

January 8, 2014



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MEMORANDUM

TO: Chairperson and Members of the North West Planning Advisory Committee

FROM: Shayne Vipond, Senior Planner, Development Approvals

DATE: December 17, 2013

SUBJECT: **Case 18704: Application by Genivar on behalf of ARMCO to rezone lands at McCabe Lake North, Upper Sackville from MR-1 (MIXED RESOURCE) ZONE to R-1 (SINGLE UNIT DWELLING) ZONE or R-6 (RURAL RESIDENTIAL) ZONE.**

Overview

The subject property is approximately 1,495 acres (605 hectares) and consists of eight contiguous legal parcels. This site is bounded by Highway 101 to the North and McCabe Lake to the South in Upper Sackville (Maps 1, 2, and 3). These properties are regulated through the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law (Attachment A).

The purpose of the application is to rezone these properties from MR-1 (Mixed Resource) Zone to R-1 (Single Unit Dwelling) zone or R-6 (Rural Residential) zone in order to decrease the required lot area and lot frontage requirements (Attachment B). The R-1 or R-6 zones are similar in lot frontage and area requirements, but differ somewhat in the list of permitted uses between the zones (Attachment A). The applicant has applied for either the R-1 or the R-6 zone allowing the planning process to determine the lists of appropriate uses.

Existing Use and Surrounding Land Uses (Maps 1, 2 and 3).

- The lands are currently vacant.
- Northern Boundary: The site is bounded by Highway 101 and there are no properties and uses directly abutting the site to the north. The properties located directly to the north of the subject site and on the other side of Highway 101 are zoned MU-2 (Mixed Use Two) and R-6 (Rural Residential).
- Eastern Boundary: There is a proposed Metro Transit Park & Ride and bus terminal planned off of Margeson Drive and to the west of the recently constructed highway interchange.
- Southern Boundary: McCabe Lake is located along the Southern borders of the proposed development. The properties located to the South of McCabe Lake are zoned MR-1 and are, for the most part, developed as single unit dwellings under MR-1 zone requirements.
- Western Boundary: The proposed development abuts an undeveloped land.

MPS Policies

The Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy designates these lands as Rural Resource, in which residential development expansion can be considered while respecting the effect on resource development and the impact on the existing communities (Map 1, Attachment A). The MPS recognizes the potential for residential development through Policy P-57 with regards to effects on community form, resource activity, the transportation network and environmental concerns. It should be noted that this MPS policy requires that the proposal be evaluated on the basis of the following environmentally related criteria:

- Policy P-157 Notwithstanding Policy P-49, it shall be the intention of Council, to consider permitting residential development within the Rural Resource Designation on lots which have an area of less than eighty thousand (80,000) square feet, through application of a residential zone (Policies P-34 and P-13). In considering an amendment to the land use by-law to an R-1 or R-6 Zone, Council shall have regard to the following:
- (d) environmental considerations including an overall report from the Department of Health assessing the suitability of the entire parcel for on-site sewage disposal systems;
 - (e) comments from the Department of the Environment on the quality and quantity of groundwater; and an evaluation of the adequacy of storm drainage plans; (Attachment A)

Staff has had preliminary discussions with the Department of the Environment relative to Policy P-57 (d) and (e). It should be noted that staff has limited ability to evaluate the proposal on the basis of these criteria through the rezoning process as the provincial administration for this form of evaluation has changed since the plan policy was adopted. However, the evaluation of individual well and septic on each respective lot can be dealt with at the subdivision stage through the submission of a Qualified Person's report. This would only occur after the planning process has been concluded.

Zoning

MR-1 (Mixed Resource) Zone under the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law (LUB) (refer to Map 2).

Proposal

The applicant is proposing to rezone these properties from MR-1 (Mixed Resource) Zone to R-1 (Single Unit Dwelling) zone or R-6 (Rural Residential) zone in order to decrease the required lot area and lot frontage requirements. If successful, the rezoning would permit an increase in the amount of developable area in the existing subdivision. This would allow for an increase in lots from the existing 385 lot subdivision development (approved in 2012) to 491 lots (approximate). This increase would be permitted by reducing the existing lot areas requirements from 80,000 square feet (7432 m²) to

29,064 square feet (2700 m2). Similarly, lot frontages would decrease from 200 feet to 100 feet (Attachment A). If the rezoning is successful, the number of overall lots would increase by some 27 percent. A comparison of the zoning standards submitted by the applicant is shown as Attachment B.

