for Nova Scotia Environment & Labour, which assisted in the crown land exchange. The following details were provided regarding the crown land exchange:

1. In February, 2007, the Province completed the acquisition of 106 acres of private land in the interior of Terence Bay Wilderness Area (PID #s 41214164 and 00385339) in exchange for 4.5 acres of crown land on the shore of Moody Lake, just outside the Terence Bay Wilderness Area.
2. This land exchange/acquisition:
 - a. Helps protect the natural and wilderness recreational values of Terence Bay Wilderness Area through provincial acquisition of 106 acres of interior, formerly private property inholdings that could be developed.
 - b. Consolidates public ownership of lands associated with the Terence Bay Wilderness Area
 - c. Provides a net gain in acreage of near-urban public land
 - d. Reduces long-term wilderness area management challenges for Terence Bay Wilderness Area
3. The 4.5 acre parcel of crown land on Moody Lake was never part of Terence Bay Wilderness Area.
4. As per provincial policy, an appraisal was undertaken to support negotiations related to the trade. The land trade was based on fair market value. It was carefully reviewed by both Department of Natural Resources and Nova Scotia Environment and Labour, and was approved by Provincial Cabinet.

5. Department of Natural Resources retains ownership of a 30 foot wide strip of land from Sarah Ingraham Drive down to Moody Lake. The 30 foot wide strip of land bisects the Steele parcel and provides public access to the lake.

Steele Developments Ltd. entered into the land exchange agreement with the intent to develop the 4.5 acre parcel on Sarah Ingraham Drive as residential single unit dwelling lots. Should Council decide to not rezone the lands one possible negative effect might be to make private land owners more hesitant about acquiring crown land with no development rights.

Public Information Meeting

On October 24, 2007 a public information meeting was held at the Captain William Spry Centre in Halifax (refer to minutes in Attachment "C"). During the meeting a great deal of concern was raised by residents of Moody Lake regarding the proposed rezoning. The primary concern focused on the potential negative impact of the proposed residential lots on the existing health of Moody Lake. Residents were unanimous in the shared perception that Moody Lake was under major environmental stress. The only other major concern raised was the lack of public access to Moody Lake. Subsequent to the public information meeting several residents contacted staff to express their concerns.

Lake Access

The proposal will not result in any additional new lots and consequently the Municipality is not entitled to receive a parkland contribution. However, a 30 foot wide strip of crown land bisects the Steele parcel providing public access to the lake. This parcel will retain the PA Zone.

Water Quality

In response to residents concerns, HRM's Manager of Environmental Performance reviewed the existing 1997-98 water quality data from Moody Lake and, as well, conducted additional water sampling in November of 2007. His review of the 1997-98 data indicates that the general health of Moody Lake was relatively good showing low human impact, however, this evaluation was based on the very limited data available. His detailed notes indicated that the lake was highly coloured, being a natural state for many NS lakes due to drainage of dissolved organic material from bogs. The lake was in the oligotrophic¹ category based on chlorophyll, and on the oligotrophic / mesotrophic² boundary based on phosphorus, and lake pH was in the 5 range, which is somewhat acidic, again possibly a natural state due to bog drainage.

¹Oligotrophic - A water body with low nutrient input and concentration, characterized by relatively low amount of biological activity.

²Mesotrophic - Intermediate state of biological productivity in a water body.

Regarding the 2007 sampling, the data indicates that the lake is more highly coloured than it was in 1997-98, however this is still likely due to natural organic acids from bog drainage. The pH is still low (below 5) which is acidic, but not unusual in NS lakes with bog drainage and surrounded with soils with low natural buffering capacity. Phosphorus is in the same range it had been in 1997-98, and the chlorophyll was also comparable. Turbidity and conductivity are both a bit higher now than in 1997-98, likely due to the additional development in the area and road salt, respectively.

The overall analysis indicates that Moody Lake is well within the range of the 70 other lakes within the HRM sampling program. Furthermore, it does not appear that there have been any major changes in water quality to Moody Lake since the previous data from 1997-98.

Halifax Watershed Advisory Board

Staff presented the application to the Halifax Watershed Advisory Board (HWAB) in November, 2007. Subsequently, HWAB reviewed the background material and prepared a recommendation report (Attachment "D"). The report contains a discussion regarding three areas of concern related to the rationale for not recommending the rezoning. Those concerns include, lack of public access to Moody Lake, lack of wildlife access to Moody Lake, and the potential degradation of Moody Lake's water quality. The concerns raised by HWAB do not relate directly to the MPS Policy that must be addressed in evaluation this rezoning request.

HWAB's third concern regarding water quality does note that "the development of 4 additional lots will contribute little to the further degradation of water quality."

HWAB also recommends that the proposed locations of the septic disposal beds be increased to provide maximum separation distance from the lakeshore. Pursuant to the Planning District 5 (Chebucto Peninsula) Land Use By-law (Section 4.20 Watercourse Setbacks and Buffers) the proposed configuration of the residential lots includes a minimum 20 meter riparian buffer from the ordinary high water mark of Moody Lake (see Attachment "A"). All four residential lots will be serviced with on-site sewage disposal systems and domestic wells in conformance with provincial regulations. The applicant's proposal complies with the necessary requirements and no further adjustment to the disposal system locations can be required by HRM.

The Province of Nova Scotia has demonstrated that the crown land exchange does improve the crown's land holdings and that the land exchange was in the public interest. Therefore, the proposal complies with the policy of the Chebucto Peninsula MPS. As such, it is recommended that Western Region Community Council approve the rezoning application.

Should Western Region Community Council decide to proceed with a public hearing on this application, in addition to published newspaper advertisement, property owners in the immediate area will be individually notified by mail. The area of notification is shown on Map 3.

BUDGET IMPLICATIONS

None. The HRM costs associated with processing this application can be accommodated within the approved budget for C310.

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

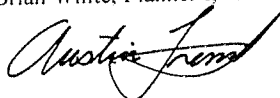
1. Council may approve the rezoning application. This is the recommended course of action.
2. Alternatively, Council may choose to reject the proposed rezoning. The PA Zone only permits uses that are deemed a public use, no residential development of the property would be permitted. This alternative is not recommended as staff is satisfied that the proposed rezoning is consistent with the policies and intent of the MPS.

