

HALIFAX

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Item No. 14.1.7
Halifax Regional Council
October 2, 2018

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY: _____
Jacques Dubé, Chief Administrative Officer

DATE: August 29, 2018

SUBJECT: **Case 21491: Initiation of Regional Plan amendments to permit development on twelve 25 acre lots on the northern side of Sackville Drive, Upper Sackville**

ORIGIN

Application by Armco Capital Inc.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax Regional Council refuse to initiate the process to consider site-specific amendments to the Regional Municipal Planning Strategy, the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law to allow development on twelve (12) 10-hectare (25-acre) lots north of Sackville Drive, Upper Sackville that currently do not meet the lot frontage requirements of the land use by-law.

BACKGROUND

The current Regional Municipal Planning Strategy (RMPS), Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Beaver Bank, Hammonds Plains and Upper Sackville do not permit development on lots created outside the municipal subdivision approval process.

Armco Capital Inc. is applying to amend these requirements to allow permits to be issued for single unit dwellings on twelve existing 10-hectare (25-acre) lots, located north of Sackville Drive, Upper Sackville. These lots were created outside the subdivision approval process and the proposed amendments are required to allow their development.

Subject Site	PID 41426339 PID 41426321 PID 41426313 PID 41426305	PID 41426297 PID 41426289 PID 41426271 PID 41426263	PID 41426255 PID 41426248 PID 41426230 PID 41426222
Location	North of Sackville Drive and west of Brushy Hill Road		
Regional Plan Designation	Rural Commuter and Open Space and Natural Resource		
Community Plan Designation (Map 1)	Mixed Use C and Rural Resource		
Zoning (Map 2)	Mixed Use 2 (MU-2) and Mixed Resource (MR-1)		
Size of Site	A cumulative area of approximately 316 hectares (781 Acres)		
Street Frontage	PID 41426289 has 24 metres of frontage along Sackville Drive. All other properties have no frontage.		
Current Land Use(s)	Vacant		
Surrounding Use(s)	Residential and resource uses		

Proposal Details

The applicant proposes to amend the RMPS and Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB to allow the issuance of development permits on 12 existing lots for single unit dwellings. These lots were created in 2015 through a provision from the *HRM Charter* and were not subject to the Municipal subdivision approval process. They do not meet the frontage requirements of the LUB and are not presently eligible for development permits.

Applicant Rationale

The applicant has provided the following rationale in support of the proposed amendment(s):

- The lots already exist;
- When the lots were created, the applicant was unaware that development permits could not be issued for these lots;
- Permits have previously been issued for lots created through the *HRM Charter* to enable large lot rural subdivisions;
- The lands are zoned for residential development;
- The proposed development of 12 lots accessed by a shared driveway was determined to be the best use of the remaining lands of the 2006 Canterbury subdivision;
- It was believed that the parent parcel of the 12 lots was eligible for an as-of-right subdivision of 8 lots plus a remainder along a new public road, which was later found to be incorrect; and
- Although the property is eligible for a Conservation Design Development, the property faces significant technical challenges given the wet nature of the lands, which would not be feasible for a low unit yield.

Attachment A contains the applicant's application letter.

Policy and LUB Context

The subject lots were created under Section 278(2) of the *HRM Charter*. Section 278(2) outlines circumstances where Municipal subdivision approval is not required to subdivide land. This section of the Charter replicates an identical section of the *Municipal Government Act* which applies province-wide and was intended for resource and agricultural development. However, more recently, this provincial provision has been used to create lots for cottage and residential development. While lots can be created through Section 278(2) of the *Charter*, the LUB does not permit the issuance of development permits on lots that do not meet the requirements of the by-law. The subject properties do not meet minimum frontage requirements in the LUB and Regional Subdivision Bylaw (RSBL) and are therefore not eligible for development permits.

10 Hectare (25 Acre) Lots in Other Municipalities

The *Municipal Government Act* allows the creation of lots 10 hectares (25 acres) or larger, in all counties in Nova Scotia, without going through a municipal subdivision process. Similar to HRM, however, other municipalities in Nova Scotia do not permit the issuance of development permits if a proposal does not meet the land use by-law requirements.