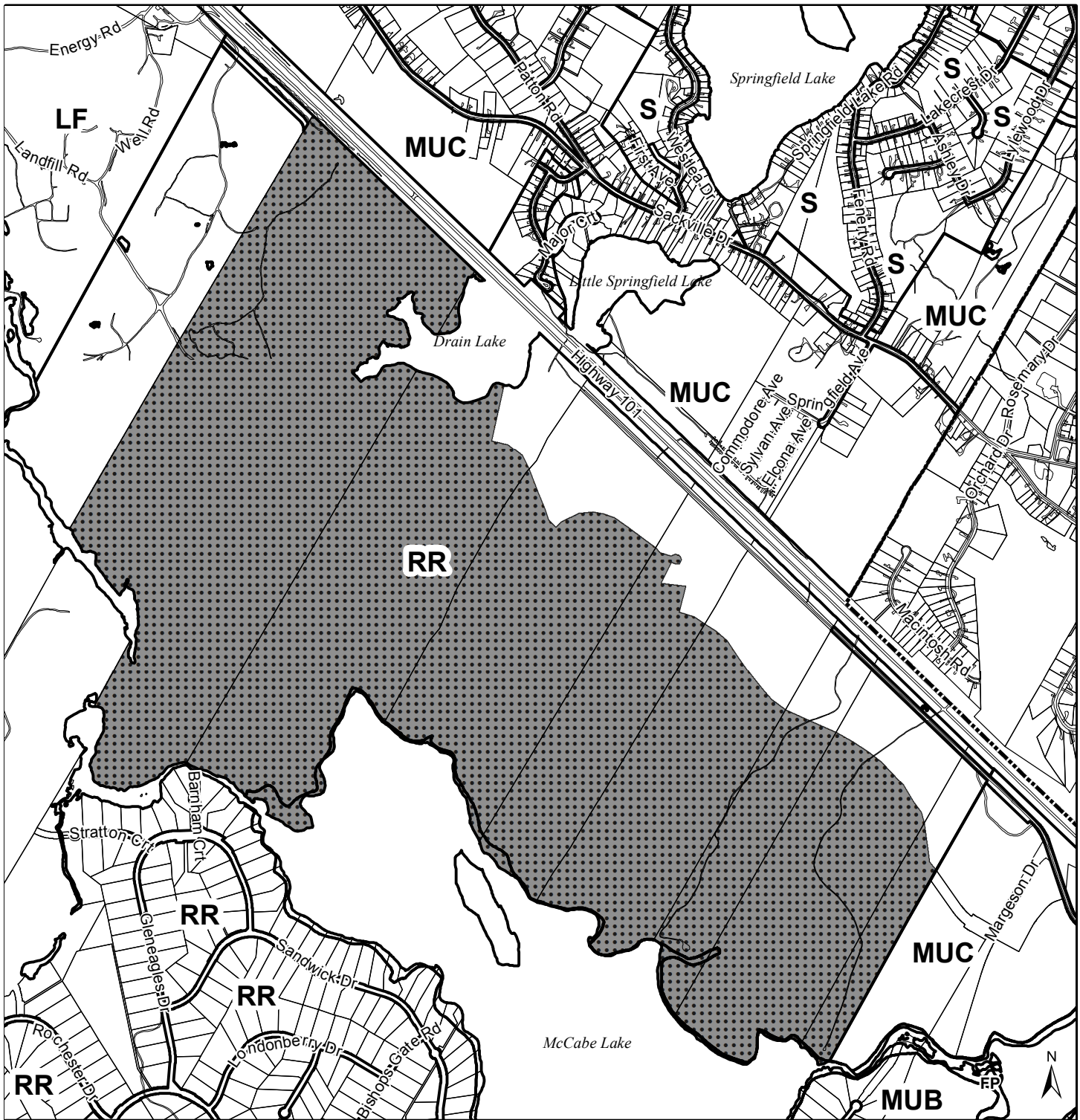
Input Sought from the Committee:

The purpose of this application is to consider rezoning the subject property from MU-1 to R-1 (or R-6) zone to permit smaller lot area standards which would increase the developable land area.

The purpose of this application is to rezone the subject property. The process required to apply the rezoning is a 'planning matter' as outlined in the Committee's Terms of Reference. As such, feedback is sought from the Committee on the general application and also specifically on the permitted land uses when applying either the R-1 or R-6 zoning to the subject property (Attachment B). The Committee's recommendations will be included in the staff report to North West Community Council.