ATTACHMENTS

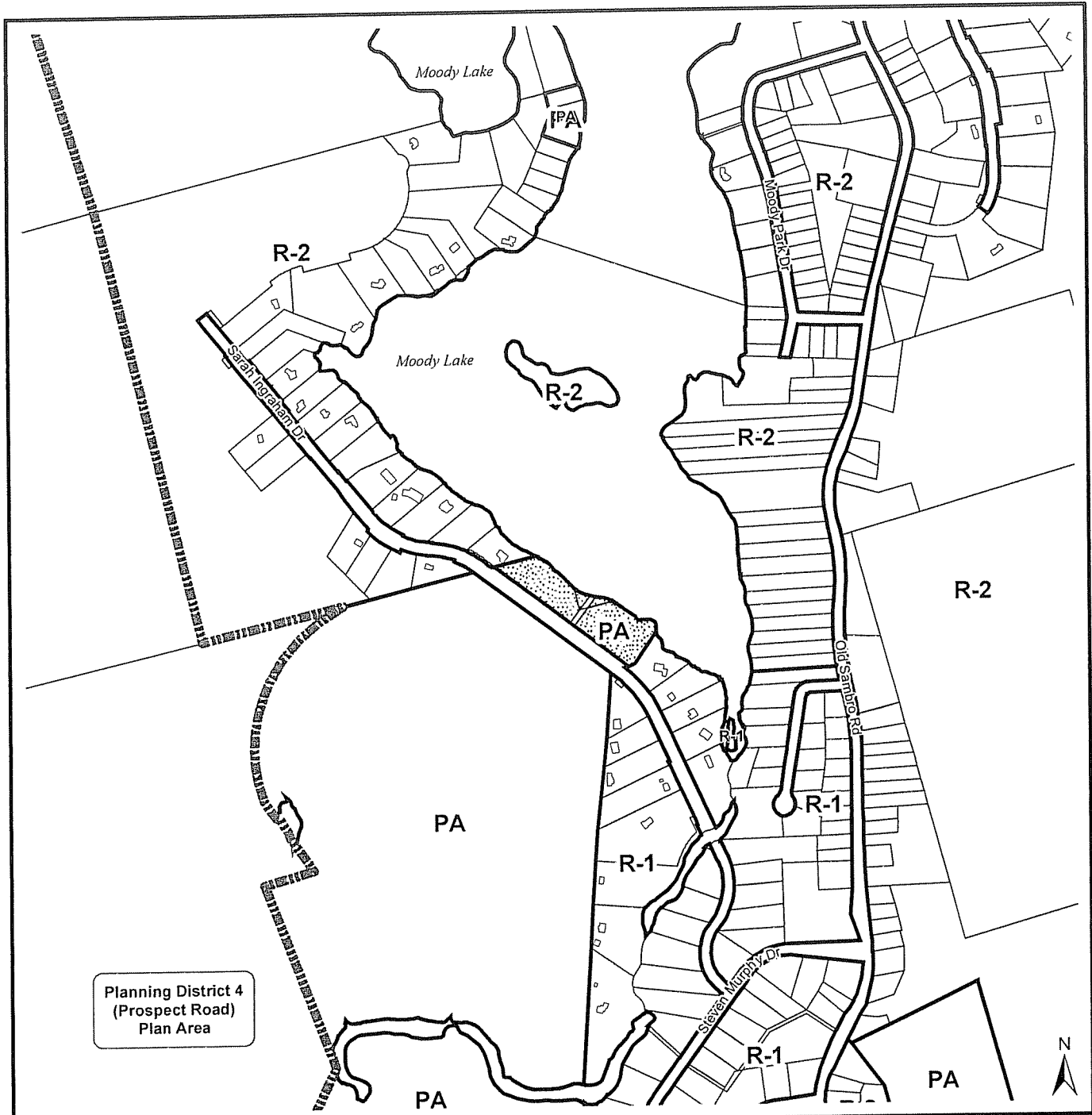
Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Map 3	Area of Notification
Attachment "A"	Proposed Site Plan
Attachment "B"	Excerpts from the Regional and Chebucto Peninsula MPS
Attachment "C"	Minutes from the May 30, 2007, Public Information Meeting
Attachment "D"	Report from Halifax Watershed Advisory Board

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.

Report Prepared by: Brian White, Planner I, 490-4793




Report Approved by: Austin French, Manager, Planning Services, 490-6717



Planning District 4
(Prospect Road)
Plan Area

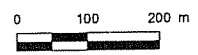
Map 1: Location and Zoning
Sarah Ingraham Drive
Williamstown

 Area to be rezoned from
PA (Protected Area) to
R-1 (Single Unit Dwelling)

Planning District 5
(Chebucto Peninsula) Plan Area

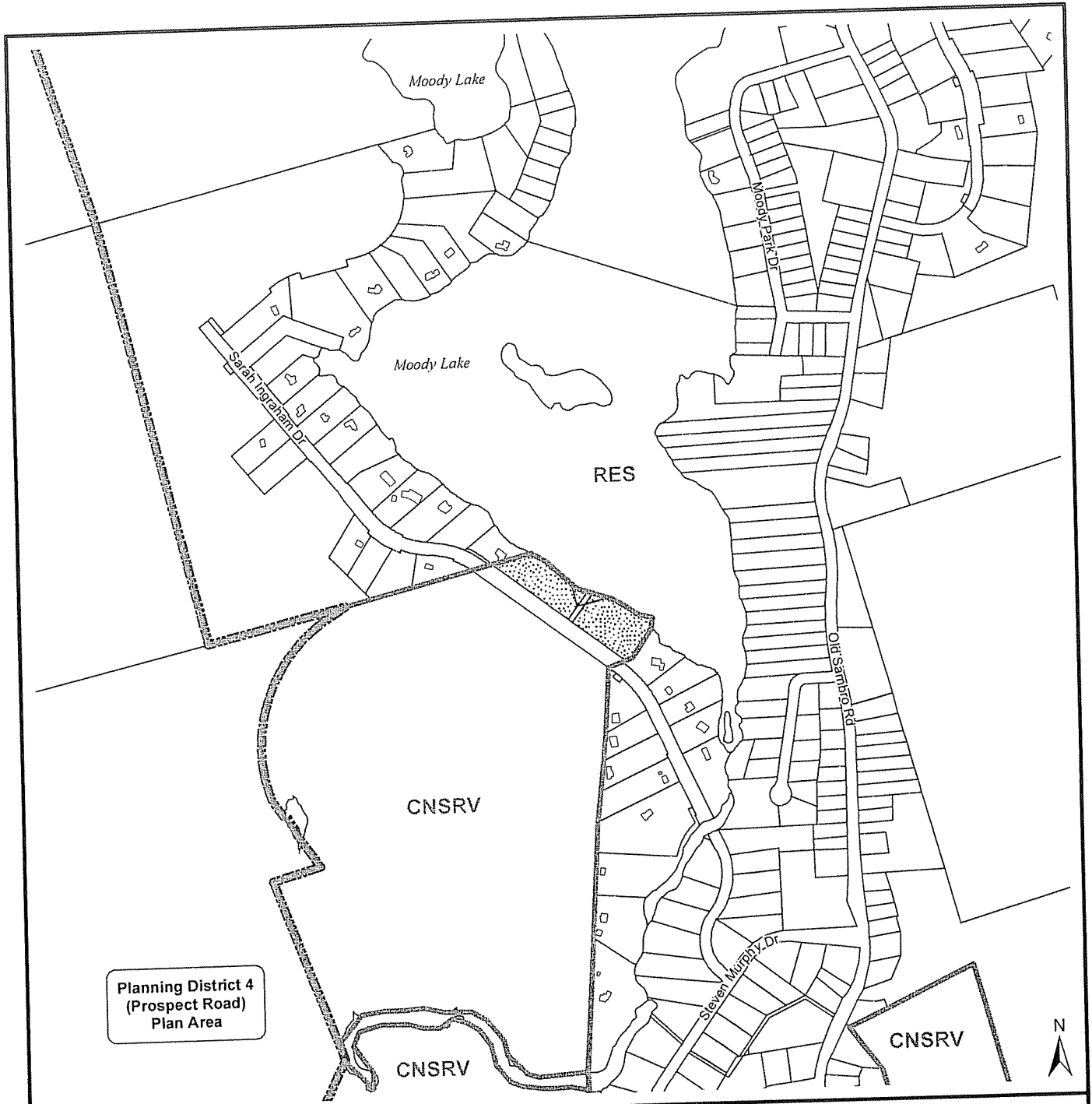
Zone	
R-1	Single Unit Dwelling
R-2	Two Unit Dwelling
PA	Protected Area

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PLANNING SERVICES




This map is an unofficial reproduction of a portion of the Zoning Map for the Planning District 5 Plan Area

HRM does not guarantee the accuracy of any representation on this plan



Planning District 4
(Prospect Road)
Plan Area

Map 2: Generalized Future Land Use
Sarah Ingraham Drive
Williamstown

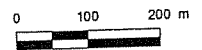
 Area to be rezoned from
PA (Protected Area) to
R-1 (Single Unit Dwelling)

