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PCs chasing details of Owls Head deal

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The newly minted minister of the newly named provincial natural resources and renewables department says there is nothing new about the Progressive Conservatives' stance on Owls Head.

"We need to understand what was signed in the contract by the previous government," Tory Rushton told reporters this week.

"We don't agree with how things rolled out with the previous government. In all fairness, we need a full briefing on that, myself and other department ministers and the premier. That's something that we started from Day 1."

In late July, the province's highest court ruled that the proper channel to remedy a perceived Liberal government wrongdoing on Owls Head is "not through the courts but at the ballot box."

Justice Christa M. Brothers of the Nova Scotia Supreme Court dismissed a judicial review application that sought to strike down a 2019 decision by Iain Rankin, then lands and forestry minister, to remove the Owls Head property on the Eastern Shore from the Parks and Protected Areas list.

Rankin also reached a conditional agreement to sell the Owls Head Crown land to developer Beckwith Gilbert, who owns the Lighthouse Links company that wants to develop the Crown property to build several golf courses.

It seems too early to tell if the sweep by Premier Tim Houston and the PCs to government is the ballot box remedy hoped for to negate the proposed sale.

The PCs won 31 of the province's 55 seats, including the Eastern Shore riding in which Owls Head and the property at issue are located.

"I'm quite hopeful that he's (Houston) going to do the right thing here and throw out the letter of offer that was crafted in secrecy and deceit in my opinion," said Chris Trider, a member of the Facebook group Save Owls Head Provincial Park.

"I hope he'll go even further and complete the formal designation," of Owls Head as a provincial park.

Gilbert and his wife Kitty live in Greenwich, Conn., but they own land adjacent to the 285 hectares of Crown land at Owls Head park.

Lawyer Jamie Simpson, representing Bob Bancroft and the Eastern Shore Forest Watch Association, argued in court on April 1 that the minister had a process in place that led to the parks and protected areas plan and the inclusion of Owls Head on that plan.

Simpson said in court that the decision to remove Owls Head from the plan without notice or public consultation was a marked departure from the established practice.

In March 2019, it was the province's Treasury and Policy Board that issued a confidential letter removing Owls Head from the protected plan list.

"The court's role on an application for judicial review is to ensure that those who exercise statutory powers do not overstep their legal authority," Brothers wrote in her decision. "The court will not second guess policy decisions about what is best for the province as a whole. The (treasury) board's decision to remove Owls Head from the (list) was reasonable based on the information before it."

Rushton said the PC party will continue to review the file but added that there is an appeal process ongoing in the court.

Simpson said the appeal



Troy Rushton, minister of natural resources and renewables, talks to media after a Progressive Conservative cabinet meeting in Halifax on Thursday.

period runs for roughly five weeks from when the order is issued by the court, which is expected to happen this week.

"My clients are going to make a decision on that soon," Simpson said of the opportunity to appeal.

Simpson commiserates with the new government on being in the dark about details of the Liberal deal with

Gilbert.

"We received the record through the judicial review case," Simpson said. "We tried to get more information added to the record because we thought it was deficient but Justice (James) Chipman didn't agree with us and so didn't require the province to submit any additional information to the record."

Simpson said it's difficult to ascertain if there is more information to be had beyond what has been made public.

"We don't know what we don't know," Simpson said.

Trider said with former premier Stephen McNeil, Rankin and other ministers, Owls Head "was always a sort of secret, done deal, behind closed doors, backroom arrangements made, public consultation handed over to the developer."

Trider said he suspects Owls Head had a significant impact on the election, if not for ecological reasons, then on trust and transparency grounds.

"I just see this as an opportunity for the PCs to distinguish themselves from the previous government and act with transparency and put the park back where it belongs — designated, protected and maintain public ownership."

MUNICIPAL GOVERNMENT NOTICES

Halifax Regional Municipality Notices will generally appear each Saturday in this section of the newspaper. Readers are still encouraged to look throughout the paper for information which might appear in a different section or on another day.