Recent Decisions of Regional Council

On January 10, 2017, Regional Council approved amendments to the RMPS and several HRM LUBs to allow the issuance of permits for a limited number of specific lots that were created under Section 278(2) of the *HRM Charter*. Lots that received this one-time exemption included:

- Lots that already received permits to develop single unit dwellings; and
- Lots within seven specific developments, where permits were issued for some but not all the lots created from the parent parcel(s).

The subject properties were considered for exemption at that time but not included because no permits were issued on any lots created from the parent parcel(s) and there were options for the lands to be consideration for a Conservation Design development agreement. Council should note the staff report provided at that time incorrectly indicated the subject properties were eligible for an as-of-right subdivision of 8 lots along a new public road. This is explained in more detail in the following section.

DISCUSSION

The RMPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the Municipality. While the RMPS provides broad direction, Regional Council may consider RMPS amendments to enable proposed development that is inconsistent with its policies. Amendments to the RMPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should be only considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the RMPS was adopted, or last reviewed.

Subdivision History

Staff reviewed the subdivision history of the subject properties relative to policy changes that impacted the properties' development potential, to determine if there is merit to amending the RMPS. New mechanisms were introduced by the 2006 RMPS to manage growth, protect citizens from unsafe access, provide better access for emergency response and waste collection services and preserve significant environmental features. Private roads and new roads that intersect Sackville Drive were no longer permitted when the RMPS was adopted.

It is evident from the application history that the applicant was aware of the implications of pending policy changes in 2006 as they submitted a concept subdivision application for the subject lands in February 2006. The applicant has explored various options to subdivide the parent parcel of the subject properties as outlined in the following table:

Year	Subdivision Event	Details
March, 2004	Block Plan	A plan was filed at the Registry of Deeds showing an area of land divided into 34 blocks, each 10 hectares (25 acres) or larger. The parent parcel of the subject properties was a portion of these lands. The blocks were created through Section 268(2) of the Municipal Government Act.
December, 2005	Consolidation of Blocks	A plan was filed at the Registry of Deeds showing consolidation of the blocks created in 2004. The area of land was reinstated to allow further subdivision of the property.
December, 2005	Final Subdivision Application	An application for final approval of 29 lots fronting Sackville Drive was submitted and deemed complete prior to the first notice of the 2006 RMPS (April 29, 2006). Therefore, the lots did not have to meet the requirements of the RMPS. The Development Officer approved the lots in June 2006. A parcel with 24 metres of frontage along Sackville Drive was left un-subdivided as a result. The majority of these 'remainder' lands are the subject of this application.
February, 2006	Concept Application	A concept application for the remaining lands with 24 metres of frontage along Sackville Drive was also submitted and deemed complete prior to the first notice of the RMPS. A lot yield of 366 single unit residential lots was proposed. Approval of a concept plan would have allowed future subdivision of the lands with a greater lot yield than what can be approved today. The proposed yield of 366 lots was however never deemed to be technically feasible prior to the developer cancelling the application.
October, 2015	Creation of 10 Hectare (25 Acre) Lots	The subject lots were created under Section 278(2) of the <i>HRM Charter</i> as 12 lots could not be approved by the Municipality.

Current Subdivision Options

There are very limited options to subdivide the subject site. A supplementary report presented to Regional Council on January 10, 2017 noted that the parent parcel of the subject properties was eligible for an as-of-right subdivision of 8 lots along a new public road or a Conservation Design development agreement. Upon detailed review of this application, it was found that the 8-lot option was not available because new public road connections to Sackville Drive are not permitted as per the policies outlined in more detail below.

As-of-Right Options

Sackville Drive (Highway 1) is identified under the RSBL as a trunk or route highway for limited subdivision, where new lots require 61 metres (200 feet) of frontage and new adjoining public roads are not permitted. These restrictions are in place to limit the number of driveways and road connections on existing busy route highways for safety purposes. The parent parcel only has 24 metres of road frontage along Sackville Drive, which is not enough to further subdivide along Sackville Drive.