Designation

RES Residential
CNSRV Conservation

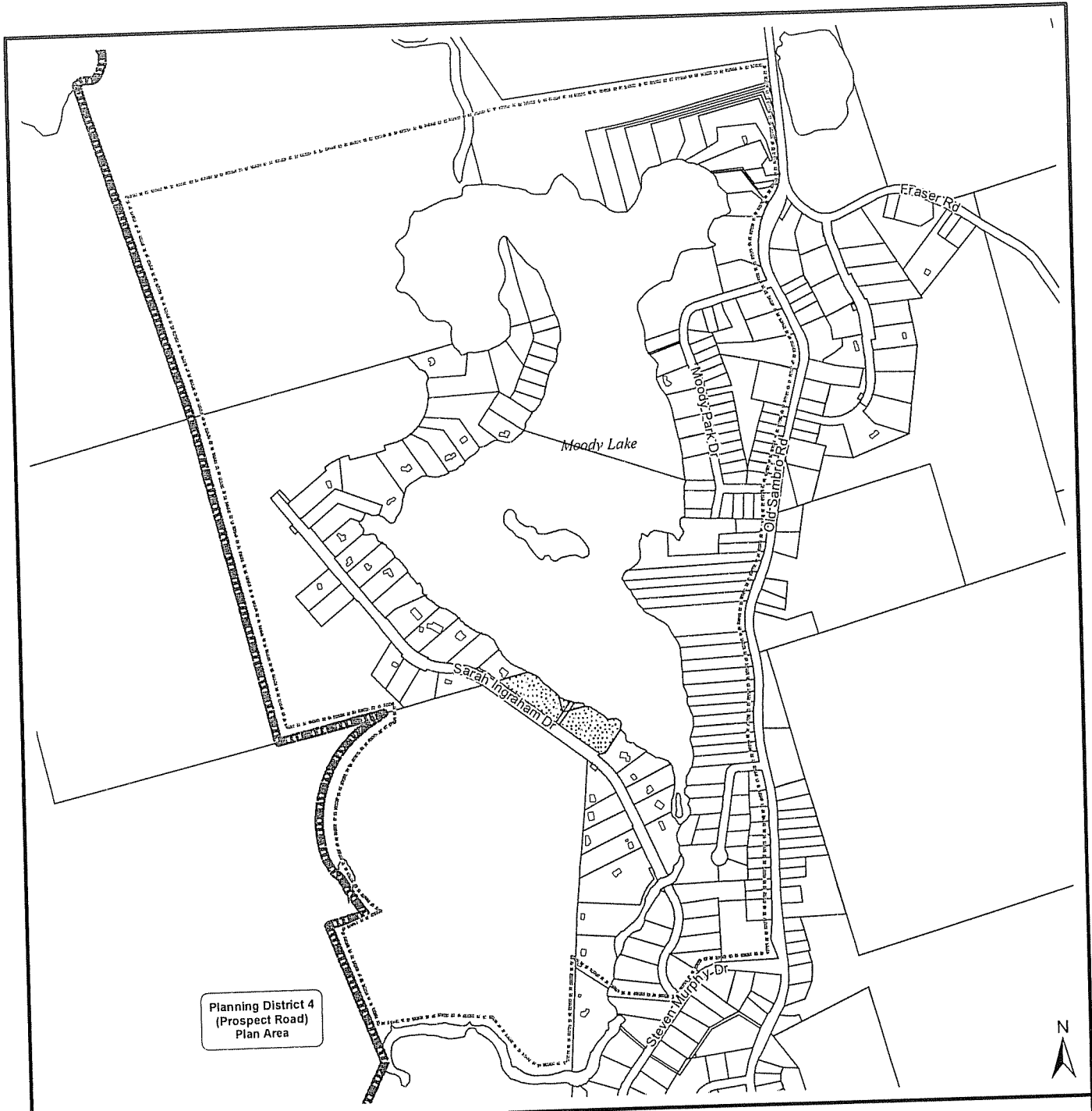
Planning District 5
(Chebucto Peninsula) Plan Area

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REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



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portion of the Generalized Future Land Use
Map for the Planning District 5 Plan Area

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


Planning District 4
(Prospect Road)
Plan Area



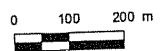
Map 3: Area of Notification

Sarah Ingraham Drive
Williamstown

-  Area to be rezoned from PA (Protected Area) to R-1 (Single Unit Dwelling)
-  Area of notification

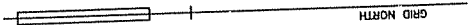
Planning District 5
(Chebucto Peninsula) Plan Area

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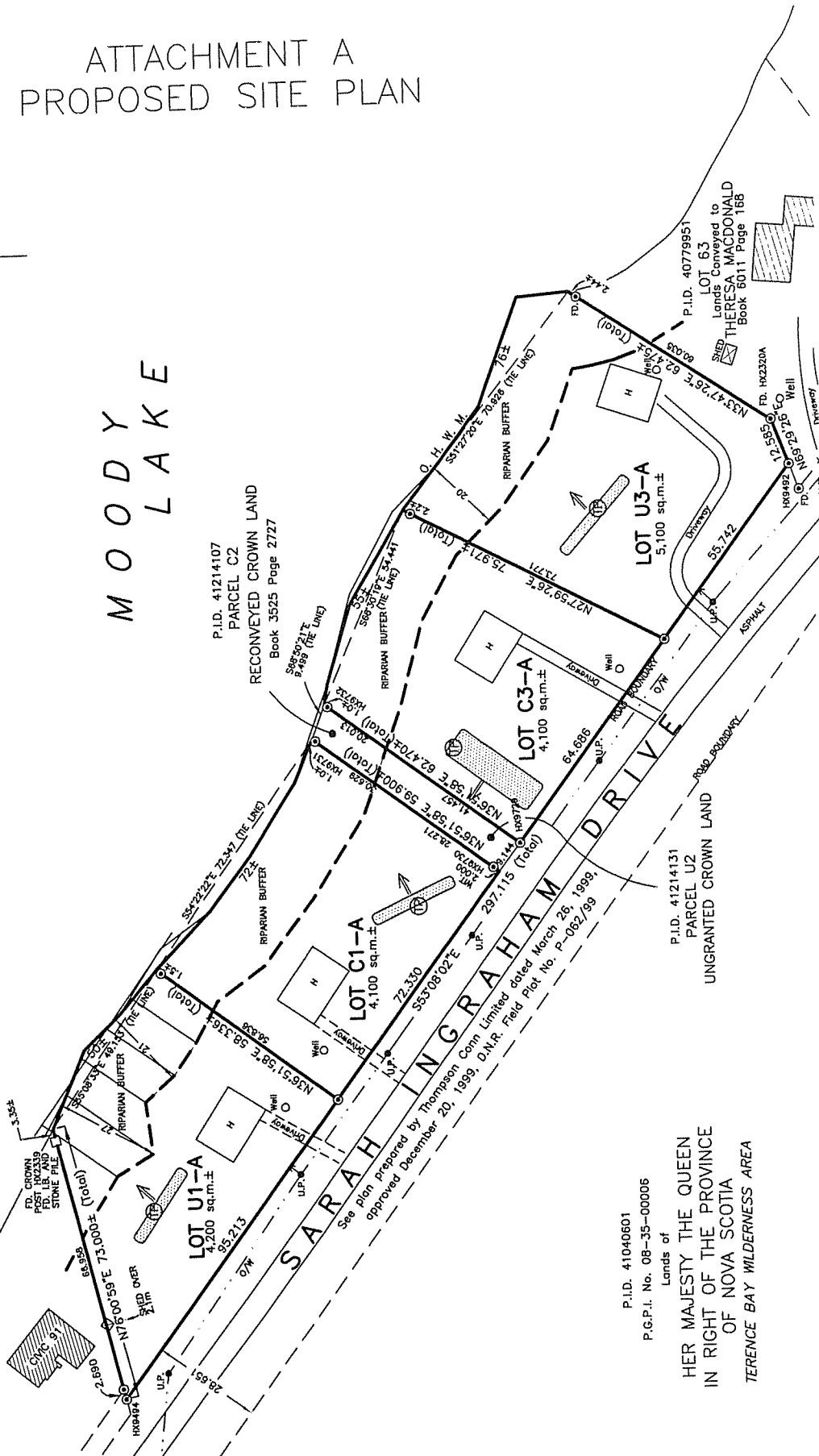
HRM does not guarantee the accuracy of any representation on this plan

ATTACHMENT A PROPOSED SITE PLAN



MOODY LAKE

P.I.D. 40834335
 LOT 101
 Lands Conveyed to
**SHANDI BRIERLEY NICKOLET and
 SARAH KATHERINE NICKOLET**
 Doc. no. 87777224
 See plan prepared by
 Thompson Conn Limited
 dated November 16, 1998,
 approved November 30, 1998.