Attachments:

- Map 1 MPS Generalized Future Land Use Maps
- Map 2 Zoning Map
- Map 3 Proposed Site Plan
- Attachment A Relevant MPS Plan Policies and Land Use By-law Excerpts
- Attachment B Applicant's Zone Comparison Chart



Map 1 - Generalized Future Land Use

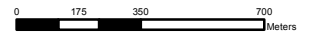
PID 40123598,
Middle Sackville



 Subject Area

Designation

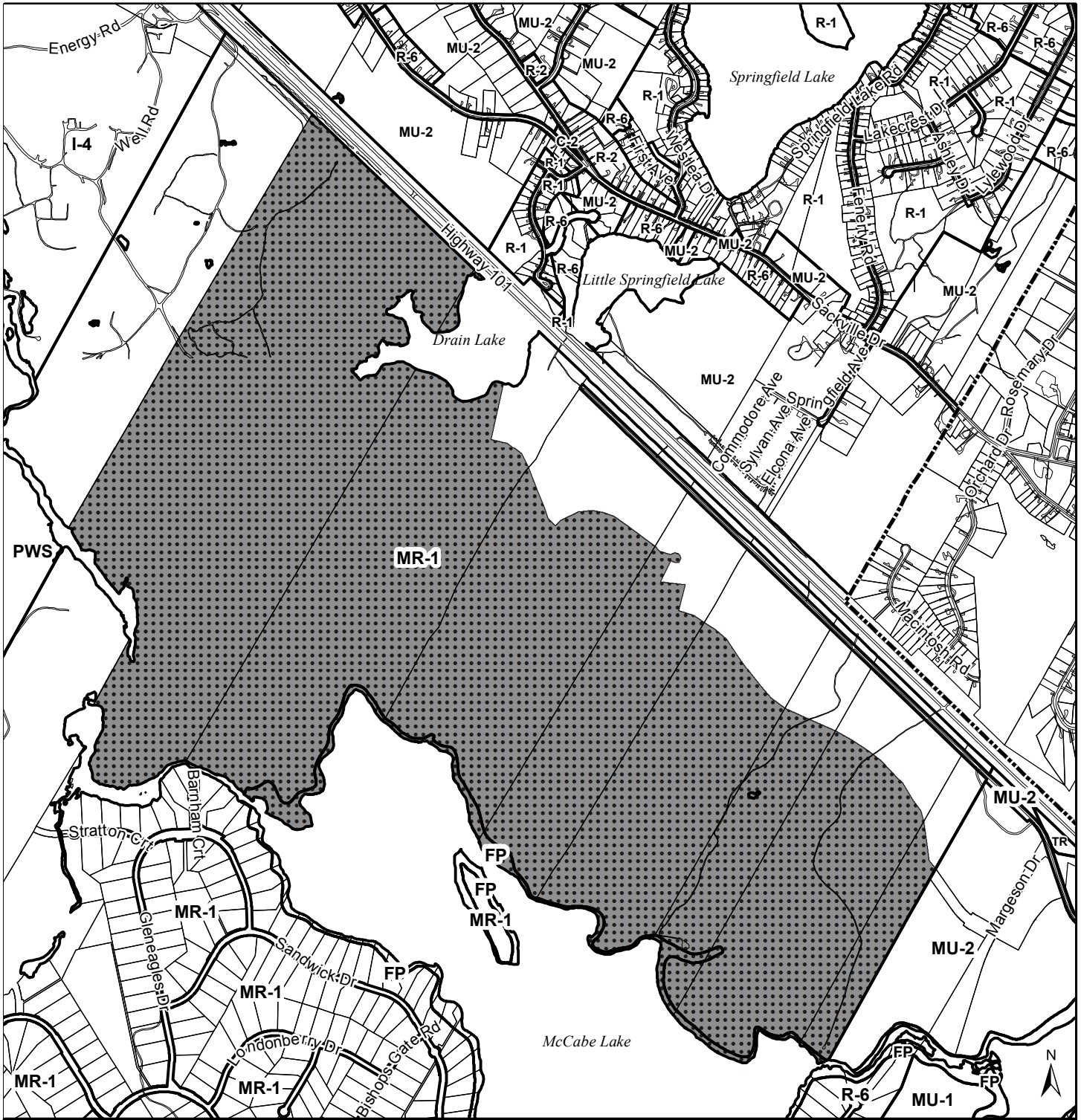
- MUB Mixed Use B
- MUC Mixed Use C
- RR Rural Resource
- S Springfield
- LF Former Sanitary Landfill Site



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


HRM does not guarantee the accuracy of any representation on this plan.