Lot yield is generally dependant on public road frontage, but there are some exemptions. If the parent parcel was reinstated, Section 38 of the RSBL would permit subdivision into two lots (or one lot plus a remainder), where the lots do not meet the frontage requirements of the LUB. This is the only as-of-right option for the parent parcel.

Discretionary Options

The only discretionary option to subdivide the site is through Conservation Design under Sections S-15, S-16 and S-17 of the RMPS. Conservation Design developments focus on preserving significant natural and cultural features of a landscape that support and protect environmental functions. Density is based on lot area excluding the areas containing significant natural and cultural features. Hydrogeological assessments are also required to determine if there is adequate groundwater to service the development. A Conservation Design would ensure the appropriate location of dwelling units to protect watercourses and wetlands that cover a considerable portion of the site. While the subject site is eligible for Conservation Design, the policy suggests the land may not be suitable for the intensity of residential density being proposed due to the sizeable wetlands on the property that the policy aims to protect.

Proposed Subdivision

The proposed lot configuration creates stacked housing, where a second row of housing is immediately behind an existing row of housing that fronts Sackville Drive. This lot fabric is inconsistent with the existing lot pattern and detracts from the rural character of the area.

Parkland Dedication

Parkland dedication is not required when lots are created under Section 278(2). Alternatively, lots created through a municipal subdivision process would require a parkland dedication in the form of land or cash in lieu.

Conclusion

Staff have reviewed the submitted rationale and proposed amendments in the context of current planning policy and site circumstances. It is recommended that Council refuse to initiate the request for the following reasons:

- the subdivision history of these lands indicates the applicant was aware of the impact the RMPS would have on the development potential of these lands;
- the developer was aware that the lots do not meet the requirements of the Land Use By-law;
- the subject properties are accessed by Sackville Drive, where new public roads are not permitted;
- the site is eligible for a Conservation Design development agreement which would better protect significant watercourses and wetlands located on the site;
- the proposed stacked lot configuration showing a row of housing behind an existing row of housing is inappropriate and detracts from the rural character of the area;
- recent amendments to the RMPS allow the issuance of permits on certain lots created through the *HRM Charter*. The subject lots were not included because they do not meet the exemption criteria;
- no permits were issued for any of the lots;
- the lots are held in common ownership, making a solution considerably easier than if the properties were held in separate ownership; and
- Section 278(2) of the *HRM Charter* was intended to allow subdivision for agricultural and resource use, and not for residential development.

Amendments to the RMPS should only be considered within the broader planning context and when there has been a change to the circumstances since the RMPS was adopted. When the 2006 Regional Plan was being developed, staff identified where and how growth should occur. The request contradicts the RMPS as a lot yield far greater than what the MPS permits is being proposed. Furthermore, the intent of the Mixed-Use C and Rural Resource Designations is to allow resource development where properties do not have public road access. Planning staff advise that there has not been a change that merits an RMPS amendment and the intent to strategically direct growth, prevent private road development and ensure safe access for citizens and emergency services should be maintained.

If Council chooses to initiate this request, staff recommends that Council also consider adjacent properties that are owned by Armco identified as PID 00478552, 41229980 and 41197591. Two of these properties

have frontage along Sackville Drive. These properties, in addition to the subject properties, may be eligible for 7 lots as-of-right provided the lots as they were configured prior to 2015 are reinstated.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS amendment process, the HRM Charter requires that Regional Council approve a public participation program. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are considered to be local in nature. This requires a public meeting to be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

No engagement is being proposed, as staff are recommending not initiating this site-specific Regional plan amendment application.

Amendments to the Regional MPS and Beaver Bank, Hammonds Plains and Upper Sackville LUB would potentially impact the following stakeholders: developer and surrounding land owners.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2018/2019 operating budget for C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

Planning policies intend to protect and mitigate impacts to environmentally sensitive areas. The proposed density is beyond what policy allows as there are sizeable wetlands that the policies aim to preserve.

