



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

Item No. 8.1.4
Halifax and West Community Council
April 8, 2014
May 6, 2014

TO: Chair and Members of Halifax and West Community Council

Original Signed

SUBMITTED BY:

Brad Anguish, Director, Community and Recreation Services

DATE: March 20, 2014

SUBJECT: **Case 18474: Rezoning - Property ID No. 00338319, Washmill Lake Drive, Halifax**

ORIGIN

Application by Desmond Jones

LEGISLATIVE AUTHORITY

HRM Charter; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Give First Reading to the proposed rezoning of the property to the east of the CBC transmitter lands on Washmill Lake Drive, Halifax, PID No. 00338319, from the Schedule "K" Zone and the I-2 (Radio Transmitter) Zone to the R-2P (General Residential) Zone, as contained in Attachment A of this report, and schedule a public hearing; and
2. Approve the proposed rezoning of the property to the east of the CBC transmitter lands on Washmill Lake Drive, Halifax, PID No. 00338319, from the Schedule "K" and the I-2 (Radio Transmitter) Zone to the R-2P (General Residential) Zone, as provided in Attachment A of this report.

BACKGROUND

The subject property is located on Washmill Lake Drive in Halifax (see Map 1), within a predominantly multi-residential neighbourhood. It is currently vacant and the applicant wishes to construct a four-unit residential building on the property. As this proposal cannot be enabled under the current zoning of the property, which is Schedule “K” and I-2 (Radio Transmitter), the applicant has requested that the subject property be rezoned to the R-2P (General Residential) Zone under the Land Use By-law for Halifax Mainland (LUB).

Location, Designation, Zoning and Surrounding Area

The subject property:

- is located on Washmill Lake Drive, within the Mainland North area of Halifax, opposite the Mount Royal subdivision;
- comprises 2,285 square meters (24,596 square feet) in area, and has 127 feet of frontage on Washmill Lake Drive;
- includes a private right-of-way which serves as the driveway access for adjacent lots to the north;
- is capable of being serviced with municipal central services;
- is designated ‘Residential Environments’ under the Halifax Municipal Planning Strategy (MPS) (Map 1);
- is zoned I-2 (Radio Transmitter) and Schedule “K” under the Mainland Land Use By-law; Schedule “K” is governed by Stage I and Stage II development agreement process (Map 2 and Attachment C); and
- is surrounded by multiple-unit residential uses, institutional and open space uses and a CBC transmission tower to the west (Maps 1 and 2).

Enabling Policy

The Halifax MPS contains criteria that allow the consideration of residential development through the rezoning process. Community Council may consider rezoning the subject property to the R-2P Zone according to Policies 2.1, 2.2, 2.3, 2.4, 2.7, 2.10, 2.11, 3.1.1, 4.1, and 4.2 as contained in the Halifax MPS and listed in Attachment B.

Proposal

The proposal, as noted above, is to rezone the subject property from the Schedule “K” Zone and the I-2 Zone to the R-2P (General Residential) Zone. The applicant proposes to construct a four-unit residential building with driveway access from the existing private right-of-way. It should be noted that details of the proposed building including building design, access and servicing requirements will be confirmed at the building permit stage.

DISCUSSION

Policies within the Residential Environments Designation of the Halifax MPS enable Community Council to consider rezoning the subject property to permit a variety of residential uses, including the R-2P Zone. Staff have reviewed the proposed rezoning and determined that it is consistent with applicable policies of the Halifax MPS. Attachment B provides an evaluation of the proposed rezoning to the R-2P Zone in relation to the applicable MPS policies. The following issues are being highlighted for more detailed discussion:

Compatibility with Surrounding Neighbourhood

One of the key considerations when reviewing an application for the rezoning of a property from a residential zone to another is the compatibility of the proposed land use with the existing neighbourhood. Policies within the Residential Environments Designation in the MPS are intended to maintain the integrity, stability and character of residential areas by preserving the scale of existing neighbourhoods. Policies also encourage establishing regulations that control the intensity of land uses in order for new proposals to be compatible with existing land uses (Attachment B).