NOTICE OF VIRTUAL PUBLIC HEARING NORTH WEST COMMUNITY COUNCIL

A virtual public hearing will be held on Monday, September 13, 2021 at 6:00 p.m. All oral and written submissions will be considered at that time. This meeting will occur in a virtual setting and attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are welcomed and encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, clerks@halifax.ca; by fax, 902-490-4208; or by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5. **Written submissions must be received by the Municipal Clerk's office as early as possible and not later than 3:00 p.m. on Monday, September 13, 2021.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

Case No. 23495 - Application by Ron Nelson for a time extension as a substantive amendment to an existing development agreement which allows an addition and a multi-unit dwelling on the existing Inn on the Lake property at 3009 Highway 2, Fall River.

The virtual public hearing will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the hearing, **members of the public may contact the Municipal Clerk's office no later than 4:30 p.m. on Friday, September 10, 2021 to be added to the speakers list to speak by telephone.** We encourage all residents who have any desire to speak at the meeting to ask to have their name added to the list. Individuals who do not want to speak at a later time may ask to have their name removed from the speakers list. To be placed on the speakers list, individuals may:

- Send an email to clerks@halifax.ca; or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (North West Community Council), the planning Case number (Case 23495) or civic address, in addition to your name, community of residence, email address, and telephone number. Should you have questions about the nature of application itself, please contact the planner for the case Peter Nightingale, directly at 902-719-9478 or nightip@halifax.ca.

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at clerks@halifax.ca or 902.490.4210.

The staff report is available on-line at the following location: <https://www.halifax.ca/city-hall/agendas-meetings-reports>. If you have questions about how to access the staff report contact the Office of the Municipal Clerk clerks@halifax.ca or 902.490.4210. To arrange for a paper copy of application materials to be sent to you by mail if the internet is unavailable to you, contact the Planner.

Further details regarding the application can be found at the following location: www.halifax.ca/planning (Scroll down to Case 23495)

ACC # CPC02310

NOTICE OF VIRTUAL PUBLIC HEARING FOR HALIFAX MAINLAND AND HALIFAX PENINSULA WITH HALIFAX AND WEST COMMUNITY COUNCIL

Halifax and West Community Council intend to consider and, if deemed advisable, approve the following applications:

Case 22539 - Application by WM Fares Architects to amend the Stage I and Stage II Development Agreements for Phase 3 of Rockingham South to allow for a five-storey hotel or multiple-unit residential building with ground floor commercial on lands at the intersection of Dunbrack Street and Ruth Goldbloom Drive, Halifax.

Case 23186 - An application by ZZAP Consulting to enter into a development agreement to construct a two-and-a-half storey addition to a municipally registered heritage property at 1029 South Park Street, Halifax to allow for a multi-unit residential development.

The virtual public hearings will be held on Tuesday, September 21, 2021 at 6:00 p.m. All oral and written submissions will be considered at that time. This meeting will occur in a virtual setting and attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are welcomed and encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, clerks@halifax.ca; by fax, 902.490.4208; or by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5. **Written submissions must be received by the Municipal Clerk's Office as early as possible and not later than 3:00 p.m. on Tuesday, September 21, 2021.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

The virtual public hearings will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the

hearings, **members of the public may contact the Municipal Clerk's Office no later than 4:30 p.m. on Monday, September 20, 2021 to be added to the speakers list to speak by telephone.** We encourage all residents who have any desire to speak at the meeting to ask to have their name added to the list. Individuals who do not want to speak at a later time may ask to have their name removed from the speakers list.

To be placed on the speakers list, individuals may:

- Send an email to clerks@halifax.ca; or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (Halifax and West Community Council), the planning Case number (Case 22539 or 23186) or civic address, in addition to your name, community of residence, email address, and telephone number.

Case 22539 - Should you have questions about the nature of the application itself, please contact the planner, Meaghan Maund, directly at 902.233.0726 or maundm@halifax.ca.