P.I.D. 41214107
 PARCEL C2
 RECONVEYED CROWN LAND
 Book 3525 Page 2727

P.I.D. 41214131
 PARCEL U2
 UNGRANTED CROWN LAND

P.I.D. 40779951
 LOT 63
 Lands Conveyed to
THERESA MACDONALD
 Book 6011 Page 168

P.I.D. 41040601
 P.G.P.I. No. 08-35-00006
 Lands of
**HER MAJESTY THE QUEEN
 IN RIGHT OF THE PROVINCE
 OF NOVA SCOTIA**
 TERENCE BAY WILDERNESS AREA

See plan prepared by Thompson Conn Limited dated March 26, 1998,
 approved December 20, 1999, D.N.R. Field Plot No. P-062/99

Attachment "B"
Excerpts from Regional and Chebucto Peninsula MPS

Regional Municipal Planning Strategy

E-6 Within the Open Space and Natural Resource Designation, HRM shall, through the applicable land use by-law, establish a Protected Area Zone. This Zone shall be applied to wilderness areas which have been designated under the Wilderness Areas Protection Act, nature reserves designated under the Special Places Protection Act, and conservation-related properties owned by government or private conservation organizations. The Zone shall only permit scientific study and education, trails and similar public, conservation and recreational uses.

Planning District 5 (Chebucto Peninsula) Municipal Planning Strategy

CON-1 It shall be the intention of Council to establish a Conservation Designation as shown on the Generalized Future Land Use Map (Map 1). This Designation shall be applied to crown lands. Council shall encourage the province to retain these lands in their natural state and conserved in the future as wilderness and conservation areas.

There are certain limited situations in which crown land transfers are carried out in order to improve crown land holdings in a particular area in order to accommodate such transfers which are in the public interest, provisions for the establishment of residential zoning on lands which are transferred into private ownership as part of a crown land exchange shall be considered.

CON-5 Notwithstanding Policy CON-1, within the Conservation Designation, it shall be the intention of Council to Consider the application of a residential zone, by amendment to the schedules of the land use by-law. In considering any amendment, Council shall have regard for the following:

- (a) that the residential zone to be applied shall be the same zone as that of the nearest residentially zoned property within the Plan Area;
- (b) that the property to be rezoned is part of a crown land exchange within the Plan Area;
- (c) the potential impact of the crown land transfer on public land and/or facilities; and
- (d) the provisions of Policy IM-10.

IM-10 In considering development agreements and amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other Community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development;
 - (v) pedestrian safety; and
 - (vi) the potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility of flooding.
- (f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy p-79F", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC - July 2, 2002 / E- August 17, 2002)

Attachment "C"
Public Information Meeting
Case 01061
October 24, 2007

In attendance: Councillor Adams
Brian White, Planner, Planning Applications
Gail Harnish, Planning Services
Steve Murphy, Applicant
Ken Whalen, Land Surveyor

Mr. Brian White called the public information meeting (PIM) to order at approximately 7:00 p.m. at the Captain William Spry Centre. The purpose of the meeting is to discuss an application by Steele Developments Limited to rezone lands identified as PIDs 41214099, 41214115, 41214123, and 41214149 from PA (Protected Area) Zone to R-1 (Single Unit Dwelling) Zone, located on Sarah Ingraham Drive, Williamswood.

Mr. White indicated he had some questions about the area of notification which is outlined in red on the map. The area is generated automatically through our computer mapping system and we adjust it accordingly for each application. It has been suggested that the area of notification for the public hearing be increased to include the entire lake, which he believed staff would adjust.

Mr. White reviewed the rezoning process:

- an application is received
- staff does a preliminary review of the application
- a PIM is held
- staff does a detailed review of the application
- staff prepare a staff report with a recommendation which is tabled with Western Region Community Council
- Community Council will either reject the application or set a public hearing date
- a public hearing is held
- there is an appeal period

Mr. White advised this case involves a land exchange between Steele Developments and the Province of Nova Scotia. The property in question on Moody Lake is 4.5 acres in size. It was formerly crown land; it is now owned by Steele Developments. 105 acres which was previously owned by Steele Developments is now owned by the Province of Nova Scotia and makes up a component of the Terence Bay Wilderness area. In the preliminary review of the application he was able to determine that the Municipal Planning strategy (MPS) for Planning District 5 has a very specific policy, Policy CON-5, which talks about land transfers. The preamble to the policy states:

“There are certain limited situations in which crown land transfers are carried out in order to improve crown land holdings in a particular area in order to accommodate such transfers which are in the

public interest, provisions for the establishment of residential zoning on lands which are transferred into private ownership as part of a crown land exchange shall be considered.”

Mr. Ken Whalen stated he was a land surveyor, working from an office on Quinpool Road in Halifax. Many years ago, Steele Developments approached the Province and asked them if they were interested in exchanging some land. The Province looked at it and said they were interested and did a very rigorous study in an integrated land management group which looked at it from biological to wildlife and the Nova Scotia Department of the Environment (DOE). This took several years. They finally agreed upon it and the land exchanged was 105 acres in the wilderness area for 4.5 acres on Moody Lake. The wilderness area does not go into the parcel in question. It stops on the edge of Sarah Ingraham Drive. He understood the land was zoned PA because it was crown land. It is now privately owned so Council can consider a rezoning.

It was clarified the Terence Bay Wilderness area is protected by the Province.

Mr. Whalen indicated it was explained to him that if the land being rezoned was designated as a Provincial protected area, there would have been no discussion with the Province. It would not have been exchanged.

It was clarified the PA is municipal zoning.

An individual pointed out the piece of property shown in red was part of that public land before the road was put in.

Mr. Whalen indicated that was prior to it being designated as a wilderness area. In terms of the road itself, there was an exchange between the Province and HRM to make that a public road. Steele Developments asked for that so they could access some backlands.

An individual questioned why the piece of land along the lake which is critical to them was not designated as wilderness.

Mr. Whalen noted the wilderness area stops at the side of the road. If you go to the Provincial web site, there is a fair bit of information on how and why land exchanges take place and what process they go through.

Mr. Whalen noted Brian had referenced policy in the MPS for Planning District 5 (Chebucto Peninsula). There is also policy in the MPS for Planning District 4 (Prospect) which is a little more specific, which states:

“Throughout Planning District 4, there are numerous sites which have high ecological value and which would complement the valuable crown land resource which are found within the Plan Area.” It goes on to identify several areas. “Three such areas include: the remaining private lands located within the West Dover IBP site (LIMS Nos.: 40067274, 40067605, 40067670, 40068108 and

480780); the private lands located within the Prospect High Head Coastal system (LIMS Nos.: 573881, 573899, 573683, 573675, 40043259, 40043267, 40043291, 40043283, 40043275 and 40043242); and the remaining private lands located within the Pennant Corridor between Lake Frederick and Ragged Lake (LIMS Nos.: 385393, 385088, 385401, 647784, 40301996, 40302002, 385013, 385054, 385005, 647313, 650101 and 40033888). The sites located in West Dover and along Prospect High Head are of great importance for reasons previously discussed. The acquisition of the Pennant Corridor site is desired, in order to complement the significant crown land holdings located in this corridor. The Department of Natural Resources is, therefore, encouraged to acquire these lands for public purposes through a crown land exchange.”