ALTERNATIVES

1. Regional Council may choose to initiate the MPS amendment process. In doing so, Regional Council should direct staff to follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.
2. Regional Council may choose to initiate the consideration of potential policy that would differ from those outlined in this report. This may require a supplementary report from staff.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning

Attachment A: Application Letter

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Stephanie Salloum, Planner II, Current Planning, 902-490-4223

Original Signed

Report Approved by:

Steve Higgins, Manager, Current Planning, 902.490.4382

Financial Approval by:

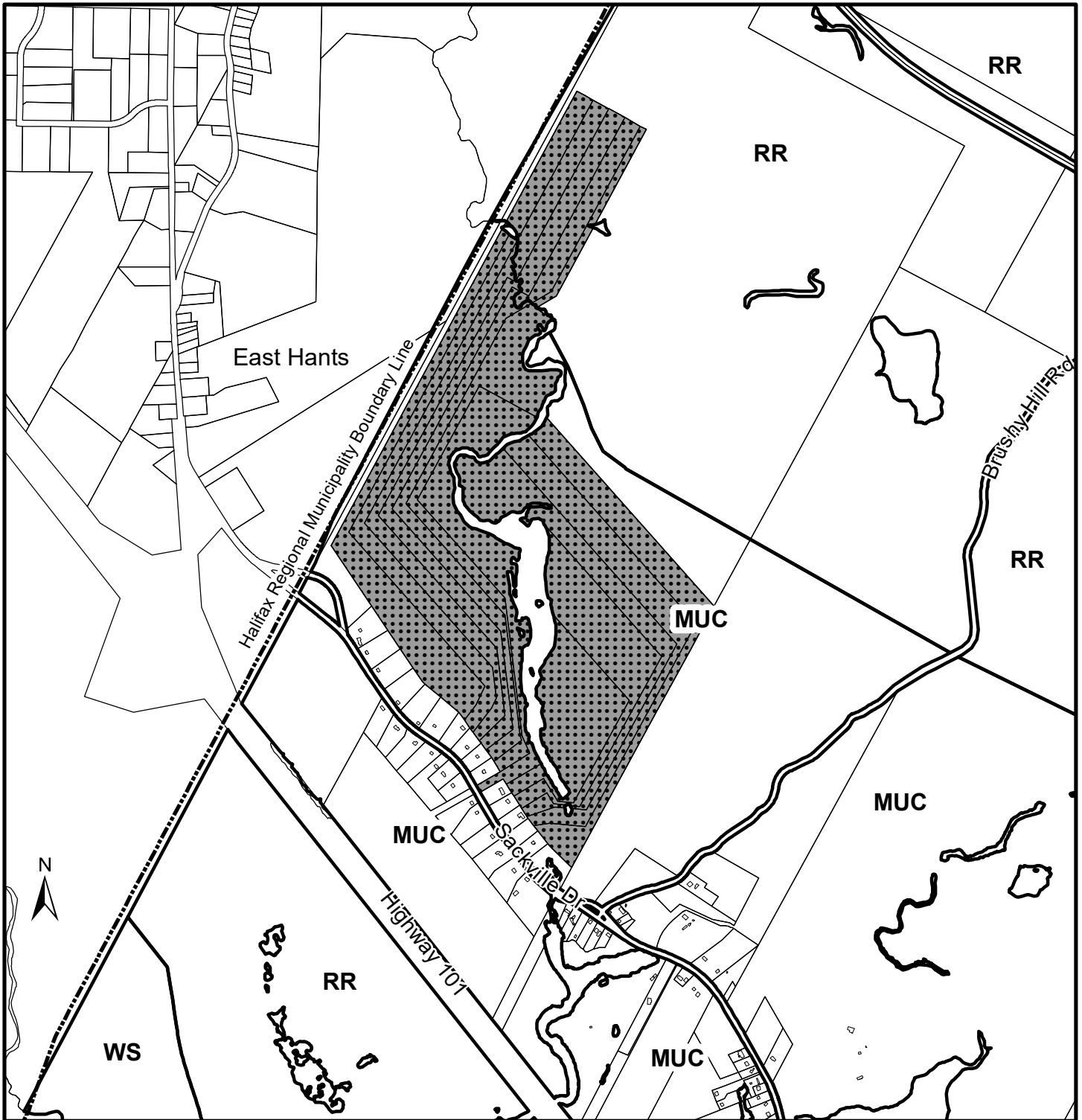
Original Signed

Jerry Blackwood, Acting Director of Finance and Asset Management/CFO, 902.490.6308