The surrounding area includes a number of high density multi-unit residential buildings constructed within the past ten years. The development of a four-unit residential building on the site is appropriate given its size and location within a high density residential area and its location on a major transportation roadway. Given the number of units proposed, HRM Development Engineering and Halifax Regional Water Commission anticipate that the proposed development will have minimal impact on the services and infrastructure in this area. At the building permit stage, the developer will be responsible for constructing the sanitary sewer and water connections as per Halifax Water's Design and Construction specifications.

Schedule "K" and I-2 Zone Requirements

Schedule "K" was applied to large, primarily undeveloped tracts of land in the northern Mainland area. Most of these lands have been developed through a two-stage development agreement process. However, some smaller parcels, both vacant and previously developed, fall within Schedule K but are not suitable for a planned unit development approach. As the developable area of the subject property is relatively small (less than 10,000 square feet), it is reasonable to allow the rezoning for limited residential development.

The narrow portion of the property with the private right-of-way was zoned I-2 (Radio Transmitter) along with the CBC radio transmitter lands located immediately to the west. The owners of the transmitter lands do not have rights to access this driveway, and therefore it is appropriate to allow rezoning that will permit development on the subject property.

R-2P Zone Requirements

The R-2P Zone allows for single unit dwellings, two unit dwellings, three- and four-unit apartments, as well as home occupations and a variety of institutional and recreation uses. The applicant has proposed to construct a four-unit residential building on the property. If the rezoning is approved, the proposed development would be required to meet the requirements of the R-2P Zone. Given the character of the existing neighbourhood, rezoning this property to the R-2P Zone provides opportunity for infill development that expands the range of housing types available, without impacting the existing level of services in the area.

Council should note that this proposal is a request for rezoning, not a development agreement; therefore, should Community Council approve the proposed rezoning, the property owner would be permitted to develop the subject property for any use allowed under the R-2P Zone provided that the zone provisions are satisfied. For clarification, should the applicant decide to change the proposal to an alternative use permitted under the requested R-2P Zone, an additional Planning Process would not be required.

Conclusion

In staff's opinion, the proposed rezoning of the subject property to the R-2P Zone is consistent with the objectives and policies of the Halifax MPS. Therefore, staff recommends that Halifax and West Community Council approve the proposed rezoning, as presented in Attachment A.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the proposed 2014/15 operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing, achieved through notices posted on the HRM website, and mailed to property owners and tenants within the notification area as shown on Map 2. These Public Notification Letters sought comments and feedback from property owners in lieu of holding a Public Information Meeting. One submission was received by email and is available in Attachment D.

A public hearing must be held by Halifax and West Community Council before they can consider approval of the rezoning. Should Halifax and West Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will continue to be notified as shown on Map 2. The HRM website will also be updated to indicate notice of the public hearing.

The proposed rezoning will potentially impact the following stakeholders: local residents, property owners, and community or neighbourhood organizations.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all applicable environmental policies contained in the Halifax MPS. No additional items have been identified.

ALTERNATIVES

1. Community Council may choose to refuse the proposed rezoning and, in doing so, must provide reasons why rezoning does not reasonably carry out the intent of the MPS. This alternative is not recommended. A decision of Council to reject this land use by-law amendment, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

