

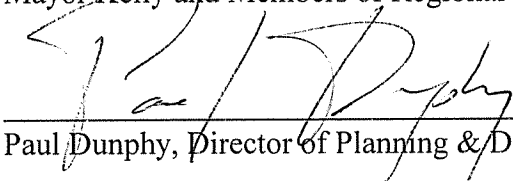
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Harbour East Community Council
May 4, 2006

To: Mayor Kelly and Members of Regional Council

Submitted by: 
Paul Dunphy, Director of Planning & Development Services

Date: April 20, 2006

SUBJECT: **Holding Zone in Keystone Village**

INFORMATION REPORT

ORIGIN

On April 4, 2006, Harbour East Community Council requested an information report with staff comment on the appropriateness of rezoning lands currently within the Dartmouth development boundary (Map 1) from Holding (H) zone to Single Family Residential (R-1) zone in the Keystone Village area of Dartmouth.

BACKGROUND

Concern has been raised from residents of the Keystone Village area regarding the existing Holding (H) zone which has been applied to the lands located north east of Waverley Road (Map 1). Residents are concerned that some of the uses permitted as-of-right in the zones currently enabled through the Holding zone (Attachment A) may be incompatible with the single family residential neighbourhoods in this area.

DISCUSSION

The Holding zone permits a number of low density land uses through the Single Family Residential (R-1), Park (P) and Conservation (C) zones (Attachment A). As a result, some of the uses permitted in the H zone, in addition to single family dwellings, include the following:

- churches;
- schools;
- parks;
- cemeteries; and,
- recreational uses (see full list of permitted uses in Attachment A).

Most of the lands in the Keystone Village area within the servicing boundary where the Holding zone applies have been developed in accordance with the Single Family Residential zone standard. While the remaining vacant parcels, such as the lands that back onto Stanfield Avenue (Map 1), could accommodate a cemetery as permitted through the Conservation zone, most of the other development possibilities such as a church, a park or a school are already listed as permitted uses in the Single Family Residential zone. Therefore, a rezoning from Holding to the Single Family Residential is not warranted at this time.

BUDGET IMPLICATIONS

None

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

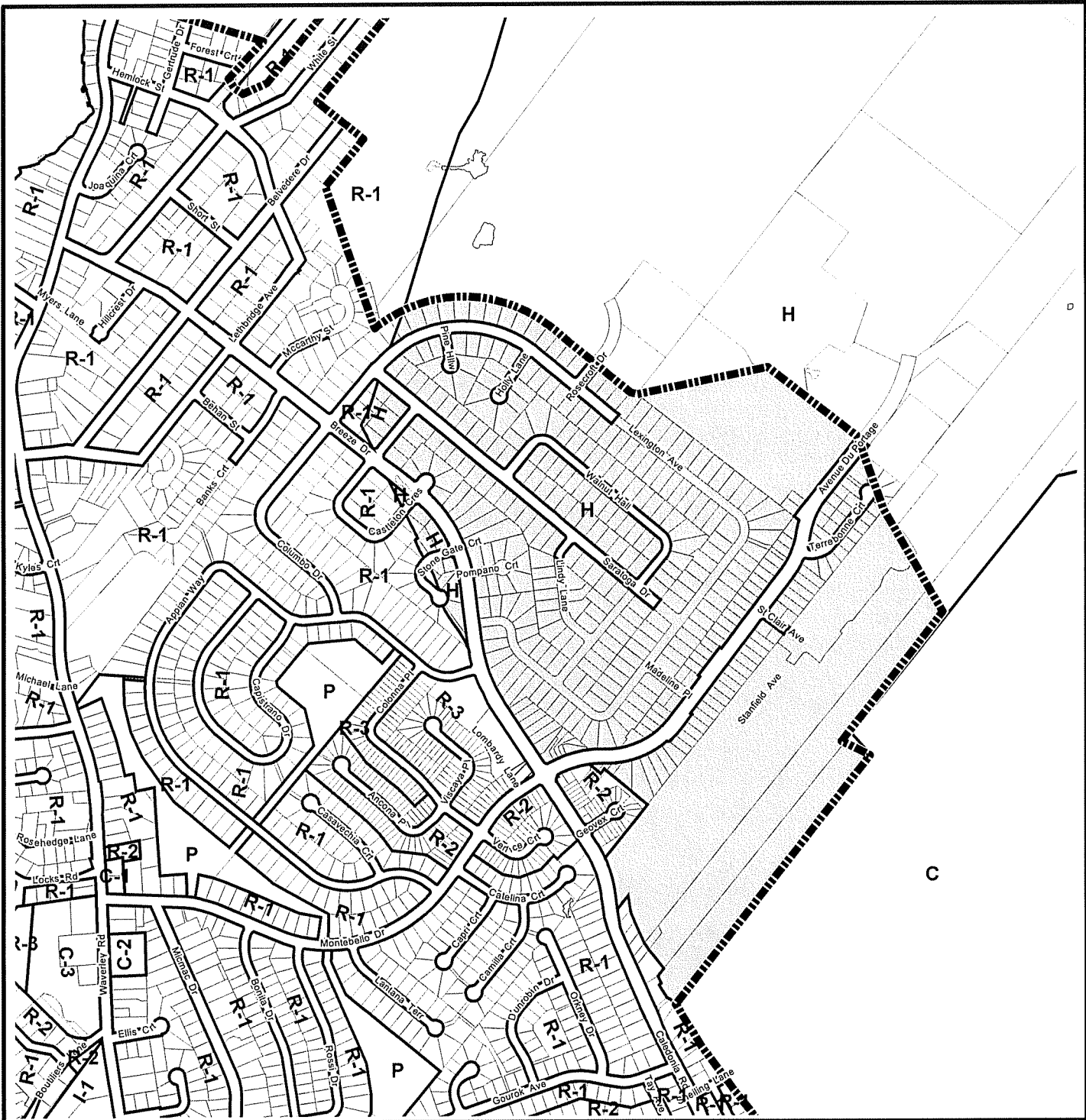
Council may choose to rezone the subject lands to Single Family Residential, however, as the other permitted uses in the Holding zone are compatible with development permitted through the Single Family Residential zone this alternative is not recommended.