Original Signed

Report Approved by:

Kelly Denty, Director, Planning and Development, 902.490.4800



Map 1 - Generalized Future Land Use

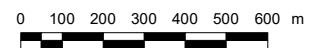
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Upper Sackville

 Subject Properties

Designation

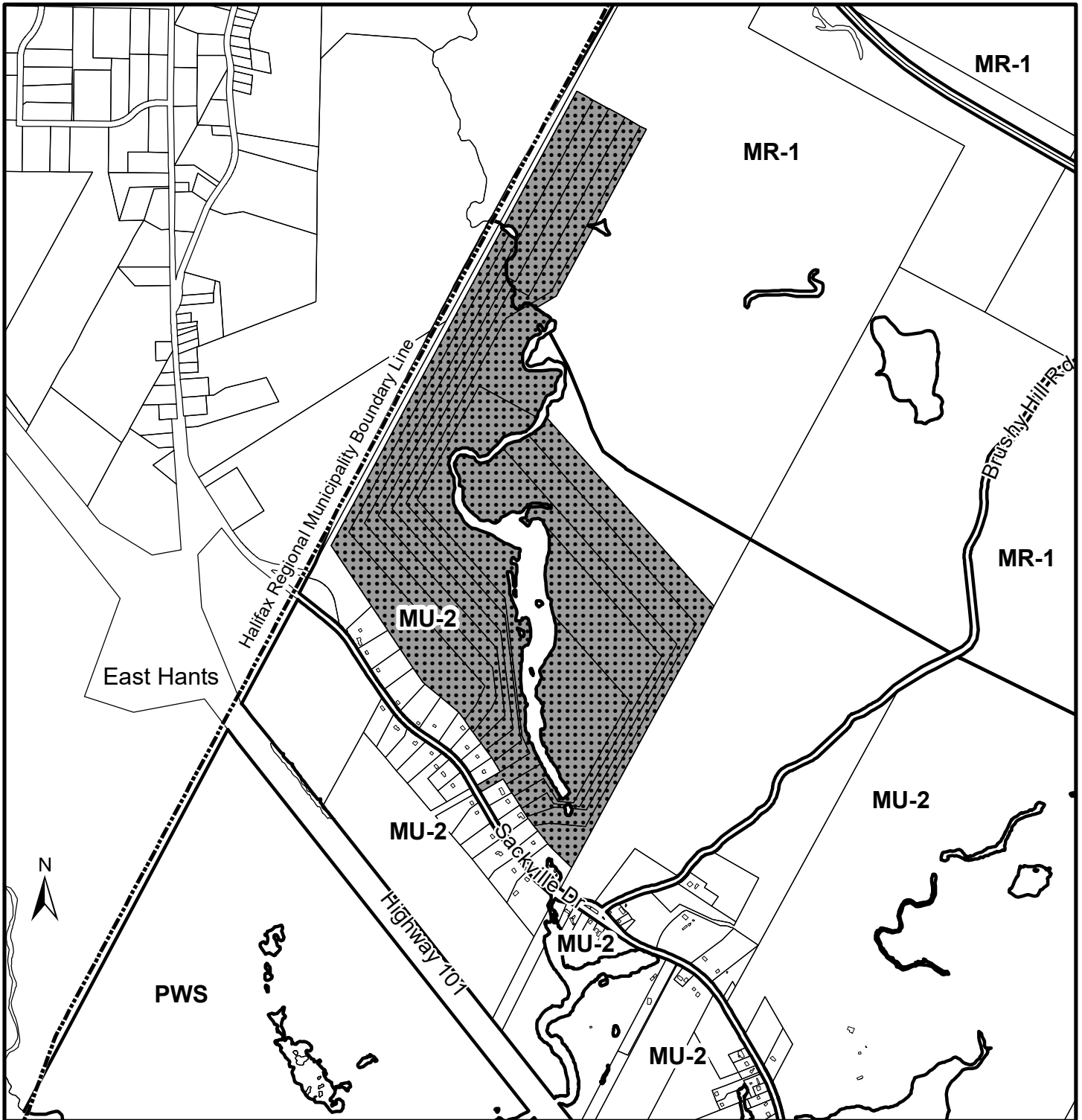
- MUC Mixed Use C
- RR Rural Resource
- WS Watershed



