



January 4, 2022

Maggie Holm, MCIP, LPP
Principal Planner, Urban Enabled Planning Applications
HRM

Dear Maggie:

Re: 1440 St. Margaret's Bay Road – Discharge of Development Agreement

On behalf of my Client, Lovely Investments Inc., this letter and application form is a request to discharge the development agreement affecting his property at 1440 St. Margaret's Bay Road.

The Development agreement is dated August 18, 2006 and was approved to allow a day care and one apartment unit in the existing building at 1440 St. Margaret's Bay Road and a daycare and one apartment unit in the existing building at 1434 St. Margaret's Bay Road. The development agreement also allows uses permitted in the C1 (Local Business) zone of the Timberlea, Lakeside, Beechville Land Use By-law.

The original owner of both properties, lives at a third property that is a flag lot between the two development agreement properties at 1436 St. Margaret's Bay Road. The development agreement allows an easement for pedestrian crossing across the flag lot so that daycare operators could cross between the two properties. There is also a driveway easement across the flag lot in favour of my Client's property. This easement will not be necessary once the development agreement is discharged because both my Client's property and the flag lot have adequate frontage for individual driveways.

The original owner sold both development agreement properties (1440 and 1434 St. Margaret's Bay Road). Lovely Investments Inc. purchased 1440 St. Margaret's Bay Road and another person purchased the second property at 1434. There is no daycare operation on either property.

My Client has no intention of operating a daycare facility on his property. He intends to maintain the one apartment unit and the existing computer repair service as per the C1 Zone. He would like his property to revert back to the underlying zoning of C1 (Local Business) of the Timberlea, Lakeside, Beechville Land Use By-law.

We are hoping that this discharge application can proceed in a timely manner. Please do not hesitate to contact me if you have any questions.

Sincerely:
-Original Signed-

Jennifer Tsang, MCIP, LPP

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