Mr. Whalen indicated DOE was one of the groups represented on the integrated management team.

Mr. White advised he did request that somebody from the Province attend this meeting but they were unable to do so. They did however forward some comments to provide to members of the public for tonight’s meeting.

“(1) In February, 2007, the Province completed acquisition of 106 acres of private land in the interior of Terence Bay Wilderness Area (PID #s 41214164 and 00385339) in exchange for 4.5 acres of crown land on the shore of Moody Lake, just outside the wilderness area.

(2) This land exchange/acquisition: helps protect the natural and wilderness recreational values of Terence Bay Wilderness Area through provincial acquisition of 106 acres of interior, private property inholdings that could otherwise be developed; consolidates public ownership of lands associated with Terence Bay Wilderness Area; provides a net gain in acreage of near-urban public land; and reduces long-term wilderness area management challenges for the Terence Bay Wilderness area.

(3) The 4.5 acre Moody Lake property was crown land before the trade. It was never part of Terence Bay Wilderness area.

(4) As per Provincial policy, an appraisal was undertaken to support negotiations related to the trade. The land trade was based on fair market value. It was carefully reviewed by both Department of Natural Resources and Nova Scotia Environment and Labour, and was approved by Provincial Cabinet.

(5) Provides a 30 foot wide strip of land for public access, from Sarah Ingraham Drive to Moody Lake, bisecting the Steele parcel. While the 4.5 acre block is not (and never was) protected, public access to the lake has been maintained.”

An individual asked for the area of the public access to be pointed out.

Mr. Whalen indicated it is a 10m wide corridor (pointed out on map). That is still public land and allows access to the water.

An individual asked if it was said the 4.5 acres on Moody Lake was part of the wilderness area.

Mr. Whalen responded no. The boundary line for the wilderness area was drawn along Sarah Ingraham Drive.

An individual commented the wilderness designation area was put into place in 1998.

Mr. Whalen indicated they started dealing with the file in 1997, prior to it being designated as a wilderness area.

An individual commented there is a difference of terms. Once it was called crown land and then it was changed to a wilderness area.

Mr. Whalen said it was explained to him that there are several hundred thousand acres of crown land. Some are very sensitive land and get a designation; other crown lands have a lesser designation for specific things; and then there is crown land which is land owned by the Province. The latter is the type of land where they allow lumber companies to go in and do cutting. There is very strict criteria used to determine land exchanges.

Mr. Whalen commented when it was crown land, the Municipality zoned it PA. The land has been exchanged and they are requesting that it be zoned residential as are the adjacent properties. One of the criteria for consideration of a rezoning is if a crown land exchange was done and was agreed to by the Province and Cabinet for the benefit of the public.

Mr. Jack Stone stated there are signs posted saying the land is for sale and questioned whether this is a done deal.

Ms. Darlene Stone said she had a number of properties on Moody Lake, and questioned how there could be for sale signs up if we have to go through a rezoning process.

Mr. White noted it is privately owned land.

Ms. Stone said they understood it is a long process to go through.

Mr. White stated anybody can sell that land, however, they cannot build on it.

Ms. Stone noted the signs say "1+ acre lots for sale".

Mr. White responded everything can happen except for the building because the zoning which is currently PA does not permit any structures to be built on the land.

Ms. Stone questioned whether it was okay to buy a lot and then be told by the Municipality they can never build on it.

Mr. White responded yes.

Ms. Stone commented it sounds like deceptive advertising.

Mr. Whalen indicated from his perspective as a surveyor, they often go on a property and develop it as lots and the developer puts up signs to develop interest in the land. It can take up to a year.

An individual questioned whether Mr. Whalen ever came across situations where people bought land they could not use.

Mr. Whalen responded yes, in the city and in the rural areas. These properties are not subdivided into one acre lots now. There are four separate pieces there now but it has to do with how the crown owns them. There is a plan on the board which shows what is being proposed for the one acre lots if they are rezoned. The consultant has looked at them and said this is roughly where the houses and driveways would go.

Mr. White briefly reviewed the steps in the rezoning process again.

An individual noted the reference to being invited "again" for the public hearing should be struck since she was not notified of this meeting.

Mr. White advised everybody in the public is invited because of the ad in the newspaper.

The same individual advised she would like to be advised of the date the ad was placed in the newspaper.

Mr. White advised we will adjust the area of notification for the public hearing to include the entire lake. The process is to notify members of the public and a notice in the newspaper is required at least two weeks before the meeting. As well, all meetings are posted on our web site.

An individual noted there is a right-of-way on that property to the lake.

Mr. White clarified it is not a right-of-way; it is a crown land. It is a 30' wide strip of land owned by the Province of Nova Scotia to the lake.

An individual commented there was one on the other side of the lake but it was sold to two different people.

An individual questioned where the water access is for people who do not live on the lake.

Mr. Whalen pointed out a 1.5 acre lot of land owned by the Municipality, which was dedicated as parkland.

An individual stated he contacted the Municipality in 2004 and somebody came to look at it and said it was unacceptable, so they have no water access. It drops off at about 150'. It is totally undevelopable.

Councillor Adams indicated that Blair Blakeney went out and looked at it. It is not useable but they are looking at a way to make it functional. Blair said he would not have accepted it had it been his decision.

Ms. Susan Springett questioned what would stop the development of the PA properties across the street from the property on the lake being discussed tonight.

Mr. Whalen indicated the PA parcel is Municipally owned but the other property has a wilderness designation from the Province.

Mr. White indicated the PA zoning comes from Policy E-6 in the Regional Plan which applies to crown lands.

Mr. Frank Tarulli said he wished to emphasize how disappointed he was when he saw the area of notification. It should have included the whole lake. What affects the lake affects everyone on the lake.

Mr. White advised the area of notification would be adjusted for the public hearing.

Mr. Tarulli stated Moody Lake is becoming a wilderness habitat. It is undeveloped and is basically pristine and home to migratory birds. Any development there has the potential to damage the lake shore.

Mr. Tarulli noted there are setback requirements. The Municipality does not have the manpower to enforce the setback. There are numerous areas where the lakeshore has been affected. There are beaches where there should not be. There is infilling happening on the north end of the street. That threatens to cut-off water flow into the lake. He would suggest that rezoning this land to residential would tie the Municipality's hands.

Mr. Tarulli stated this lake has little or no sufficient green space. The lake access has been pointed out but it is insufficient. It should be pointed out that no green spaces include the island. You would not grant a permit for construction on the island to-date but that little space between the island and the R-2 is pretty shallow. There is nothing to prevent anybody from filling it in and building a causeway.

Mr. White stated they would have to get Federal approval to do so which involves a fairly rigorous assessment.

Mr. Tarulli commented opening up this parcel destroys the effectiveness of part of the wilderness area. If you open up the lakeshore, what happens to the rest? By adding additional development and additional intensity to the character of the lake would destroy the integrity of what they acquired.

Mr. Tarulli stated from a business standpoint, Mr. Murphy has taken a risk by attempting to develop this property by adding additional houses. He would suggest the risk is now being shifted onto the other residents. While his risk is admirable, he did not think they should be asked to share the consequences of that risk.