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

The accuracy of any representation on this plan is not guaranteed.


Beaver Bank, Hammonds Plains and Upper Sackville Plan Area



Map 2 - Zoning

Upper Sackville


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 Subject Properties

Zone

MU-2 Mixed Use 2
 MR-1 Mixed Resource
 PWS Protected Water Supply

0 100 200 300 400 500 600 m



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

The accuracy of any representation on this plan is not guaranteed.

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area

Attachment A



10 November 2017

Updated: 18 June 2018

Stephanie Salloum, Planner II
HRM Planning & Development - 40 Alderney Drive, 2nd floor
PO Box 1749
Halifax, NS
B3J 3A5

RE: Case 21491: Application to amend the Regional Municipal Planning Strategy and the Land Use By-law for Beaverbank/Hammonds Plains/Upper Sackville to enable development of twelve existing 10 hectare lots on Highway 1, Upper Sackville

This letter is to formally respond to the comments provided following our previous meeting in January 2018, and further expand on our request for amendments to the Regional MPS and local Land Use By-law that would enable development of single unit dwellings on each of twelve existing lots of 10 ha located in our Canterbury Subdivision on Highway 1 in Upper Sackville. We request that staff move forward with an Initiation Report to Regional Council.

Site Description

The 120+ ha that are the subject of this application have limited frontage on Highway 1, abut Phase 1 of the development which is built along the highway, and back onto Sackville River to the north. While much of the 120+ ha is wetland, the core of the site, where development is feasible, is a drumlin that rises above Highway 1 and descends to the river in the rear.

Regulatory Overview

The lands are within the Beaverbank/Hammonds Plains/Upper Sackville Plan area, are designated Rural Commuter, and are zoned for residential and mixed use development. The lots have already been created, outside of the municipal subdivision process, through an exemption under the HRM Charter that allows lots of 10 ha or larger in size to be created and not have to conform to the Subdivision By-law. This mechanism has been used for a number of years to enable large lot rural subdivisions, and HRM has issued permits for residential uses on such lots. In 2016, HRM advised the development community that it would no longer issue permits for development on such lots unless requirements of applicable land use bylaws are met relative to street frontage.

Development Description

The Canterbury development was started by Armco in 2006. Phase 1 consisted of the creation of 28 lots that utilized existing road frontage on both sides of Highway 1. Remaining lands on each side of the highway were provided with at least 22 m of road frontage to ensure adequate future access that would enable further subdivision development to take place. A concept plan for the remainder of the site was developed that showed over 300 lots that could potentially be developed. In 2015, acting on established precedent in several areas of HRM, Armco created twelve lots of 10+ ha each, with the intention of selling the lots to builders for the purpose of constructing single unit dwellings. The Phase 2 area

provides for 12 lots for single family purposes on the north side of the drumlin, generally as per the original concept. The topography of the site provides for visual separation between the Phase 1 and Phase 2 lots with each row of lots being below the crest of the hill. This extremely low density form was determined to be the best model for development due to the characteristics of the site. The Phase 2 lots were created with the knowledge that HRM was already issuing permits for such lots. For access purposes, a wide shared driveway with a travelled way width of 7 m and appropriate geometry was built by Armco at considerable expense to extend from a safe intersection with Highway 1 up and over the drumlin to provide access to each of the 12 new lots, as well as to provide rear access for some of the lots fronting on Highway 1. This driveway, to address HRM's concerns about the ability to access 10 ha lots, was constructed to a high standard that provides safe and convenient access for property owners, service vehicles, and emergency responders. The driveway generally meets or exceeds public road standards, with the exception of a 1% difference in grade on a portion of the driveway.

