



Form B - Decision of Development Officer

Nova Scotia Utility and Review Board

IN THE MATTER OF: An Appeal under **Section 247** of the **MUNICIPAL GOVERNMENT ACT**
or **Section 262** of the **HALIFAX REGIONAL MUNICIPALITY CHARTER**

Notice of Planning Appeal

TAKE NOTICE that John Trihopoylos and Panagiota Trihopoylos
State Name(s) of Person(s) Appealing

has/have made an appeal from a decision made by Andrew Faulkner
Name of Development Officer

on 05/22/2018 respecting property located at 47 Williams Lake Road, Halifax, NS
Date Address

in the County of Halifax, which decision states: *(or attach a copy of the decision)*

Written notice of the decision was received on 22/05/2018
Date

Section 250(2) of the *Municipal Government Act* or Section 265(2) of the *Halifax Regional Municipality Charter* provide that an applicant may only appeal a refusal to issue a development permit on the grounds that the decision of the development officer does not comply with the land-use by-law or a development agreement.

Describe how the decision of the development officer fails to comply with the land-use by-law or the development agreement

The zoning for this property is over 40 years old, and has not been updated. The business, which is wedding decor and design, is a retail store front which should be allowed at the property. It is a great addition to the community, and serves both the immediate area and customers from outside as well.

DATED at 37 Crane Lake Drive, Halifax, Nova Scotia,
this 8 day of June, 2018.

Appellant, Solicitor or Agent Daun King

Contact Information

For
John + Panagiota Trihopoylos

Mailing address: Street 37 Crane Lake Drive

City Halifax Province NS Postal Code B3S 1B5



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Phone Numbers Home _____ Work (902) 469-0764 Fax (902) 407-5681

Email Address info@olympusproperties.ca

Undertakings

The Appellant(s) agree(s) to pay the costs of any advertising of the Notice of Public Hearing for the Appeal.

Appellant, Solicitor or Agent Dawn King
for John & Panagiota Trihopoulos

The Appellant **and** Solicitor or Agent further undertake to keep the list of names and addresses of owners, which will be provided, confidential, and not disclose it to any person, nor use it for any purpose, not related to this planning appeal. The Appellant **and** Solicitor or Agent further undertake to dispose of the personal information at the conclusion of this matter.

Appellant or Agent Dawn King
for John & Panagiota Trihopoulos

Solicitor or Agent for the Appellant (if applicable) _____

info@olympusproperties.ca



May 22, 2018

Shannon Boland
45 Essex Drive
Herring Cove, NS
B3V 1H8

Dear Ms. Boland:

RE: Development Permit Application # 166979 – 47 Williams Lake Rd, Halifax, N.S (PID 00328112)

Development Approvals is in receipt of the above application, which seeks approval of occupancy for "One Day Affair Wedding Décor Design" on the above mentioned property. This property is zoned RC-1 (Neighbourhood Commercial) under the Halifax Mainland Land Use Bylaw (LUB). This property also falls under the Mainland South Secondary Area. The following sections of the LUB (copied below) pertain to your application:

Section 34AA(1)

The following uses shall be permitted in the RC-1 Zone: a grocery store, drug store, Laundromat, dry cleaners, tailor, dressmaker, beauty shop or barber shop in the "Mainland South Area"

The application states the proposed business will be for wedding décor and design; therefore, Development Permit Application #166979 must be **refused** given the use is not permitted under the RC-1 (Neighbourhood Commercial) Zone of the Halifax Mainland Land Use Bylaw.

Pursuant to Section 262(3) of the Halifax Regional Municipality Charter, this refusal may be appealed to the Nova Scotia Utility and Review Board, Box 1692, Unit "M", 3rd Floor, Summit Place, 1601 Lower Water Street, Halifax NS B3J 3S3; Fax: 902-424-3919; Email: board@novascotia.ca. Should you wish to appeal, your appeal must be filed **on or before JUNE 8, 2018 (17 CONSECUTIVE DAYS POST MAILING)**. You can file your appeal with the Board by delivering it personally, or by mail, e-mail, or fax. Please note that the notice of appeal must actually be received by the Board before the filing deadline.

If you wish to discuss this matter in more detail, do not hesitate to contact Meaghan Dalton at 490-4560.

Respectfully,

Andrew Faulkner
Development Officer
Halifax Regional Municipality
Tel 902.476.2982
Email faulkna@halifax.ca

CC: Bruce Kiley & Crystal Jefferson, N.S. Utility and Review Board

HALIFAX

Halifax Regional Municipality
PO Box 1749, Halifax, Nova Scotia
Canada B3J 3A5

halifax.ca

From: [Jefferson, Crystal D](mailto:Jefferson.Crystal.D)
To: [Jefferson, Crystal D](mailto:Jefferson.Crystal.D)
Subject: FW: Form B - Trihopoylos
Date: August 8, 2018 1:38:54 PM

From: Jenifer Tsang [<mailto:sunrose@eastlink.ca>]
Sent: August 8, 2018 12:17 PM
To: Kiley, Bruce A <Bruce.Kiley@novascotia.ca>
Cc: jackobryant@gmail.com
Subject: Form B - Trihopoylos

Hello Bruce,

As per our phone conversation today, this email is to confirm that I am representing John and Panagiota Trihopoylos in their Planning Appeal application that they have previously submitted to the NSURB. They were told that they had to provide a “reason” for their appeal by today’s date.

I am hereby providing the “reason” for their appeal of the HRM Development Officer’s decision. Form B asks the question:

“Describe how the decision of the development officer fails to comply with the land use by-law or the development agreement.”

Our response is:

The development officer’s decision does not comply with the land use by-law because it does not recognize that the land use on the property includes tailoring and dressmaking, which are permitted uses in the zone.

I trust that this information will meet the NSURB requirements to keep the appeal active. Please let me know if you require any additional information.

Thank you,

Jenifer

Jenifer Tsang, MCIP
Sunrose Land Use Consulting
sunrose@eastlink.ca
902-478-2541