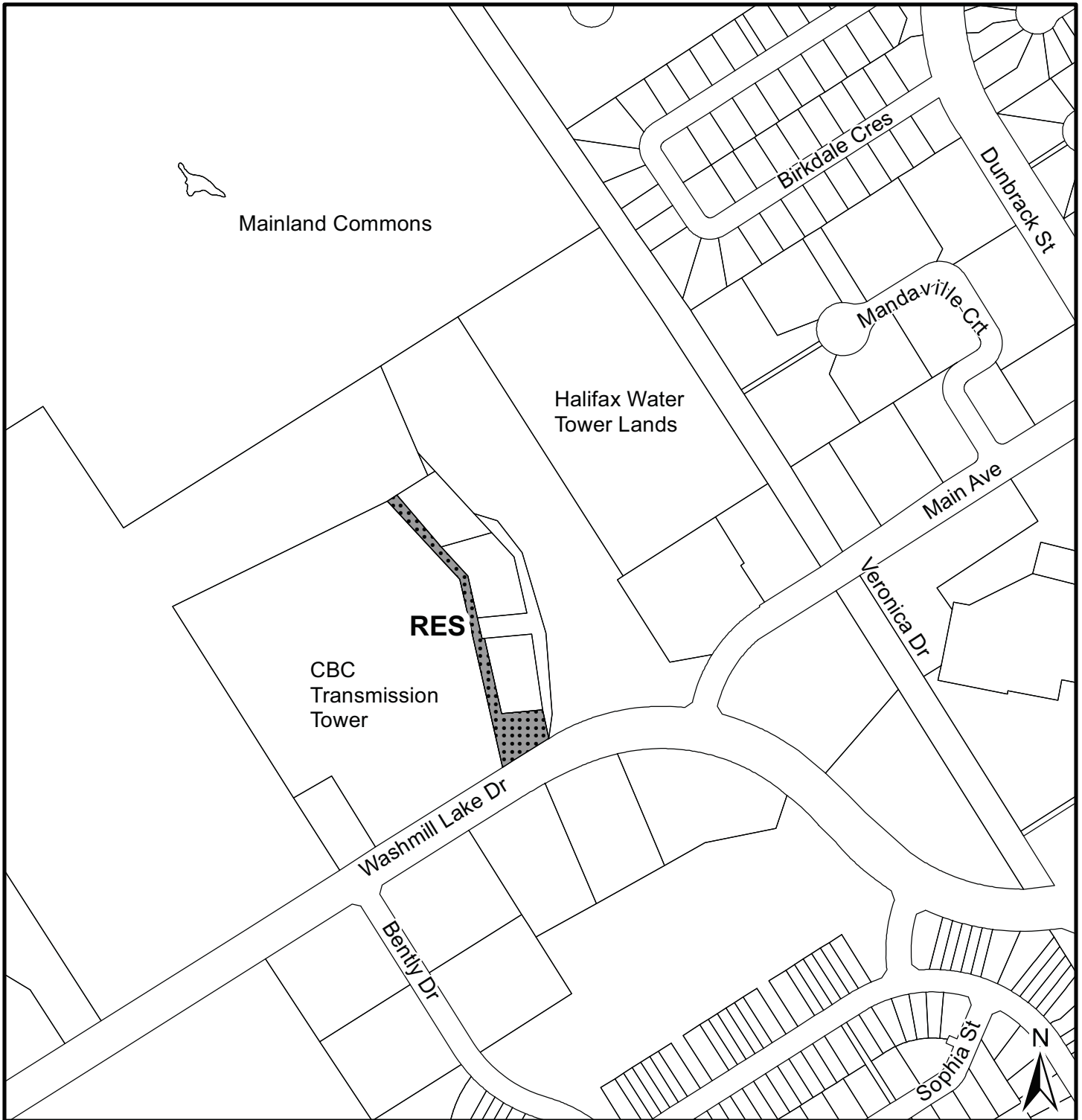
Map 1	Generalized Future Land Use
Map 2	Zoning and Notification
Attachment A	Proposed Amendments to the Halifax Mainland Land Use By-law
Attachment B	Review of Relevant Policies of the Halifax MPS
Attachment C	Excerpts from the Halifax Mainland Land Use By-law
Attachment D	Public Correspondence

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.

Report Prepared by: Leah Perrin, Development Technician Intern, Development Approvals, 490-4398
Paul Sampson, LLP, Planner, Development Approvals, 490-6259


Original Signed

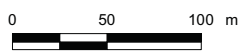
Report Approved by:  Kelly Denty, Manager of Development Approvals, 490-4800



Map 1 - Generalized Future Land Use

Washmill Lake Drive
Halifax

 Area proposed to be removed from Schedule K and rezoned from I-2 (Radio Transmitter) to R-2P (General Residential)



