

Item B.1**MEMORANDUM**

TO: Chair and Members of Halifax Watershed Advisory Board

FROM: Joseph Driscoll, Planner

DATE: March 10, 2008

SUBJECT: **Case 01099: Amendment to Development Agreement - Lost Creek Golf Club.**

Application

Lost Creek Golf Club has applied to amend the existing development agreement for the golf course in order to remove a hole that backs on to residential properties on Jamie Drive to eliminate ongoing disruption to these property owners. The proposal would also include removal of existing hole #11. The applicant is proposing to establish two new holes on a 7 acre peninsula that abuts Beaver Bank Lake. The applicant would also like to enable development of a new chipping area.

Location

Lost Creek Golf Club is an 18 hole course that straddles the communities of Kinsac and Beaver Bank and is located south of Beaver Bank Lake and north of Kinsac Road. The existing course is located on PIDs 40158545 and 00489930 and the civic address for the golf course is 310 Kinsac Road.

Site Features

The area where the applicant would like to add the proposed holes are located on a peninsula that is largely treed and approximately 7 acres. There is a wetland area between the mainland and the peninsula that contains an existing causeway. The wetland contains a mix of alders and other low lying vegetation as well as some hardwoods. The soils consist mostly of a Wolfville type soil, described as being a dark reddish brown loam to sandy clay loam over strong brown loam and sandy clay loam derived from shale and sandstone. The peninsula is approximately 140 metres across at its mid-point. The water level of Beaver Bank Lake sits at an elevation of 39.6 metres and the point rises to a maximum elevation of 44.5 metres near its mid-point. The applicants indicate that the proposed amendments would not require any additional water withdraw from

Beaver Bank Lake as the new holes are replacing two existing holes.

Proposal

Lost Creek Golf Club has applied to amend their existing development agreement in order to close hole #14 which backs onto residential properties on Jaime Drive. They would also remove existing Hole #11 and replace these holes with two new holes primarily located on a 7 acre peninsula adjacent Beaver Bank Lake and north of existing hole #11. The applicants are proposing to locate a new par three hole entirely on the peninsula within a portion of land not previously governed by the development agreement. The fairway and green for a par 4 hole would also be located on the peninsula while the tee box would be located on the mainland. The proposal would utilize the existing causeway over the wetland area to the proposed new holes and includes a looped cart path on the peninsula between the proposed holes.

Portions of the proposal within the area governed by the existing development agreement would be subject to the terms of the existing agreement. These include the following clause (6.4), "*No tree cutting or site grading shall be permitted within twenty-five (25) feet of the ordinary high water mark of either the Beaver Bank Lake or the Beaver bank River, except where required to accommodate tees, greens, fairways and rough, pathways and bridges....*". However, as shown on the attached concept plan, the developer is not proposing to encroach upon the 25 foot non-disturbance zone to Beaver Bank Lake at all and will actually maintain a larger buffer area to the lake.

The Developer does propose to remove some trees between the proposed #11 tee and the wetland and the wetland and the proposed #11 fairway. This is permitted under the terms of the existing agreement. However, the Developer has agreed in principle to requirements for the re-vegetation of these areas with low-lying native vegetation. This requirement can be enforced through inserting a new clause as part of the amendments to the development agreement.

The new proposed 12th hole would be located in an area that is not subject to the terms of the existing development agreement. Therefore, the minimum 20 metre watercourse setback provisions of the Land Use By-law apply. No structures, infilling or removal of vegetation would be permitted within the watercourse setback. The 20 metre watercourse setback and the 25 foot buffer zone established under the existing agreement are illustrated on the attached concept plan (Map 2).

The existing development agreement contains several clauses with regard to environmental protection that would also apply to the entire golf course alteration project. These clauses are attached for the reference of the Board and include a requirement that all areas within 150 feet of Beaver Bank Lake be sodded (as opposed to seeded) immediately once final grading is complete. In addition, only natural/organic fertilizers are permitted to be used within 200 feet of Beaver Bank Lake.

Background

In 1996 HRM entered into a development agreement to permit the development of Phase 1 of the

Lost Creek Golf Club. In 1999 the development agreement was amended to enable development of Phase 2 of the course and completion of the full 18 holes in place today.