Mr. Rene Gallant said he lived in the area shown in red on the map. He referenced the R-2 in the upper left hand corner which was confusing.

Mr. White advised everything up in through here (pointed out) is R-2 with the exception of these three lots which are in a protected area. He then pointed out the crown land.

Mr. Gallant noted the next step is for staff to do a detailed review of the application. He questioned what goes into that review and whether their concerns would be part of that review.

Mr. White advised there are many concerns that are covered by Municipal policy. With regard to the detailed review, he, being the planner for this application, would do that review. He would be providing a recommendation to Community Council so they can make an informed decision. He would be reviewing the MPS. That document speaks to the community's intent in terms of how they will develop and use their land. There are policy statements. There has also been some commentary tonight about public access to the lake. There is a subdivision process involved should the rezoning be approved. Through the subdivision process, there is an ability to get parkland so perhaps that will be addressed in the staff report.

Mr. Gallant noted there were concerns raised in terms of the environment. He questioned whether this would be looked at by DOE.

Mr. White advised that as part of his staff report, he will be looking at what the Province has already put on record in terms of the environmental considerations. The Province in doing the land exchange has a very rigorous process. All land exchanges have to get Provincial Cabinet approval. They have done a rigorous review of the environmental considerations.

Mr. Gallant asked if the Province would consider the impact on the birds, the wildlife, and the lake.

Mr. White advised he would be going back to Oliver Mass who worked on it to see what environmental audit they did.

Ms. Laurel Tarulli commented when this land exchange occurred, it seems a lot of emphasis was put on how it affected the Terence Bay Wilderness area but nothing in terms of Moody Lake. She hoped it looked at the effects on the residents and the lake itself. She referenced First Lake in

Sackville which was ruined because of construction. If they keep building, how do they know they will have a place for their children to swim? As part of his research, do they look at comparisons with other lakes which have development around them?

Mr. White advised he would look to other staff in our organization to assist him in analyzing that. We don't do a full environmental assessment as part of a rezoning process which would look at things such as water quality and eutrophication. This application will also be reviewed by the Halifax Watershed Advisory Board.

Ms. Stone commented she was sure he was aware they had septic systems and wells in their area. The soil content in their area has a lot of clay which is not a good absorber for septic systems. These lots are very close to the lake. She thought that was very significant in terms of run-off into the lake. There are many people who have not abided by the setback. She has heard of no repercussions to anybody who did not abide by those rules. An area of land zoned PA was pointed out on another section of the lake. She bought that land and gave it to the Nova Scotia Nature Trust. They have the right according to what she signed to sell that lot to the highest bidder when she and Jack no longer lived on the lake if they determined the people on the lake have destroyed the land and the lake. This lake has had a lot of problems around it and she was concerned with allowing more houses right down to the lakeshore.

An individual stated the lots in question are not clay; they are all sand.

Richard... indicated there are some lakes in the Municipality which have by-law restrictions in terms of operating motor boats. These do not apply to Moody Lake but questioned how they can establish one for their lake.

Councillor Adams advised the government agency is the Coast Guard with the Federal government. Kearney Lake is one of the lakes in question.

An individual stated he was opposed to changing the zoning from PA to R-1 for the reasons mentioned by the various people who have spoken tonight. He owned six properties, along with Darlene, on the lake. The lake is sick. He lived on Moody Park Drive for thirty-four years. There are not fish in it like there used to be. There is often a film on the lake after the jet boats are on it on the weekend. Loons come to fish on the lake but have not nested on the lake in the past five years. They no longer have otter or beaver. Many of his neighbours are partly to blame. Developing on the shore is causing an effect on the environment. He thought four more lots could be the death nail for the lake. He was very much opposed to this change in zoning. When they bought their land, they gave consideration to the fact that it was crown land. They knew the lake would be developed but they thought the area of crown land would stay as crown land. To change the zoning would renege on what he understood they were buying into in 1974.

Ms. Gail Drisdelle indicated she lived on the lake across from this property. She felt there should be a critical assessment of the lake from an environmental standpoint. It almost sounds like they are at a critical point and the Province needs to know that.

Mr. Tim Baker questioned if they would look at the 1.5 acres of municipal parkland.

Mr. White indicated he would bring that to the attention of our Parks Planning staff, but it would not be part of this rezoning process.

Mr. Baker questioned if Steele Developments or the City would get them another parcel of land to the lake if that was deemed not to be acceptable.

Mr. White indicated that if the property is owned by the Municipality, then it would be up to the Municipality to look at accessibility but that would not be part of this application.

An individual questioned why that could not be considered as part of the rezoning. Should they not have two of the R-2 lots because they need a bigger place for residents to access the lake because the Municipality made a mistake in accepting the other piece of parkland?

Mr. Steve Murphy said there is a right-of-way on the Moody Park site which he thought people still have in their deeds.

An individual stated they gave that to the Nova Scotia Nature Trust.

Mr. Gallant questioned whether they could insert a detailed environmental assessment into the process. Mr. White responded he did not believe so.

Mr. Gallant said he did not understand why they would come to a meeting like this for a rezoning that obviously could potentially have an effect on the lake without having done an environmental assessment before this process, especially in this day and age when we are talking about global warming, etc. The environmental assessment should be given to the residents in advance of the meeting to look at.

Mr. White indicated he did not entirely agree with the comment about there being no environmental assessment. The information he had from the Province is that it was carefully reviewed by the Department of Natural Resources and DOE and received Provincial Cabinet approval. The land exchange has already occurred. It was part of a Provincial process which the Municipality is not a part of.

Mr. Gallant stated the land was designated PA which does not allow homes, and believed there was a reason for that zoning. Mr. White responded the reason for the PA zoning is because it was crown land.

Mr. Gallant questioned whether it had anything to do with the environment. Mr. White responded no; it only has to do with crown land ownership.

An individual stated they do not know what standards were applied to this assessment. They still have a chance to do something right. To his knowledge, the residents were not consulted. From a business point of view, it is a good risk because now they are being asked to assume that risk. In his view, they should decline to accept that risk. It was reviewed by DOE but based on what? Perhaps it was just on fair market value. They still have a chance to protect the other residents on the lake.

Mr. Whalen indicated there was an integrated management team, and there were several people involved. They did not look at just the lake part. They also looked at the Terence Bay Wilderness area.

An individual commented it does not seem to have considered what will happen to Moody Lake.

An individual asked for clarification on the process and the type of recommendation.

Mr. White indicated we can make several types of recommendations.

The individual questioned if he would base his recommendation on Steve's submission and this meeting.

Mr. White responded that staff's recommendation is mostly based on MPS policy, in particular Policy CON-5 and its preamble.

An individual asked for clarification that the crown land transfer already happened.

It was confirmed that 105 acres were transferred to the Province of Nova Scotia and are now part of the Terence Bay Wilderness area in exchange for these 4.5 acres of land.

The individual said she hoped the Municipality did not feel bound to approve the rezoning.

Mr. White responded his recommendation would be based on MPS policy and public input. It is Community Council who will make the decision on the rezoning. He read into the record Policy CON-5.

An individual commented Council can consider the rezoning but it can say no.

An individual questioned what was meant by "the potential impact of the crown land transfer".

Mr. White responded there should be some gain to the public good that is in the public interest.

Ms. Mona Drabble said she would like to congratulate Mr. Murphy for all the wonderful homes he put around the lake. Nobody believes you buy land and are not able to develop it. That is a terrible situation. However, if you look at those lots in red on the map, they are horrible lots as opposed to the vertical lots above them. The lots are only about 1 acre whereas the rest are about 1.5 acres. Where are the septic fields going to go? Into the lake?

Mr. Whalen responded a qualified person has already inspected the property and determined where they can go.