Planning Districts 15, 18, & 19



Map 2 - Zoning

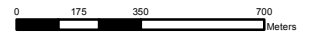
PID 40123598,
Middle Sackville

 Subject Area to be Rezoned from
MR-1 (Mixed Resource) to
R-1 (Single Unit Dwelling)

Zone

R-1	Single Unit Dwelling
R-2	Two Unit Dwelling
R-6	Rural Residential
MU-2	Mixed Use 2
C-2	General Business
I-4	Former Sanitary Landfill Site
MR-1	Mixed Resource
PWS	Protected Water Supply
FP	Floodplain

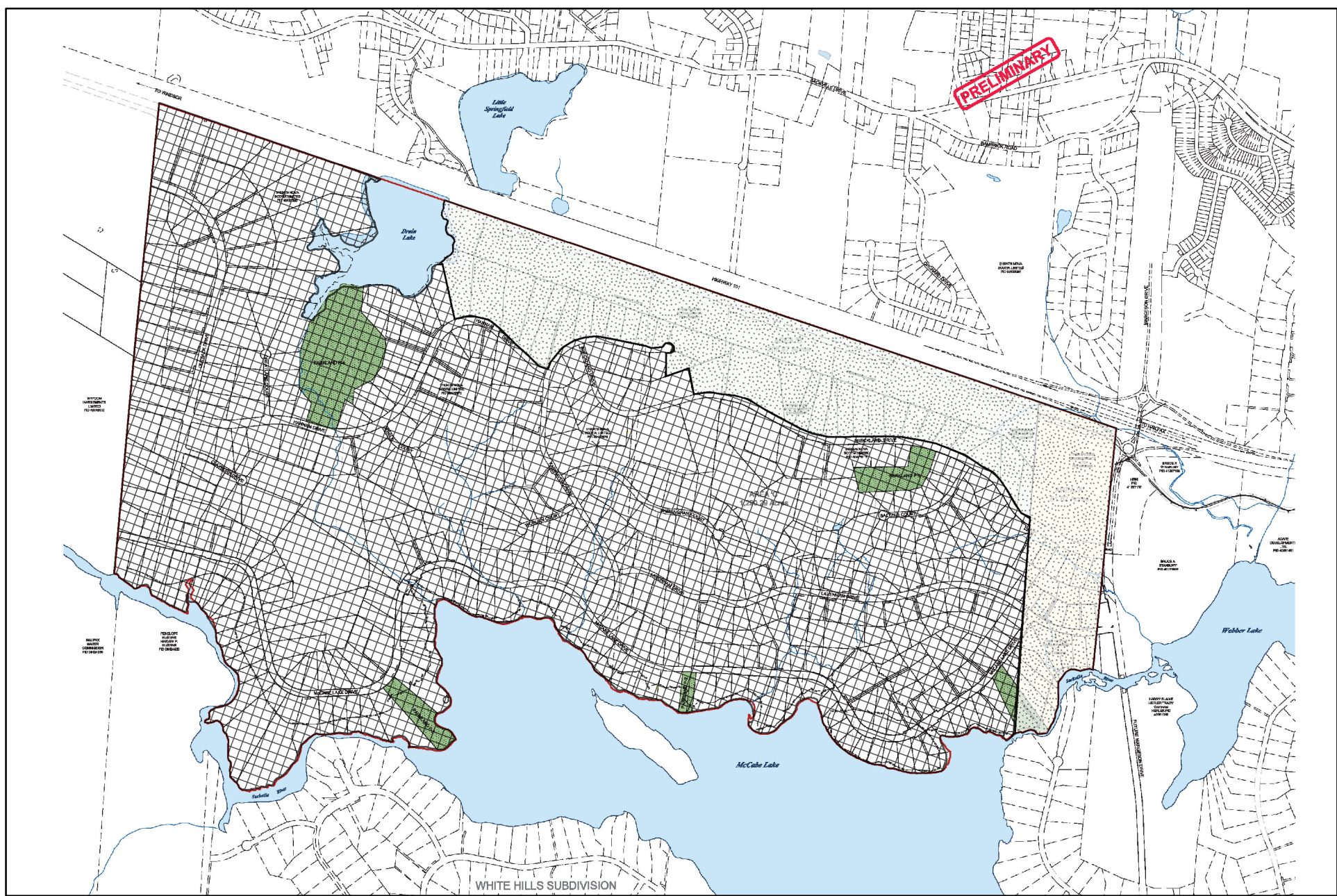
HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS



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

HRM does not guarantee the accuracy of any representation on this plan.