Lost Creek is located within the Beaver Bank, Hammonds Plains and Upper Sackville plan area and is considered a "commercial recreation use". Policy P-27 of the MPS enables consideration of new commercial recreation uses and expansion of existing commercial recreation uses through the development agreement application process. The main policy intent is to enable development of commercial recreation uses while ensuring minimal impact on surrounding land uses. The MPS also identifies environmental issues related to golf courses, such as the impact of fertilizers on watercourses, as a concern.

Policy P-27, included below, sets out the substantive direction for Council to follow with regard to applications for new or expanded commercial recreation uses in the mixed use designations:

P-27 Within the Mixed Use A, B and C Designations, it shall be the intention of Council through the land use by-law to provide for the continued use of commercial recreation uses to the extent they presently exist (Policy P-9 and P-12). Further, Council may consider any proposed expansion of existing commercial recreation uses as well as the development of new commercial recreation uses by development agreement and according to the provisions of the Municipal Government Act. In considering any new or expanded commercial recreation use, Council shall have regard to the following:

- (a) that the site exhibits characteristics which make the location particularly suitable for the proposed use;*
- (b) the potential for adversely affecting adjacent residential and community facility development by virtue of noise, visual intrusion, traffic generation and littering;*
- (c) the provision of landscaping or buffering from adjacent development and the public road to which it has access in order to reduce the impact of the proposed development;*
- (d) the availability of a site and site design which will entirely contain all aspects of the operation within the boundary of the proposed site;*
- (e) the impact on traffic circulation and in particular sighting distances and entrances and exits to the site.*
- (f) the layout and design of the facility;*
- (g) general maintenance of the facility;*
- (h) where any sewage treatment plant is proposed, the location and level of treatment of the sewage treatment plant;*
- (i) that the appearance of all buildings and structures related to the use shall be compatible with the surrounding area in terms of scale, exterior finish and signage;*
- (j) an assessment of environmental concerns related to the proposed development and in particular, potential effects on watercourses;*
- (k) the requirement for any applicable provincial approvals; and*
- (l) hours of operation; and*
- (m) the provisions of Policy P-137.*

Watershed Advisory Board:

Pursuant to the Board's terms of reference, the Board's input with respect to the potential impact of this development on Beaver Bank Lake is requested.

The applicant and Golf Course Superintendent plan to attend the HWAB meeting to answer any specific questions of the Board related to turf management, proposed construction schedule etc.

Attachments:

Attachment A	Proposed Construction Schedule
Attachment B	Terms of Existing Agreement Related to Environmental Protection
Map 1	Proposal Fact Sheet
Map 2	Concept Plan - Proposed Peninsula Holes
Map 3	Topographical Plan
Map 4	Concept Plan - Proposed Chipping/Practice Area

Attachment A: Proposed Construction Schedule

Phase 1 : Tree clearing and causeway upgrade

- **Remove trees**
- **Upgrade causeway with new concrete culvert and resurface with Class A gravel**

Phase 2: Grubbing

- **Grubbings to be removed**

Phase 3: Rough Shaping

- **Tee construction, fairway and rough outline, contouring and build up of green area**
- **Addition of drainage and irrigation system**

Phase 4: Finish Shaping and Sodding

- **Top soil and sod applied immediately once finish shaping is complete to minimize potential erosion**