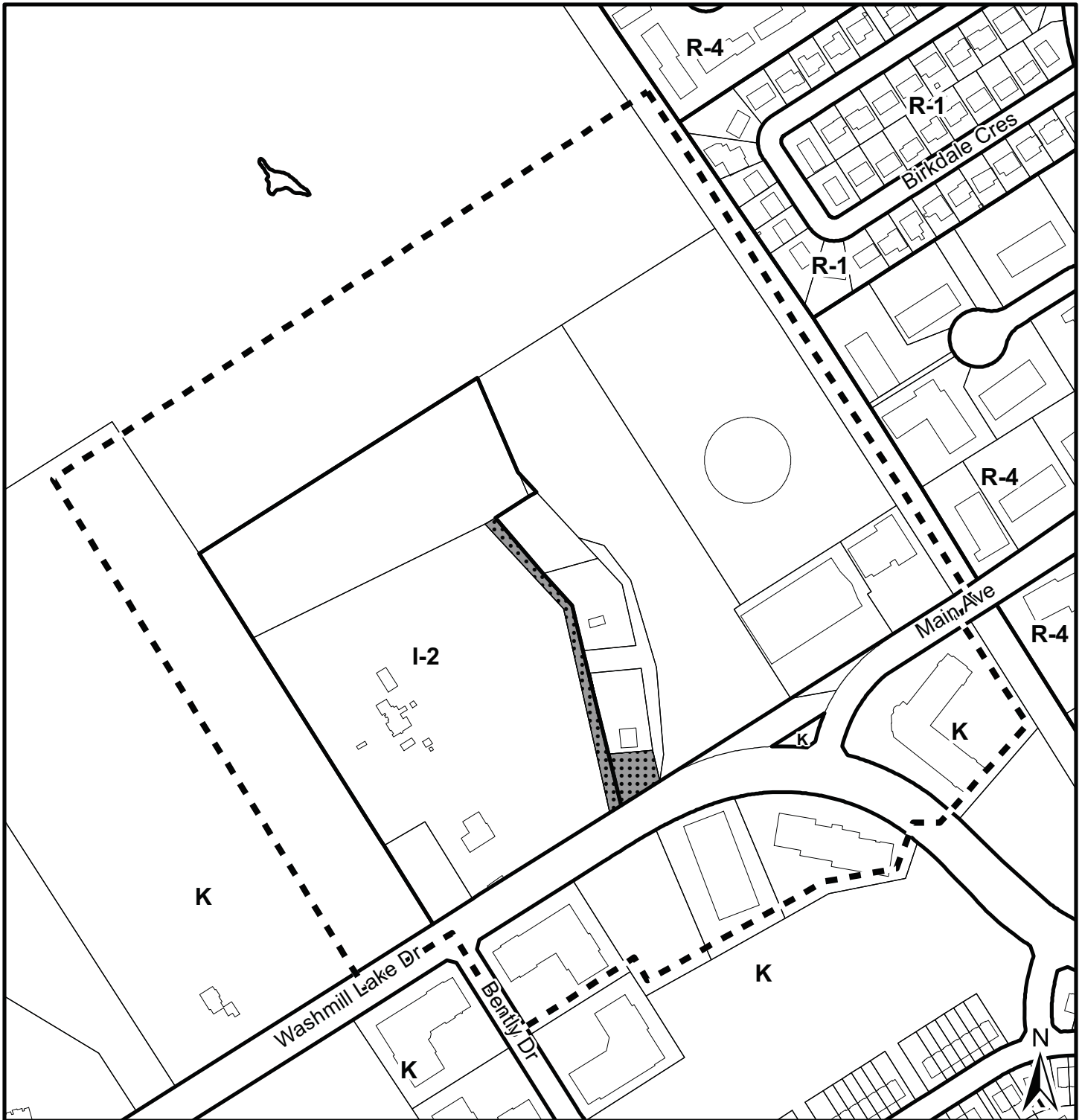
This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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

Designation


RES Residential Environments


Halifax Plan Area



Map 2 - Zoning and Notification

Washmill Lake Drive
Halifax

 Area proposed to be removed from Schedule K and rezoned from I-2 (Radio Transmitter) to R-2P (General Residential)

 Area of notification

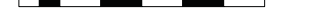
Halifax Mainland
Land Use By-Law Area

Zone

R-1 Single Family Dwelling
R-4 Multiple Dwelling
I-2 Radio Transmitter
K Schedule K

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 20 40 60 80 100 120 m



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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

ATTACHMENT A:
Proposed Amendments to the Halifax Mainland Land Use By-law

BE IT ENACTED by the Halifax and West Community Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Mainland as adopted by Regional Council on the 30th day of March, 1978, and 11th of May, 1978, and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [insert date of hearing] is hereby amended as follows:

1. Amend zoning map, **ZM-1**, by removing Schedule K from, and applying the R-2P (General Residential) Zone to PID #00338319, Washmill Lake Drive, Halifax, as shown on **Schedule A** attached hereto.