Planning Districts 15, 18, & 19



Map 3 Proposed Site Plan



Area Proposed to be Rezoned



Area to be Excluded

HRM does not guarantee the accuracy of any base information.



Attachment A

Relevant Beaver Bank, Hammonds Plains, and Upper Sackville MPS Policies and Land Use By-law Excerpts

Rural Residential Development - Mixed Use A, B and C Designations

Within the Mixed Use A, B and C Designations, there are existing pockets of development which have evolved a primarily rural residential environment, as well as undeveloped areas where a rural residential environment is desired. Existing rural residential environments are characterized by contiguous residential development occurring on lots which are relatively small in comparison to surrounding undeveloped parcels. Unlike areas of "suburban" type growth, these areas are not located on local subdivision streets and have a wider range of home based business activities.

Non-residential development in both existing and undeveloped areas will be limited to the use of residential properties for small-scale home business and resource activities. A greater degree of protection from non-residential development than is provided in areas of mixed use development will be provided through the creation of a rural residential zone. Development of these areas for industrial or highway commercial uses would be contrary to the intention of providing protection for these areas. Therefore, no rezoning for such purposes shall be considered in areas zoned as rural residential (Policies P-24 and P-28).

Within the Mixed Use A Designation, there is an existing service industrial operation located within an area of rural residential development. Because of its establishment prior to any zoning regulations, this existing use will be recognized but no expansion will be permitted. P-13 Within the Mixed Use A, B and C Designations, it shall be the intention of Council to establish a R-6 (Rural Residential) Zone within the land use by-law which permits single and two unit dwellings and the limited use of residential properties for business purposes, including day care facilities, as well as small-scale resource uses. This zone shall be applied to existing rural residential areas as well as undeveloped areas where a rural residential environment is desired. Council may consider applying the R-6(Rural Residential) Zone to other areas subject to the following conditions:

- (a) the provisions of Policy P-137;
- (b) the effect on existing non-residential development within or adjacent to the area to be rezoned; and
- (c) the suitability of the area to be rezoned for non-residential development in terms of road access, location, and adjacent land uses.

P-34 Within the Residential Designation, it shall be the intention of Council to establish a residential zone which permits single unit dwellings, existing two unit and mobile dwellings, open space uses, offices and day care facilities operated by a resident of the dwelling, bed & breakfasts, as

well as activities related to traditional arts and crafts and domestic arts, provided that controls are established on the scale of the business and that no outdoor storage or display are permitted and signs are regulated through provisions of the Land Use By-law (RC-Jun 30/09;E-Sep 5/09), in order to ensure that the external appearance is compatible with the residential environment.

It is recognized that there may be future pressures for continued residential development within the Rural Resource Designation, as subdivisions in the Residential and Mixed Use Designations extend toward the abutting Rural Resource Designation. In recognition of this potential pressure, provisions will be made for residential development on smaller lots evaluated through the rezoning process subject to the requirements of the Subdivision By-law, in particular, a maximum rate of 20 lots per 4 year period. This evaluation will be made within the overall context of the designation to encourage and support resource development and maintain its valued rural character. Therefore, there is a need to assess the potential effects of significant residential development, especially with regard to effects on community form, resource activity, the transportation network and environmental concerns.

A requirement that any parcel to be rezoned contain a minimum of ten acres will help to prevent small scattered residential pockets in the resource area. It is hoped that by concentrating areas where residential development can occur on smaller lots, impediments to resource activities and overall effects on this undeveloped area will be reduced. No parcels will be precluded from consideration, since all existing parcels are in excess of ten acres.

Transportation concerns center on how well any proposed road network co-ordinates with the existing road system as well as the impact of the proposed development on existing collector highways, their capacities and constraints (see Transportation and Utilities). Environmental concerns in these undeveloped areas relate to the suitability of the entire development parcel for on-site sewage disposal, as well as the quality and quantity of groundwater, and the adequacy of storm drainage plans to reduce negative impacts on the natural drainage system.