Ms. Drabble noted they already have drainage problems on Moody Park Drive and was concerned about what would happen to Moody Lake? All you have to do is look at Fraser Pond which is on the opposite side. People have been cutting trees to burn for firewood and the lakeshore is losing its shelter. You have to shelter a lake or two things happen. The live fish under the water have no shade and they need shade on hot days in the summer, so you're killing off the wildlife under the water. Water lilies go and silt flows into the lake and because there is no shade, the lake evaporates.

Ms. Brenda Bell stated she opposed the rezoning of the four lots. She questioned what they can do as a community to stop that from happening or even just to get an environmental review done so they can see the impact the development will have on the health of the lake. She thought they were on the breaking point on this lake. They feel more development will kill the lake. She questioned if they can get an environmental review done.

Mr. White responded he did not have any mechanism to require that through the rezoning process. What he could do is contact Oliver Mass to find out what review was done. They would have taken into consideration that the land was going to be developed.

Councillor Adams noted this application will be reviewed by the Halifax Watershed Advisory Board. That is an advisory committee of Council, which is comprised of people who deal with water and siltation and they can do an assessment. They assess potential development.

An individual commented he was sure the advisory committee would have some good information for them but he would like to see input from DOE. He questioned how they could stop the process.

An individual questioned what was meant by clause (d) of Policy CON-5. Mr. White responded it is an implementation policy with regard to how we conduct a rezoning.

An individual questioned when an environmental impact study is taken into consideration.

Mr. White noted there are advisory committees to Council which perform that role and function. He had an obligation to talk to the Halifax Watershed Advisory Board about this case.

An individual pointed out they are not DOE and they wanted to know what standards this will be measured against.

An individual commented some of them are rather jaded and felt an assessment should have been done before the land transfer.

Mr. Murphy pointed out the lots in question have a different type of soil condition.

The individual commented she hoped the assessment was done in order to assess whether the soil was appropriate for a septic tank. They walk up and down the street and they can smell it. What they need to do is err on the side of caution. It is awfully hard to clean up.

Councillor Mosher indicated she was not here as a councillor and did not sit on the Western Region Community Council which would make the decision. She was a member of the Halifax Watershed Advisory Board for 2.5 years. The Province swapped the land. Lakes are under the jurisdiction of the Province, and infilling and oceans are under the jurisdiction of the Federal government. We all have our own regulations. The swap has been done so it's not like HRM has a position. Staff has a legal obligation to consider this rezoning application and the property in question happens to be on a lake. The environmental assessment was done by the Province. She encouraged that members of the public contact the Province and ask them for a copy of the assessment and how it was handled. HRM can take this application to the Watershed Advisory Board. The members are all qualified experts on the board and there is one councillor. They will look at the setback and the issues. They will offer their opinion and write a report to Community Council and will say it's fine or there are concerns and they will make several suggestions. Council cannot tell DOE or DNR to do this or that. Community Council's decision has to be based on MPS policy and public comment and the report from the Province. The Municipality cannot comment on the environmental assessment.

An individual stated she hoped they have to verify that an environmental assessment was done for any rezoning.

Councillor Mosher advised the Municipality is regulated under the *Municipal Government Act* which is set forth by the Province. If she lived in this area, she would call Wayne Stobo, Chair of the Halifax Watershed Advisory Board, Michelle Raymond and Bill Estabrooks.

An individual indicated Steele Developments is asking HRM to amend the land use by-law and it is open to Council to decline the amendment if it is not satisfied there has been an adequate environmental assessment. He was urging Community Council to decline this application.

Mr. Murphy stated they did an environmental assessment. He gave them 27 acres to 1 acre.

An individual commented the Province made itself a good deal. It got 100 acres and traded it for four properties on Moody Lake. Mr. Murphy is allowed to ask Council to rezone the land but he did not think Council should consider itself bound to grant that application. That is a business risk which Mr. Murphy took on which is being transferred onto the residents of Moody Lake.

Mr. Peter Phillips noted a lot of good comments were made here tonight. He highly disagreed this land should be rezoned from PA to R-1. He felt it was important to keep some green area around the lake as numerous people have mentioned. The lake is sick; the wildlife seems to be disappearing; and he knew for a fact the fish are disappearing. The small area on the map would be a perfect access into the wilderness area and building homes there would prevent that from happening. He did not think the 30' strip would be enough. The lake is over-saturated. There needs to be more cooperation between the various levels of government. It is as if one does not know what the other is doing. If they do, that is not evidenced tonight. There should be more information and a study should have been done on the lake in general to show how developing the land in red would affect the lake. We also heard from people in Moody Park. They know the soil there is clay and does not lend itself for proper drainage for disposal fields. There is nothing happening to resolve that problem. He felt the rezoning of the area shown in red to R-2 would be totally inappropriate.

An individual questioned what percentage of land needed to be conveyed to the Municipality for green area as part of any development.

Mr. White responded the percentage is 5% of any newly created lot which happens during the subdivision approval process.

Mr. Whalen advised you have the opportunity to give it in land. If you have no land that is acceptable to convey, then you can pay it as cash-in-lieu of parkland.

The individual questioned where the parkland percentage is for this development.

Mr. Whalen responded when this development was created, the piece of parkland given to the Municipality was the equivalent of 5% of the value of the land at that point - 1.5 acres. In this instance, they would be redesigning the four lots, not creating new lots.

In August of last year, there was the creation of the riparian buffer. No development is allowed within that 20 metres.

An individual indicated there was a house built this summer. As part of that development, rocks were put into the lake and a beach was created. Nobody stopped them. Right now there is another development where the man is pushing the trash into the river that feeds the lake, and nobody is doing anything about that.

An individual commented that regarding the 5% parkland given, somebody from the Municipality came out and said it was not accessible.

Mr. White indicated he would bring that to the attention of staff.

An individual stated her son lives on the lake and he is very concerned about garbage being pushed into the stream. He is very concerned about the north end of the lake because somebody is doing digging after dark and fill is being put in.

Mr. White urged they report this to DOE.

Councillor Adams indicated watercourse setbacks have always been controlled by DOE. The Regional Plan setbacks are under HRM. When somebody builds a home near a lake, there is a 60' setback from the lake where they cannot build anything. When a permit application is submitted, HRM will do a site visit. When the footings are put in, the same thing is done again. Previous to the Regional Plan, there was DOE with three people for all of HRM but now HRM can get involved in terms of the buffer.

An individual expressed concern that enforcement takes time. They do not want to call and report on their neighbours. We are creating four more potentials. Council should not feel bound to approve the rezoning.

Councillor Adams clarified the setback is from the normal high water mark.

Mr. Whalen pointed out that does not change with infilling.

An individual questioned whether staff ever recommended against approving a rezoning application.

Mr. White responded we very often do not support rezonings. That usually happens at the application stage. We do an initial assessment with the applicants and will tell them upfront if it's unlikely we will support it, and then people do not make the application. That happens everyday. A rezoning is an expensive process. Largely the refusal to support is based on MPS policy. If there is no policy in the MPS to support what is being requested, staff will not support it.

Councillor Adams indicated the Midtown Tavern was a good example of where staff did not recommend approval.

An individual questioned whether Councillor Adams, as their representative, brings their concerns to staff.

Mr. White advised that the minutes from tonight's meeting will be included with the report so all members of Community Council will have them.

An individual indicated the issue tonight is we do not know if an environmental assessment was done.

An individual questioned how they could be kept informed.

Mr. White advised he would pass out his business cards. He would be getting in contact with Oliver Mass and have him, through whatever mechanism he feels appropriate, get back to residents. In terms of the rezoning process, we will include the full lake in the notification area. You will be notified by mail of the public hearing and there will be an ad in the newspaper and on the web site. On the first page of the report is the staff recommendation. One of the things he will address in the report is what did the Province do with regard to an environmental assessment.