I HEREBY CERTIFY that the amendments to the Land Use By-law for Halifax Mainland, as set out above, were duly passed by a majority vote of the Halifax and West Community Council at a meeting held on the ___ day of _____, 2014.


GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this ___ day of _____, 2014.

Municipal Clerk



Schedule A

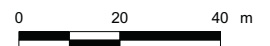
Washmill Lake Drive
Halifax

 Area proposed to be removed from Schedule K and rezoned from I-2 (Radio Transmitter) to R-2P (General Residential)

Halifax Mainland
Land Use By-Law Area

Zone

I-2 Radio Transmitter
K Schedule K



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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

ATTACHMENT B:
Review of Relevant Policies of the Halifax Municipal Planning Strategy

Policy Criteria	Staff Comment
<p>2. RESIDENTIAL ENVIRONMENTS Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.</p>	
<p>2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.</p>	<p>The proposed development can be accommodated by existing water and sanitary services in the area. At the permit stage, the developer will be responsible for design and installation of water, sanitary sewer and storm sewers in accordance with Halifax Water's Design and Construction Specifications.</p>
<p>2.1.1 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.</p>	<p>Schedule K was applied to large, primarily undeveloped tracts of land in the northern Mainland area. Most of these lands have been developed through a two-stage development agreement process. However, some smaller parcels, both vacant and previously developed, fall within Schedule K but are not suitable for a planned unit development approach. As the developable area of the property is relatively small (less than 10,000 square feet), it is reasonable to allow the rezoning for limited residential development.</p>
<p>2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The subject property is located in a predominantly residential neighbourhood comprised of high-density residential uses and the radio transmitters on the CBC lands immediately to the west. The proposed residential development maintains the present neighbourhood development pattern, and is consistent with these policies and the intent of the Residential Environments designation.</p> <p>Policy 3.1 was repealed in June 1990; however, Policy 3.1.1 (see below) requires proposed developments to conform with the policies of the plan with particular regard to Policy 2.4 of Section II (see below).</p>

Policy Criteria	Staff Comment
	Policy 3.2 discusses the creation of secondary plans in certain areas of the Halifax Planning Area. The subject property is not included within a secondary plan.
<p>2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.</p>	N/A
<p>2.3.1 The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.</p>	N/A
<p>2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p>	<p>The subject property is located on Washmill Lake Drive. The majority of the housing in the immediate area is high density residential, with a number of multi-unit residential buildings built in the past five to ten years.</p> <p>The proposed four unit residential building is an appropriate development for the lot, given its size and location within a high density residential area.</p>
<p>2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The proposed rezoning would not affect the scale of the neighbourhood.</p> <p>No new streets or commercial uses are included as part of this planning application.</p>
<p>2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and</p>	<p>The proposed application only considers the rezoning of one lot and would not be considered a redevelopment of the existing neighbourhood.</p>

Policy Criteria	Staff Comment
dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	
2.10 For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.	Provisions have been established in the LUB to regulate these matters.
2.11 For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.	Provisions have been established in the LUB to regulate these matters.
IMPLEMENTATION POLICIES	
AMENDMENTS TO THE ZONING BY-LAW	
3.1.1 The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.	Staff is of the opinion that the proposed rezoning is consistent with the applicable policies of the MPS for Halifax. See review of Policy 2.4 in Section II above.
4.1 The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.	The proposed rezoning complies with the policies of the MPS for Halifax. If the proposed rezoning is approved the property owner must demonstrate that they are able to comply with all city by-laws and regulations.
4.2 The City shall review the proposal to determine that it is not premature or inappropriate by reason of: i) the fiscal capacity of the City to absorb the costs relating to the development; and ii) the adequacy of all services provided by the City to serve the development.	(i) The property owner will be responsible for the costs associated with the proposed development; (ii) The application was reviewed by various municipal agencies including Halifax Water. There were no concerns regarding the adequacy of services.