P-57 Notwithstanding Policy P-49, it shall be the intention of Council, to consider permitting residential development within the Rural Resource Designation on lots which have an area of less than eighty thousand (80,000) square feet, through application of a residential zone (Policies P-34 and P-13). In considering an amendment to the land use by-law to an R-1 or R-6 Zone, Council shall have regard to the following:

- (a) the potential effects of the development proposal on community services such as fire, police, recreation and education;
- (b) the effect of the proposed development on existing and potential resource development; Beaver Bank, Hammonds Plains and Upper Sackville MPS Page 93;
- (c) the proposed road network in terms of co-ordination with the existing road network and impact on the capacity of existing collector highways;
- (d) environmental considerations including an overall report from the Department of Health

COMMUNITY AND RECREATION SERVICES -- HRM DEVELOPMENT APPROVALS

assessing the suitability of the entire parcel for on-site sewage disposal systems;
(e) comments from the Department of the Environment on the quality and quantity of groundwater; and an evaluation of the adequacy of storm drainage plans;
(f) the area to be rezoned shall either contain a minimum of ten (10) acres or, if less than ten (10) acres, shall be a lot in existence on the effective date of this Strategy; and
(g) the provisions of Policy P-137.

P-137 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

(a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;

(b) that the proposal is not premature or inappropriate by reason of:

(i) the financial capability of the Municipality to absorb any costs relating to the development;

(ii) the adequacy of central or on-site sewerage and water services;

(iii) the adequacy or proximity of school, recreation or other community facilities;

(iv) the adequacy of road networks leading or adjacent to or within the development;
and

(v) the potential for damage to or for destruction of designated historic buildings and sites.

(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:

(i) type of use;

(ii) height, bulk and lot coverage of any proposed building;

(iii) traffic generation, access to and egress from the site, and parking;

(iv) open storage;

(v) signs; and

(vi) any other relevant matter of planning concern.

(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

(e) Within any designation, where a holding zone has been established pursuant to Infrastructure Charges - Policy P-81@, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Infrastructure Charges@ Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)

COMMUNITY AND RECREATION SERVICES -- HRM DEVELOPMENT APPROVALS

Beaver Bank, Hammonds Plains, and Upper Sackville Land Use By-law

PART 6: R-1 (SINGLE UNIT DWELLING) ZONE

6.1 R-1 USES PERMITTED

No development permit shall be issued in any R-1 (Single Unit Dwelling) Zone except for the following:

- Single unit dwellings
- Existing two unit dwellings
- Existing mobile dwellings
- Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings
- Offices in conjunction with permitted dwellings
- Bed & Breakfasts
- Open space uses

6.2 R-1 ZONE REQUIREMENTS

In any R-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	on-site services	29, 064 square feet (2700 m ²)
	central water	12,000 square feet (1118 m ²)
	central sewer	10,000 square feet (929 m ²)
	Sewer and water services	6,000 square feet
Minimum Frontage:	on-site services	100 feet (30.5 m)
	central sewer	75 feet (23 m)
	Sewer and water services	60 feet
Minimum Front or Flankage Yard		20 feet (6.1 m)
Minimum Side or Rear Yard		8 feet (2.4 m)
Maximum Lot Coverage		35 per cent
Maximum Height of Main Building		35 feet (10.7 m)

6.3 R-1 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-1 Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

6.4 OTHER REQUIREMENTS: OFFICE USES

Where offices are permitted in any R-1 Zone, the following shall apply:

- (a) Any office shall be wholly contained within the dwelling which is the principle residence of the operator of the office.
- (b) No individuals who are not residents in the dwelling shall be employed in the office.
- (c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any office, and in no case shall any office occupy more than three hundred (300) square feet (28 m).
- (d) No open storage or outdoor display shall be permitted.
- (e) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
- (f) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m²) of floor area devoted to any office.

6.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-1 Zone, the following shall apply:

- (a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling, which is the principle residence of the operator of the facility.
- (b) No open storage or outdoor display shall be permitted.
- (c) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
- (d) One off-street parking space, other than that required for the dwelling, shall be provided.

6.6 OTHER REQUIREMENTS: BED AND BREAKFASTS

Where a bed & breakfast is permitted in any R-1 Zone, the following shall apply:

- (a) The bed & breakfast shall be wholly contained within the dwelling which is the principle residence of the operator of the establishment;

- (b) Not more than three (3) rooms may be let;
- (c) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area; and
- (d) One off-street parking space in addition to that required for the dwelling shall be provided for each room to be let.

6.7 OTHER REQUIREMENTS: COMMERCIAL MOTOR VEHICLES

In any R-1 Zone, not more than one commercial vehicle shall be kept on any lot and no such commercial motor vehicle shall exceed a registered vehicle weight of five (5) tons nor be kept less than ten (10) feet from any front lot line.

6.8 EXISTING HOME BUSINESS USES

Notwithstanding Section 4.9 and 6.1, the existing home businesses identified in Appendix B shall be permitted to the extent they are in existence at the time the land use by-law is adopted.