The meeting adjourned at approximately 9:00 p.m.

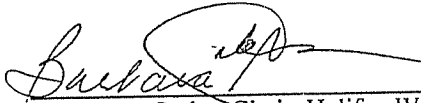


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Western Community Council
February 25, 2008

TO: Chair and Members of Western Community Council

SUBMITTED BY:


Barbara

Dr. Wayne Stobo, Chair, Halifax Watershed Advisory Board

DATE:

January 16, 2008

SUBJECT:

Case 01061 Rezoning PA (Protected Area) Zone to R-1 (single unit dwelling)
Zone Lands Located at Sarah Ingraham Drive, Williamswood

ORIGIN

At the November 21, 2007, meeting, the Halifax Watershed Advisory Board reviewed an application from Stelee Developments Ltd to rezone lands identified as PIDs 41214099, 41214115, 41214123, and 41214149, located on Sarah Ingraham Drive, Williamswood

RECOMMENDATION

The Halifax Watershed Advisory Board recommends:

1. After extensive discussion the Board unanimously recommends that these lands be left in their natural state and not be rezoned.

BACKGROUND

Steele Developments Ltd is requesting a rezoning of a 4.5 acre parcel of land with 800 feet frontage on Moody Lake to R-1 in order to develop 4 residential building lots. Within the bounds of this parcel, the NS Dept. of Natural Resources retained a 30-foot corridor which would provide public access to the lake. Previously, Steele Developments entered into an exchange with the Province of 106 acres of wilderness area adjacent to the Terence Bay Wilderness Protected Area for the 4.5 acres of waterfront property.

Ms. Brenda Bell, Chairperson of the local Watershed Protection Association attended the WAB meeting and presented information, and the position of her association on this issue, to the WAB. She advised the WAB that there were already a number of malfunctioning septic systems on properties bordering the lake and were concerned about additional septic issues. She also advised the WAB that there had been infilling activities, related to previous development, at the outfall area of the lake which was restricting water flow, and thus the rate of water overturn in the lake.

DISCUSSION

The primary concerns of the Watershed Advisory Board (WAB) are to protect the watershed and the natural environment.

There were 3 areas of concern related to the rationale for this recommendation.

1. **Public Access:** Throughout HRM the public is losing access to most lakes and rivers, as well as oceanfront. This is a major concern for the WAB. Most of the shorefront around Moody Lake is already zoned residential and thus is not available for public access. There is a parcel of land to the north of the area under consideration which has been deeded to the Nova Scotia Nature Trust and an existing parcel owned by HRM. But the Nature Trust lands are not available for general public use and the HRM lands have a very steep and rough gradient so do not allow public access to the lake. The 30-foot wide parcel within the bounds of the proposed area, which has been retained by NS Dept. of Natural Resources, is inadequate to provide any reasonable access by the public to this lake. The WAB does not feel that the earlier exchange of 106 acres of land within the Terence Bay Wilderness Protected Area to the Province justifies the essential elimination of public access to Moody Lake.
2. **Wildlife Access:** As noted above, residential development is available for the complete shoreline of Moody Lake except for the area under discussion. Further development will further reduce access for wildlife to the lakeshore; a 30-foot section will not provide that access. HRM in its recent Regional Plan has included the concept of Wildlife Corridors as an integral requirement in development strategy; this proposal is not in line with that concept. Given that the Terence Bay Wilderness Protected Area (PA), now augmented by the 106 acres provided by Steele Developments, is in the proximity of the lake, it is important that the wildlife in that PA have reasonable access to the lake.
3. **Water Quality:** The WAB recognizes that changes in the water quality in Moody Lake pre-development is not documented, so the extent to which earlier development has already degraded the water quality is not known. It is recognized therefore that the development of 4 additional

lots will contribute little to the further degradation of water quality. However the WAB also notes that the separation distance of any disposal fields from the lake will not be large. Though the proposed setbacks of disposal fields will be within Provincial guidelines, the nature of the soil (silt and sand) and the gradient (land slopes on average of 21% down to the lakeshore) raises concerns that the effluent will migrate too rapidly through the soil for the nutrient load to be filtered out before it enters the lake. The proposal does not address this issue.

If this re-zoning is approved, the WAB recommends that the proposed locations of the disposal beds be reconsidered to provide for the maximum separation distance from the lakeshore. The WAB does not feel that the minimum standards are adequate due to the gradient of the land and the buffering ability of the soil.

BUDGET IMPLICATIONS

The budget implications associated with the recommendations have not yet been identified. It is possible that land acquisition could be required. Any associated budget implications would need to be determined by HRM staff and disclosed to Regional Council in a subsequent report.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report does not address implications to 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

None suggested.

ATTACHMENTS

None

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 Barbara Coleman, Legislative Assistant

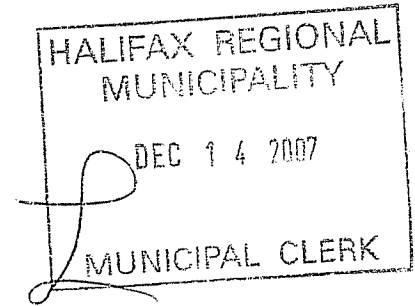
Council Report Sign-Off Sheet

Subject: Case 01061: Rezoning of lands located on Sarah Ingraham Drive, Williamswood						
Meeting Date: <u>Feb. 25/08</u>		<input type="checkbox"/> Regular Council	<input type="checkbox"/> COW	<input type="checkbox"/> In Camera		
		<input type="checkbox"/> Information Report	<input checked="" type="checkbox"/> Community Council			
Prepared by: <u>Brian White, CD</u>			<u>Feb. 12/08</u>			
Name & Business Unit			Date			
<input type="checkbox"/> First Draft for Information Only <input type="checkbox"/> Consultation <input type="checkbox"/> Approval						
√	Stakeholder -Internal	Approved By	Date & Time	Time spent on report (min)	Revised Date	Initial
	Not Required (unique to originating Business Unit)					
	By-Law Rationalization					
	BPIM					
	CD					
	EMS					
√	Finance - FinTrack - Accounts - Financial Consultants - Procurement - Manager	<i>D Kerzer</i>	<i>Jan 18/08 9AM</i>			
√	Fire					
	H R					
	Legal					
	Police					
	TPW					
	Library					
	RCMP					
	Water Commission					
	Councillor (s)					
	Stakeholder - External					

cc: Melody Campbell

HALIFAX
REGIONAL MUNICIPALITY
December 13, 2007

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



John D. Morehouse, Vice President
Creit Management L.P..
1801 Hollis Street
Halifax, NS
B3J 3N4

Dear Mr. Moorehouse:

RE: Variance Application 14238 - 215 Chain Lake Drive, Halifax

This is to confirm that your appeal of the above variance application has been received by this office.

You will be notified of the date, time and location that your objection may be presented to Council.

Should you require further information, please do not hesitate to contact this office at **490-4402**.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Faulkner".

Andrew Faulkner
Development Officer

cc: ✓ *Julia Horncastle, Acting Municipal Clerk*
Councillor Reg Rankin, District 22



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

Community Development
Western Region

February 14, 2008

John D. Morehouse, Vice President
Creit Management L.P.
1801 Hollis Street
Halifax, NS
B3J 3N4

Dear Mr. Morehouse:

RE: Variance Application 14238 - 215 Chain Lake Drive, Halifax

The appeal of the Development Officer's decision to approve the above application for a variance will be presented to Western Regional Community Council on Monday, February 25, 2008 at 7:00 p.m. at the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

Should you require further information, please do not hesitate to contact this office at **490-4402**.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Faulkner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Faulkner
Development Officer

cc: *Julia Horncastle, Acting Municipal Clerk*