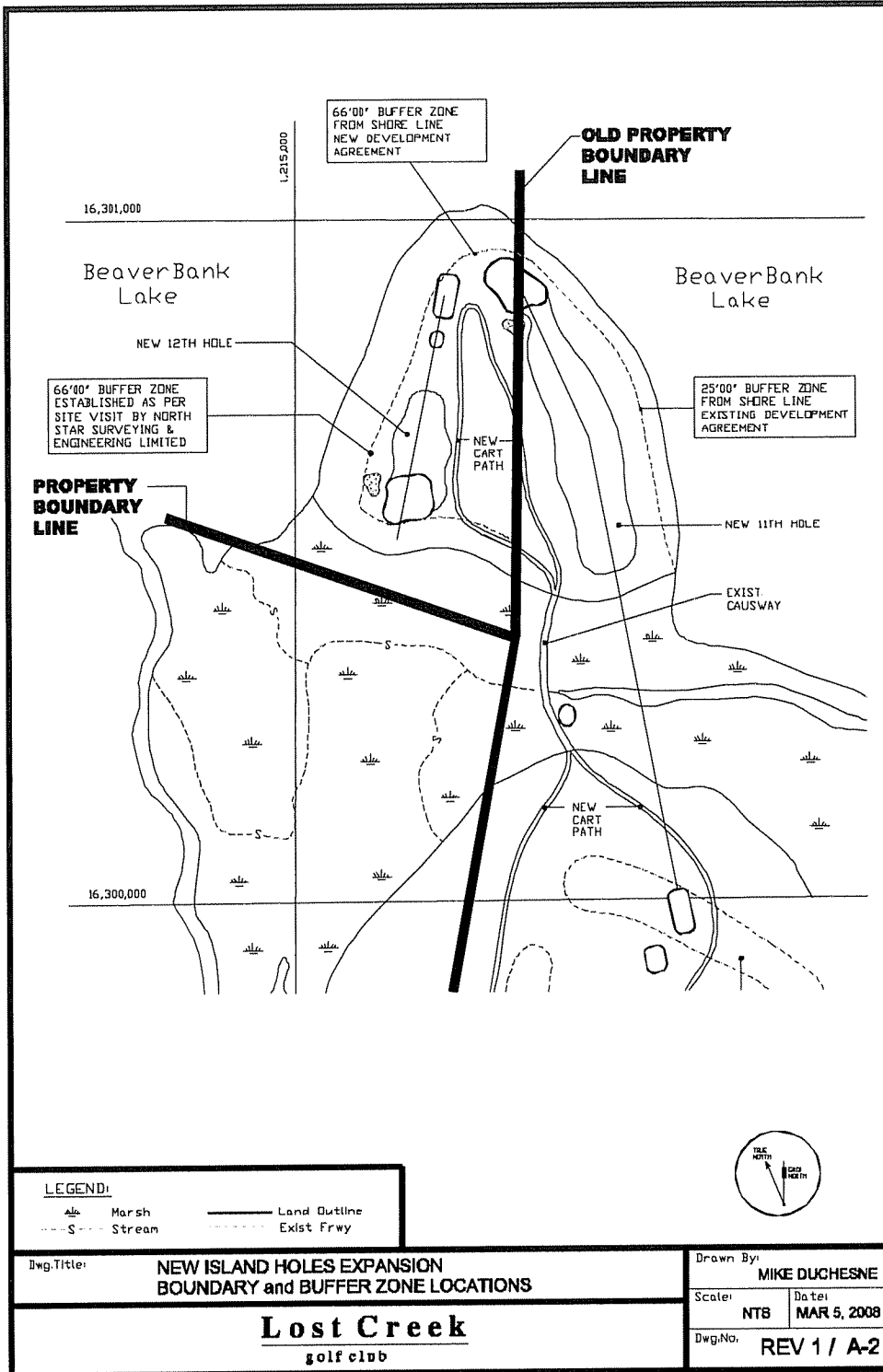
Phase 5: Chipping/Practice Area

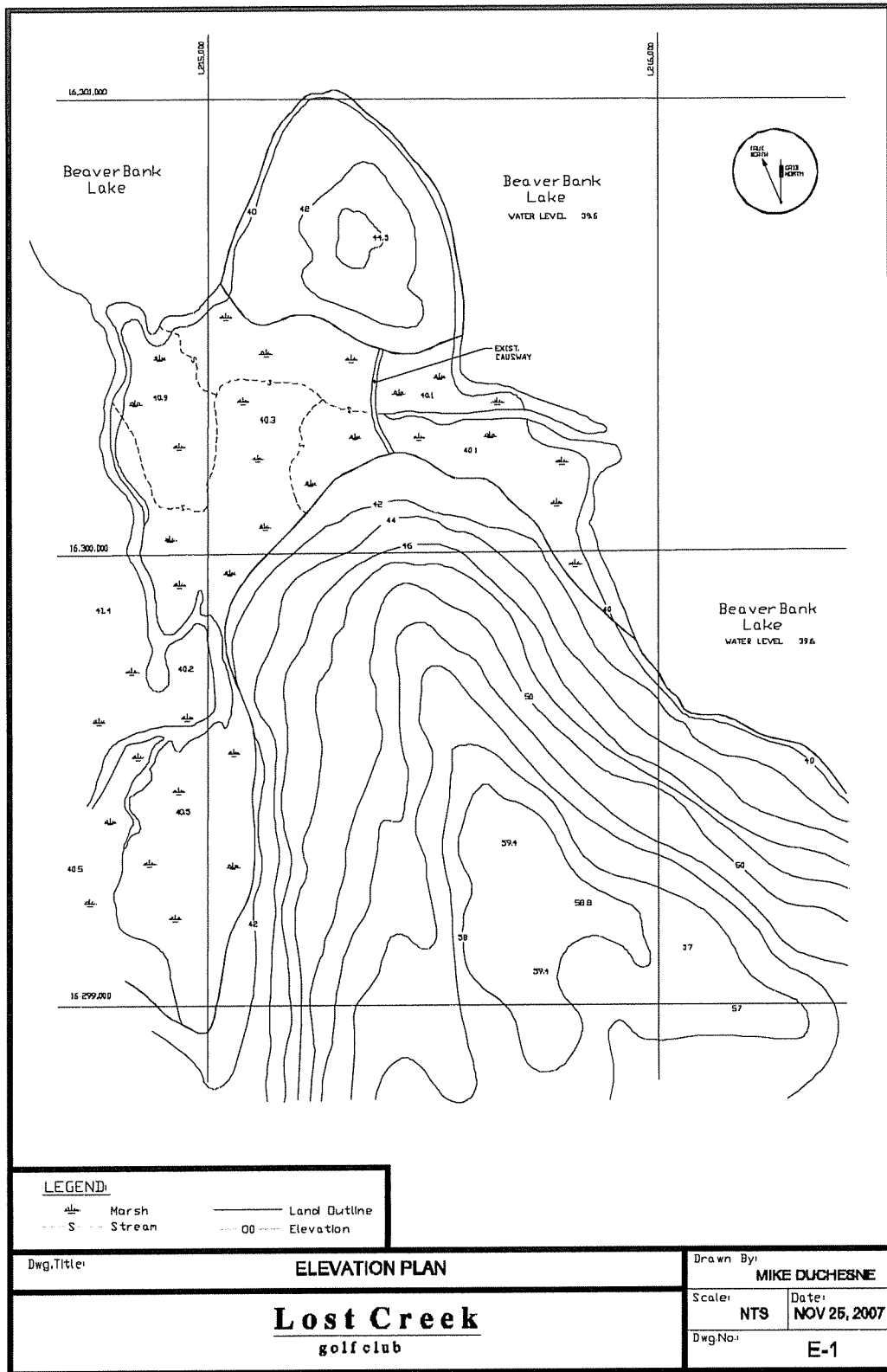
- **Winter 2008/2009 - Tree clearing**
- **Spring 2009 - Grubbing**
- **Summer - Rough shaping, finish shaping and sodding**