ATTACHMENT C:

EXCERPT FROM HALIFAX MAINLAND LAND USE BY-LAW

I-2 ZONE

RADIO TRANSMITTER ZONE

- 49(1) The following uses shall be permitted in any I-2 Zone:
- (a) radio or television transmitter station;
 - (b) uses accessory to any of the uses in (a).
- 49(2) No person shall in any I-2 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 49(3) No person shall in any I-2 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

- 50 Buildings erected, altered or used for I-2 uses in an I-2 Zone shall comply with the following requirements:
- (a) The building lines applicable in an R-1 Zone shall apply to I-2 uses in an I-2 Zone except that when the appropriate walls of a building specified in Section 49 are fireproof to comply with the provisions of the Building By-law of the municipality, such building shall be exempt from the side building line requirements and the distance requirements from any other building; provided that the exception shall not apply to a lot line abutting a lot use for residential uses only, but this proviso shall not apply to lots within a commercial zone which do not abut on a residential zone.

SCHEDULE "K"

- 68(1) Any area of land shown as Schedule "K" shall be a Comprehensive Development District.
- 68(2) No development permit shall be issued for a development in a Schedule "K" unless the proposed development has been approved by a resolution of Council.
- 68(3)(a) The purpose for which land within a Schedule "K" area is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types; shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and community facilities for the use of residents in the immediate area; and shall include provision for automobile, transit, and pedestrian circulation; and an emphasis on conservation of natural environment features including lakes and waterways, mature trees, and natural topographic features. In addition to the above, Council may consider provision for commercial uses in accordance with the policies of the Municipal Planning Strategy.
- 68(3)(b) Notwithstanding clause (a), pursuant to Section II, Policy 3.3 of the Municipal Development Plan, the lands designated commercial on the east of Bicentennial Drive at the Bayers Lake Interchange shall be developed primarily as a mixed commercial/residential area.
- 68(4) For greater certainty, but without limiting the general powers of Subsection 68(3) above, the following uses may be permitted;
- (a) detached one family dwellings;
 - (b) semi-detached dwellings;
 - (c) duplex dwellings;
 - (d) apartment houses
 - (e) attached houses;
 - (f) public park or playground;
 - (g) commercial uses;
 - (h) local commercial uses intended for the use of residents of the immediate area;
 - (i) a community centre;
 - (j) golf course;
 - (k) notwithstanding Section (h) above, regional scale retail uses, including large-format outlets, shall only be permitted on those lands situated at the south-east quadrant of the Lacewood Drive/Bicentennial Drive interchange.
 - (l) uses accessory to any of the foregoing uses
- 68(5) An application for a development permit in any Schedule "K" area shall be submitted in two stages, the first stage of which shall be a tentative plan that shall include the following information for the entire area of land owned by the applicant which is designated as Schedule "K":

- (a) A plan to a scale of 1" = 100', or 1" = 40', showing the following information:
 - (i) The location of the various uses and their areas;
 - (ii) Delineation of the various residential areas indicating for each such area its size and location, number of dwelling units (including number of bedrooms for each unit), types of dwelling units (i.e., townhouse, apartments, single family dwellings), parking layout and population density;
 - (iii) The location, size, shape, and surface treatment of public and private open spaces;
 - (iv) The proposed interior roadway system and connection to existing roadways including location of bus bays;
 - (v) Topography of the area showing contour intervals of not more than five feet of elevation, as well as an indication of soil coverage of the site;
 - (vi) All existing and proposed rights-of-way and easements, either public or private, within the area;
 - (vii) Description, size and location of the proposed community cultural facilities, community centres, etc.;
 - (viii) Description, size and location of proposed local commercial uses intended for the use of residents of the immediate area;
 - (ix) The uses and ownership of land abutting the area in question;
 - (x) A key plan with a scale between 1" = 200' and 1" = 1,320' showing the location of the site in relation to the surrounding communities;
 - (xi) General indication of how the phasing and scheduling is to proceed, if phasing is intended for the project.
- (b) A plan to a scale of 1" = 100' and 1" = 40' showing an outline of the existing and proposed:
 - (i) roadways, walkways, rights-of-way and easements;
 - (ii) sanitary sewer system;
 - (iii) storm sewer system;
 - (iv) water system;
 - (v) surface drainage and means of disposal of the water;
 - (vi) street and walkway lighting;
 - (vii) telecommunication system;
 - (viii) electrical distribution system.
- (c) A plan showing the overall drainage areas contributing to the flows of the area in question.