Current Situation

A letter was received from the Development Officer on March 4, 2016 stating that permits would not be issued for our lots, despite Armco having already proceeded in good faith and at considerable expense to create the lots and to build a substantial shared access driveway for the 12 lots from Highway 1 with the approval of the Nova Scotia Department of Transportation & Infrastructure Renewal. The change of approach applied across HRM and led to a planning process to consider granting exemptions to those 10 ha lots which had already been created. Amendments approved by Regional Council in 2017 grandfathered development rights to many other 10 ha lots in several areas of HRM, where development permits had already been issued, but to date our lots remain undevelopable for their highest and best use. There are no other viable permitted uses for the lands, given the nature of the lands and lack of potential for resource uses.

Ownership and Permits

A Supplementary Report to Council, dated 13 December 2016, stated that development on the Armco lots should not be permitted, partly because no development permits had been issued and the lots were under common ownership. Armco was in the process of closing a deal to sell some of the lots to a builder in late 2015. The sale was deferred until later in 2016, for tax planning purposes on behalf of the buyer. Otherwise in January/February of 2016, these lots would not have been held in common ownership, with Armco owning some lots, and the builder owning others. Additionally, no development permits were applied for as Armco was in the process of closing the sales agreement with the builder when we received a stop letter from the Development Officer on 4 March 2016.

Development Options

While existing rules seek to provide some form of residential development rights to lands within the Regional Plan's Rural Commuter Designation, this site is unique due to its expansive wetlands, river frontage, and drumlin. Given the size of HRM, there is no set of 'one size fits all' rules that can reasonably anticipate all challenges and unique characteristics. The existing development regime therefore does not adequately consider a site such as ours, as follows:

- Options under existing MPS rules and LUB standards are limited for this site. Although the site is zoned for low density residential development and has frontage on Highway 1, the Subdivision Bylaw prohibits new public roads that would intersect with Highway 1 despite that, in most areas of HRM, new roads with up to 8 lots are normally permitted.

- It has been suggested that the 10 ha lots be reconfigured to provide frontage on Highway 1. This could result in 4 to 7 lots being created, depending on if proof of the historic configuration of the properties can be supplied to HRM. This lot yield is not economically viable given our expenditures to date. The decision to subdivide the lots and build the shared driveway was based on a yield of 12 building lots.
 - Additionally, the building sites on the as-of-right lots would remain in the same location off of the shared driveway as, and be the same size as, the current 25 acre lots. No other suitable building location exists at this time.

- Conservation design development is permitted on our site in the form of a Lower Density Classic Conservation Design. However, this form limits density to 1 unit per ha of net developable area (excluding wetlands, riparian buffers, and wetlands). At least 40% of the area would have to be maintained as common open space. However this is a unique site and the majority of the land is undevelopable due to wet areas and accessibility, with only the area on the drumlin being very well suited for development. The conservation design model is very expensive to design and build especially with regard to shared sewer and water systems and there is little demand for this form as few potential buyers are interested in participating in a model that involves common ownership of open space and utility systems. A development of only 12 lots on this site does not merit the formal conservation design process, however our existing lot pattern for the 12 lots meets the intent of the RMPS by limiting road development, minimizing site disturbance, and protecting natural areas. The expense and constraints of the conservation design approach may in fact be preventing HRM from achieving the Regional MPS goal of directing 25% of new housing to rural areas.