6.9 EXISTING TWO UNIT DWELLINGS

Notwithstanding Section 4.9, any existing two unit dwellings shall not be permitted to convert into a multi-unit dwelling.

6.10 SENIOR CITIZENS HOUSING

Notwithstanding Section 6.1, senior citizens housing shall be permitted within the R-1 zone on the property in Uplands Park identified by LIC Property Number 420927.

6.11 FRONTAGE ON A STREET

No development permit shall be issued in an R-1 Zone unless the lot or parcel intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street or highway.

6.12 SUBDIVISION OF EXISTING TWO UNIT DWELLINGS - UPLANDS PARK

Notwithstanding Section 6.2, the minimum lot area per dwelling unit for existing two unit dwellings on the following properties shall be 3,000 square feet and the minimum lot frontage shall be 30 feet: Patricia Foran, LIC Number 420265; Lawrence Leslie, LIC Number 420224; Sarah Martin, LIC Number 420398.

PART 11: R-6 (RURAL RESIDENTIAL) ZONE

11.1 R-6 USES PERMITTED

No development permit shall be issued in any R-6 (Rural Residential) Zone except for the following:

- Single unit dwellings
- Two unit dwellings
- Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
- Business uses in conjunction with permitted dwellings
- Open space uses
- Agriculture uses
- Forestry uses
- Existing mobile dwellings

11.2 R-6 ZONE REQUIREMENTS

In any R-6 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	on-site services	29,064 sq. ft. (2700 m ²)
	central sewer	10,000 sq. ft. (929 m ²)
Minimum Frontage:	on-site services	100 ft. (30.5 m)
	central sewer	75 ft. (23 m)
Minimum Front or Flankage Yard		20 feet (6.1 m)
Minimum Rear or Side Yard		8 feet (2.4 m)
Maximum Lot Coverage		35 per cent
Maximum Height of Main Building		35 feet (10.7 m)

11.3 OTHER REQUIREMENTS: BUSINESS USES

Where business uses are permitted in any R-6 Zone the following shall apply:

- (a) Any business shall be wholly contained within the dwelling or accessory building. The dwelling shall be the principle residence of the operator of the business.
- (b) No more than fifty per cent of the gross floor area of any dwelling shall be devoted to any business use and in no case shall the gross floor area of all buildings on any lot devoted to a business use exceed one thousand (1,000) square feet.

- (c) No materials or equipment which is obnoxious or creates a nuisance by virtue of noise, vibration, smell or glare shall be used on the lot.
- (d) No open storage or outdoor display shall be permitted.
- (e) No more than one sign shall be permitted for any business and no such sign shall exceed two (2) square feet.
- (f) One (1) off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m) of floor area devoted to any business. No portion of any parking space shall be located within any required side yard.

11.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-6 Zone, the following shall apply:

- (a) With the exception of outdoor play space, any facility shall be wholly contained within the dwelling or accessory building.
- (b) No open storage or outdoor display shall be permitted.
- (c) No more than one sign shall be permitted for any facility and no such sign shall exceed two (2) square feet.

11.5 OTHER REQUIREMENTS: AGRICULTURE USES

- (a) No more than fifty (50) domestic fowl or ten (10) of any other animals confined to a barn, stable, or other structure shall be permitted.
- (b) No more than one thousand (1000) square feet of floor area of any structure shall be used for retail use accessory to agriculture uses.

11.6 OTHER REQUIREMENTS: FORESTRY USES

- (a) No more than one thousand (1000) square feet of floor area of any structure shall be used for a sawmill, other industrial mill related to forestry, or retail use accessory to forestry uses.
- (b) Any area devoted to open storage shall not be permitted within any required yard and shall not exceed twenty-five (25) per cent of the lot area.
- (c) No sawmills or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than three hundred (300) feet from any dwelling except a dwelling located on the same lot directly related to the above use.

11.7 EXISTING BUSINESS USES

Notwithstanding Section 4.9 and 11.1, existing business uses identified in Appendix "A" shall be permitted to the extent they are in existence at the time the land use by-law is adopted.