68(6) After holding a public hearing and considering the plan proposal submitted under Subsection 68(5), Council shall determine whether the applicant may proceed to final approval and on what conditions, if any, Council may refuse the proposal where, in the opinion of Council, the proposal is inconsistent with the purposes of Schedule "K" or Section 5 of this by-law.

68(7) In the event that Council does not refuse the application, the applicant shall provide:

- (a) such information as required by Sections 63 and 64 of the by-law for that portion of the proposal for which the applicant is applying for a development permit;
- (b) such additional information (final servicing plans, survey plan, etc.) as may be required by the Development Officer;
- (c) the terms of the proposed agreement pursuant to Subsection (8).

68(8) Approval by Council under Section 68(6) shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct.

68(9) Council shall consider the application for final approval and shall either approve the development or notify the applicant of the objectionable features of the final plan.

69(1) (Deleted)

69(2) (Deleted)

R-2P ZONE

GENERAL RESIDENTIAL ZONE

28AA(1) The following uses shall be permitted in any R-2P Zone:

- (a) all R-1 and R-2 uses;
- (b) buildings containing not more than 4 apartments;
(Also note Section 28AE)
- (c) uses accessory to any of the foregoing uses.

28AA(2) No person shall, in any R-2P Zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in Subsection (1)

28AA(3) No persons shall, in any R-2P Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in Subsection (1).

REQUIREMENTS

28AB(1) Buildings erected, altered or used for R-1, R-2 and R-2P in an R-2P Zone shall comply with the following requirements:

	Minimum Lot Frontage (ft.)	Minimum Lot Area (sq. ft.)	Minimum Side Yard (ft.)
R-1 Use	40	4000	4
Duplex Semi-detached Dwelling	50	5000	5
3 and 4 Unit Apt Building	60	6000	6

28AB(2) Front yard shall be 15 feet minimum;
Rear yard shall be 20 feet minimum.

28AB(3) Lot coverage shall be 35% maximum.

28AB(4) Height shall be 35 feet maximum.

SEMI-DETACHED DWELLING

28AB(5) A lot containing a semi-detached dwelling may be subdivided so that each unit is located on a separate lot provided that the lot for each unit contains a minimum frontage of 25 ft. and a minimum area of 2,500 sq.ft. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

INTERNAL CONVERSION TO DUPLEX

28AC A building in existence on or before the 11th of May, 1950 may be converted into a duplex dwelling provided that the building, after conversion, complies with the following:

- (a) a duplex dwelling containing up to and including five habitable rooms shall require a lot containing an area of not less than 3,300 sq.ft.
- (b) a duplex dwelling containing six to eight habitable rooms shall require a lot containing an area of not less than 4,000 sq.ft.
- (c) Lot coverage - maximum lot coverage shall be 35 percent.

28AD Notwithstanding the provisions of Section 28AB, the requirements of Sections 26(f) to (h), (i)(2) and (3), 27 and 28 to 28B inclusive above shall apply.

MAINLAND SOUTH - FOUR UNITS

28AE Notwithstanding Section 28AA(1)(b) of this by-law, apartments containing a maximum of four units may be permitted in the "**Mainland South Area**" provided that, of the total number of dwelling units in the building, there is a minimum of one two-bedroom unit for each bachelor or one-bedroom unit.

From: Justin Dobrovolskis
Sent: March-04-14 5:40 PM
To: Sampson, Paul
Subject: Case 18474

Hello,

I live at Washmill Lake Dr. I'm opposed to the rezoning suggested by Desmond Jones. There is plenty of housing, noise, and traffic in this area already.

Thanks,

Justin Dobrovolskis
Washmill Lake Dr.