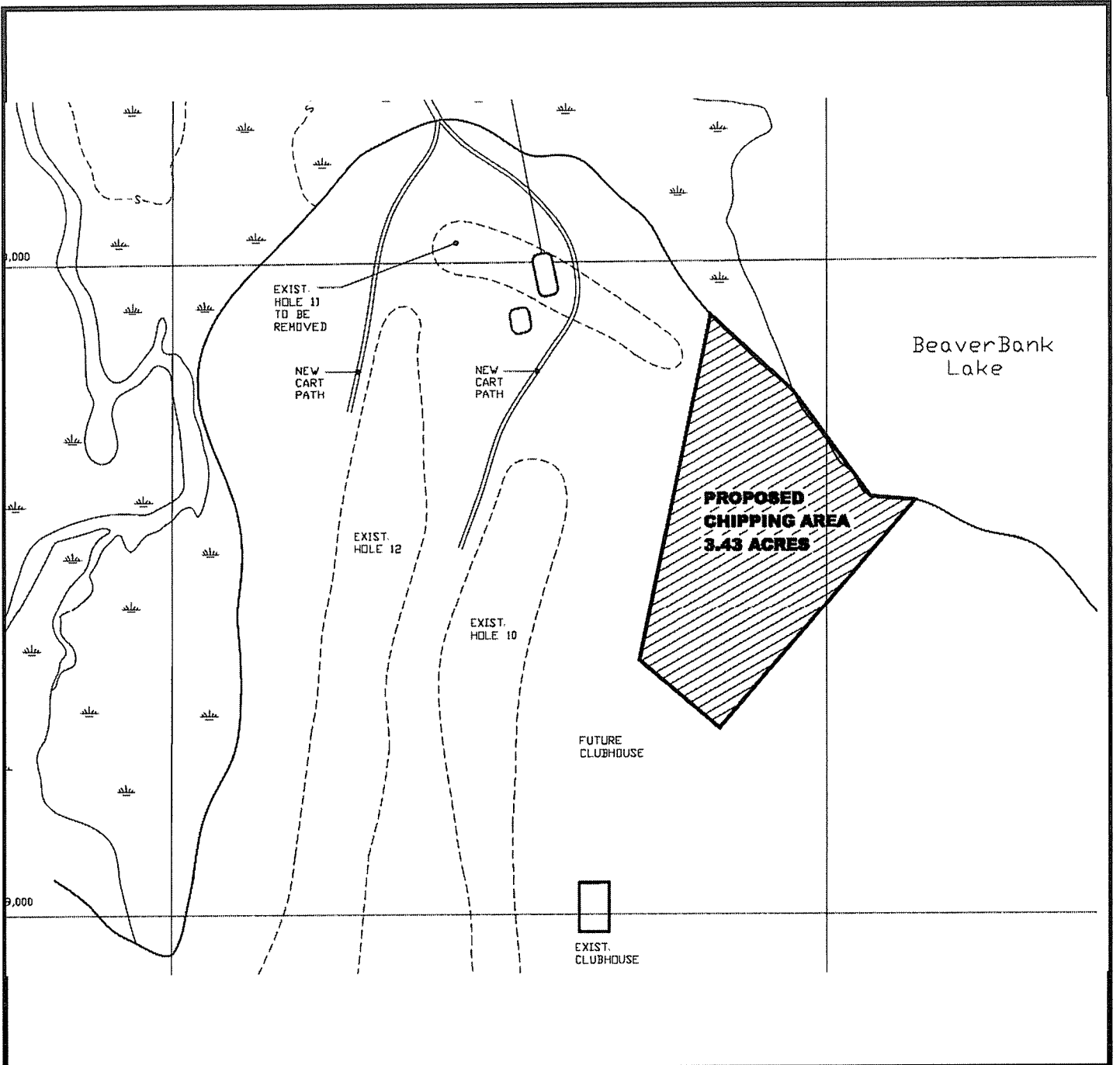
Attachment B: Terms of Existing Agreement Related to Environmental Protection

PROPOSAL FACT SHEET

	CASE #: 01099	
PROPOSAL INFORMATION		
APPLICANT: Lost Creek Golf Club Inc.		
<p>OVERVIEW and REQUEST: Lost Creek Golf Club has applied for a substantial amendment to the existing development agreement for the golf course at 310 Kinsac Road in order to remove two existing holes and replace them with two new holes. Hole #14 is adjacent residential properties on Jaime Drive and the applicant wishes to close this hole to avoid compatibility issues between the dwellings and golf course. As a result of the reconfiguration, the applicant would also close existing hole #11 and establish two new holes on a point adjacent to Beaver Bank Lake. Approximately half of this addition falls within the area governed by the existing development agreement while the other half of the addition would be brought into the development agreement. The applicant also wishes to establish a new short iron practice (chipping) area.</p>		
<p>PROCESS: HRM is reviewing the application to amend the existing development agreement for Lost Creek Golf Club. Once the review is complete, staff will submit a report and recommendation to Marine Drive Valley and Canal Community Council. Council will hold a public hearing prior to making any decision on the application. Notices advertising any future public hearing will be posted in the Halifax Herald and will be mailed directly to nearby property owners.</p>		
DISTRICT: 2 - Councilor Krista Show		
SITE INFORMATION		
<p>PLAN AREA: # Beaver Bank, Hammonds Plains and Upper Sackville</p> <p>LAND USE: # <u>Designation</u>: Mixed Use A (MU-A) # <u>Zoning</u>: Mixed Use 1 (MU-1)</p> <p>PROPERTY DESCRIPTION: # <u>Existing Land Use</u>: Undeveloped.</p> <p>For further information, please contact: <i>Joseph Driscoll, Planner</i>, at 869-4262, or e-mail: dnscoj@halifax.ca</p>		







Map 4
 Concept Plan - Proposed Chipping/Practice Area

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 Community Development
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