11.8 EXEMPTION: EXISTING SEMI-DETACHED DWELLINGS

(a) Notwithstanding Section 11.2, where a semi-detached dwelling was in existence prior to May 13, 2004, and capable of being serviced with central services, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	5 000 square feet (464.5 square metres)
Minimum Lot Frontage:	35 feet (10.6 metres)
Minimum Rear or Side Yard:	10 feet (3 m) or 0.0 feet (0.0 m) from the side being common with another dwelling unit

(b) Notwithstanding Section 11.8(a), all other provisions of this by-law shall be applicable. (RC-Sept 30/04;E-Oct 2/04)

PART 21: MR-1 (MIXED RESOURCE) ZONE

21.1 MR-1 USES PERMITTED

No development permit shall be issued in any MR-1 (Mixed Resource) Zone except for the following:

Agriculture uses
Intensive agriculture uses
Kennels
Forestry uses
Fishing uses
Communications transmission stations
Single unit dwellings
Mobile dwellings
Business uses in conjunction with permitted dwellings
Open space uses
Hunting and fishing lodges
Recreation uses
Composting operations (see section 4.29)

21.2 MR-1 ZONE REQUIREMENTS

In any MR-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432 m ²)
Minimum Frontage	200 feet (61 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Height of Main Building	35 feet (10.7 m)

21.3 OTHER REQUIREMENTS: AGRICULTURAL AND INTENSIVE AGRICULTURAL USES

Where agricultural and intensive agricultural uses are permitted in any MR-1 Zone, the following shall apply:

- (a) No barn, stable, or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals shall be located:
 - (i) less than fifty (50) feet from any side lot line;
 - (ii) less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
 - (iii) less than three hundred (300) feet from any watercourse.
- (b) No intensive agricultural use shall be less than five hundred (500) feet from any residential (R-1) zone nor shall have access through a residential (R-1) Zone, except where no other access can be granted by the Department of Transportation.

21.4 OTHER REQUIREMENTS: FORESTRY

Where forestry uses are permitted in any MR-1 Zone, the following shall apply:

- (a) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than one hundred (100) feet from any dwelling except a dwelling located on the same lot or directly related to the forestry use.
- (b) No sawmill or other industrial mill related to forestry with more than 2,000 sq. ft. of gross floor area shall be located within three hundred (300) feet of a residential or rural residential zone.
- (c) No sawmill or other industrial mill related to forestry with more than 2,000 sq. ft., of gross floor area shall have access through a residential (R-1), zone except where no other access can be granted by the Department of Transportation.

- (d) Where any sawmill or other industrial mill related to forestry abuts a residential or rural residential zone, a visual and physical barrier shall be provided.

21.5 OTHER REQUIREMENTS: BUSINESS USES

Where business uses in conjunction with a dwelling are permitted in any MR-1 Zone, the following shall apply:

- (a) Any residential lot used for businesses purposes shall contain the principle residence of the operator of the business.
- (b) No more than fifty per cent of the gross floor area of any dwelling shall be devoted to any business use and in no case shall the gross floor area of all buildings devoted to a business use exceed one thousand (1000) square feet.

21.6 EXEMPTION: EXISTING GOLF COURSE

Notwithstanding Section 21.1, Halifax Golf and Country Club (Ashburn), LIC Number 526863, shall be a permitted use to the extent to which it is in existence on the effective date of the By-law. Any expansion shall be subject to Section 3.6 of this By-law (Uses Considered by Development Agreement).

B05154

**McCabe Lake Rezoning Application
Zone Comparison**

	MR-1 (Mixed Resource) Zone	R-1 (Single Unit Dwelling) Zone	R-6 (Rural Residential) Zone
Permitted Uses	Agriculture uses Intensive agriculture uses Kennels Forestry uses Fishing uses Communications transmission stations Single unit dwellings Mobile dwellings Business uses in conjunction with permitted dwellings Open space uses Hunting and fishing lodges Recreation uses Composting operations	Single unit dwellings Existing two unit dwellings Existing mobile dwellings Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings Offices in conjunction with permitted dwellings Bed & Breakfasts Open space uses	Single unit dwellings Two unit dwellings Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings Business uses in conjunction with permitted dwellings Open space uses Agriculture uses Forestry uses Existing mobile dwellings
Minimum Lot Area (on-site services)	80,000 square feet (7432 m ²)	29,064 square feet (2700 m ²)	29,064 sq. ft. (2700 m ²)
Minimum Frontage Area (on-site services)	200 feet (61 m)	100 feet (30.5 m)	100 ft. (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)	20 feet (6.1 m)	20 feet (6.1 m)
Minimum Rear or Side Yard	25 feet (7.6 m)	8 feet (2.4 m)	8 feet (2.4 m)
Maximum Height of Main Building	35 feet (10.7 m)	8 feet (2.4 m)	8 feet (2.4 m)
Maximum Lot Coverage	N/A	35%	35%