Case 23186 - Should you have questions about the nature of the application itself, please contact the planner, Paul Boucher, directly at 902.456.5103 or bouchep@halifax.ca.

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at clerks@halifax.ca or 902.490.4210.

The staff reports are available on-line at the following location: <https://www.halifax.ca/city-hall/agendas-meetings-reports>. If you have questions about how to access the staff report contact the Office of the Municipal Clerk clerks@halifax.ca or 902.490.4210. To arrange for a paper copy of application materials to be sent to you by mail if the internet is unavailable to you, contact the Planner.

Further details regarding the application can be found at the following location: www.halifax.ca/planning (Scroll down to Case 22539 or 23186).

ACC #CPC02310

NOTICE OF APPROVAL HARBOUR EAST – MARINE DRIVE COMMUNITY COUNCIL

TAKE NOTICE THAT Harbour East – Marine Drive Community Council did, on Thursday, September 2, 2021 approve the following applications:

Case 21584 - Application by Fathom Studio, on behalf of the property owner, to enter into a development agreement for a mixed-use development with 9 storey and 11 storey towers on a shared base on lands at 18 and 22 Rosedale Drive, and Floral Ave, Dartmouth.

Case 23221 - Application by Halifax Regional Municipality (HRM) to amend the Eastern Shore (East) Land Use By-law to include Institutional Uses within the Regional Park Zone to allow for a recreation/fitness centre, community hall, library and fire station at 22324 Highway 7, Sheet Harbour.

Case 23401 - Application by Stephen Adams Consulting Service Inc. to extend the amount of time for construction to begin on a previously approved 12 storey residential building at 249-251 Windmill Rd, Dartmouth.

Case 23609 - Application by Lambie Construction Inc. to allow more time to begin and finish construction for a previously approved townhouse development on Evergreen Drive, Cole Harbour.

Any aggrieved person, the Provincial Director of Planning, or the Council of any adjoining municipality may, within fourteen days of the publishing of this notice, appeal to the Nova Scotia Utility and Review Board (902-424-4448) in accordance with the provisions of the *Halifax Regional Municipality Charter*.

Case 23221 - ACC #C310-6912

Cases 215884, 23401, 23609 - ACC # CPC02310

NOTICE OF APPROVAL HALIFAX AND WEST COMMUNITY COUNCIL

TAKE NOTICE THAT Halifax and West Community Council did, on Tuesday, August 24th, 2021 approve the following applications:

Case 20520 - Application by Dixel Developments to enter into a development agreement for an 8-storey (plus penthouse) mixed-use development at 6324 & 6330 Quinpool Road. A three-storey portion of the building would face Peppercorn Street.

Case 22115 - An application by Fathom Studio, on behalf of the property owner, Joseph Arab, to enter into a Development Agreement at 2438 Gottingen Street, Halifax, to allow a 13-storey, 130-unit residential building to be constructed behind an existing registered heritage building known as Victoria Hall.

Any aggrieved person, the Provincial Director of Planning, or the Council of any adjoining municipality may, within fourteen days of the publishing of this notice, appeal to the Nova Scotia Utility and Review Board (902.424.4448) in accordance with the provisions of the *Halifax Regional Municipality Charter*.

ACC # CPC02310

PLEASE SEE SECTION 158 - EMPLOYMENT OPPORTUNITIES IN SATURDAY'S PAPER AND SECTION 258 - TENDERS IN CLASSIFIEDS FOR ALL TENDERS AND REQUESTS FOR PROPOSALS ADVERTISEMENTS IN SATURDAY AND WEDNESDAY'S EDITIONS

HALIFAX

FOR MORE INFORMATION ON MUNICIPAL MEETINGS AND EVENTS VISIT WWW.HALIFAX.CA/CALENDAR BOX 1749, HALIFAX, NOVA SCOTIA B3J 3A5

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