Best Development Form for the Site

The nature of the site, with a drumlin that rises above surrounding wetlands, lends itself well to the form of development proposed here. Phase 1 of the project is located on the south side of the drumlin and is oriented to Highway 1. Phase 2 with its 10 ha lots will be located on the opposite, north facing side of the drumlin with physical separation as well as visual separation created by the crest of the hill. Aside from the actual lot boundaries, the character of the whole development will appear the same on each side of the drumlin with each homesite sitting on over 0.5 ha of land. The shared driveway provides safe access for all users. The site disturbance area of each of the Phase 2 homesites is relatively small, with over 90% of each lot being retained in a natural state due to lot configuration and riparian buffers. Given the physical characteristics of the lands and the lot fabric, the effect is to create a huge natural conservation area that surrounds the Sackville River and meets the intent of the Regional MPS as to the form of rural development.

Current Zoning

HRM staff have expressed concern that permitting development on these properties would allow a variety of uses, including commercial and industrial uses, without the public road frontage due to the MU-2 zone. We understand why such uses would be a concern; however, our intent has always been to develop these properties for single family homes. We have no interest in alternate uses and are willing to rezone the properties to R-6, or similar, to limit the permitted uses to single family homes.

Wetland Protection

A large portion of the property is covered with ecologically significant wetlands, particularly towards the rear of the property. While Conservation Design Development would protect significant watercourses and wetlands, this is not a feasible development model, for reasons explained above. Armco is willing, however, to protect these wetlands through other mechanisms, such as a conservation easement or a partnership with NCC or NSE. This process has already been started. In 2018, McCallum Environmental completed a WESP (Wetland Ecosystem Services Protocol) study. This nationally recognized protocol is used extensively in North America to determine wetland function and values.

This wetland holds little development value, and Armco is happy to be able to protect it through a method other than required parkland dedication. Additionally, while HRM may be interested in protecting these lands, the city has been historically unwilling and unable to accept parkland that does not meet the required usability criteria as defined by HRM parks, or take ownership of ecologically sensitive areas.

If Armco is required to reconfigure the current 25 acre lots into lots that comply with the land use bylaw standards, parkland dedication will be required for some of the lots, but it will be for a far lesser area than the ecologically significant wetlands.

Error in Staff Report to Regional Council

In the staff report discussed at Regional Council on December 13, 2016 regarding the broader 10 ha lot issue, staff erroneously stated that it was possible to build a new public road to service our development. In fact, Section 12 (a) of the Regional Subdivision By-law prohibits the construction of new public roads that intersect with Highway 1. While unintentional, this statement was very misleading to Council and played a role in the decision not to grandfather the Canterbury development. This factor alone warrants reconsideration of the matter and as such staff should support initiation of the amendment process.

Precedents to Support Regional MPS Amendments

The above mentioned staff report stated that the Canterbury lands, as well as 10 hectare lots in a development on Scott's Lake in Musquodoboit Harbour, should not be eligible for exemptions that would allow issuance of permits. Rationale was provide by staff to support the negative position for each site. Since that time, staff have realized that the rationale was in error as it applied to the Scott's Lake site, and the owner has since applied for a site-specific amendment to the Regional MPS that would enable development on each lot. This request was supported by staff, initiated by Regional Council, supported by Community Council and is now proceeding to a public hearing. It has also been



found that contrary to staff's earlier rationale, a public road cannot be built to access the 12 Canterbury lots. It is therefore appropriate that staff also support initiation of the requested Regional MPS amendment process to enable development of the lots.

Summary

The Canterbury project in Upper Sackville, as already established with its twelve 10 ha lots and a substantial access driveway, is an appropriate development for the site. It meets the intent of the Regional MPS relative to encouraging housing development in rural areas while minimizing the amount of roads, the extent of site disturbance, and maximizing the protection of natural and sensitive areas. The circumstances of this site are very similar to the Scott's Lake development in Musquodoboit Harbour, where Regional Council is considering enabling development on those existing lots. We therefore respectfully request that equal opportunity be afforded to the twelve lots in the Canterbury subdivision, and that staff and Council support amendments to the Regional MPS and area Land Use By-law that will list each property as being eligible for a development permit for a single unit dwelling.

I trust that the above information is clear, please do not hesitate to contact me should you have any questions or require additional information in support of our application.

Best regards,

ARMCO CAPITAL INC.

Laura Masching