ATTACHMENTS

Map 1 – Keystone Village Zoning and Location Map
Attachment A -- Relevant Land Use By-law Regulations

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Shayne Vipond, Planner, 490-4335



Map 1

Keystone Village Zone

- R-1 Single Family Residential Zone
- R-2 Two Family Residential Zone
- R-3 Multiple Family Residential Zone
- C-1 Local Business Zone
- C-2 General Business Zone



Subject Land

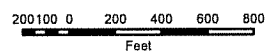


Dartmouth Development Boundary

- C-3 General Business Zone
- I-1 Light Industrial Zone
- C Conservation Zone
- H Holding Zone
- P Park Zone



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PLANNING AND
DEVELOPMENT SERVICES



This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Land Use By-Law area.

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

Dartmouth Land Use By-Law Area

ATTACHMENT A

RELEVANT LAND USE BY-LAW REGULATIONS

R-1 ZONE - SINGLE FAMILY RESIDENTIAL ZONE

32. (1) The following uses only shall be permitted in an R-1 Zone:
- (a) Single family dwellings;
 - (b) churches or church halls;
 - (c) schools, colleges, universities, libraries, art galleries, and museums;
 - (d) public parks and playgrounds;
 - (e) tennis clubs, quoit clubs, lawn bowling clubs, archery clubs, golf clubs;
 - (f) yacht and boating clubs located within 200 feet of the shore of a lake or Halifax Harbour;
 - (g) uses accessory to any of the foregoing uses;
- (2) Buildings used for R-1 uses in an R-1 Zone shall comply with the following requirements:
- (a) Lot area minimum - 5,000 square feet
 - (b) Lot coverage maximum - 35 %
 - (c) Side and rear yards shall be provided on each side and at the rear of buildings as provided by the Building By-laws of the City.
 - (d) Height Maximum -35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".
(RC - Feb 8, 2005 E - April 23, 2005)
- (3) Notwithstanding anything else in this by-law, the following zone requirements shall apply to lots TH-7, TH-8, TH-9, TH-10 and TH-11 on Chinook Court and lots TH-1, TH-2, TH-13, TH-14 and TH-15 on Tutor Court in the Lancaster Ridge Subdivision only:
- (a) Zone Requirements

Minimum lot area	3000 square feet
Minimum lot frontage	36 feet
Minimum front yard	15 feet
Minimum side yards	5 feet (one side)
For dwelling	10 feet (other side)
Minimum rear yard	10 feet
Maximum lot coverage	35 per cent

- (b) For detached garages and accessory buildings, the minimum setback from any side or rear property line is two (2) feet.
- (c) For decks and verandahs, the minimum setback from any side or rear property line is five (5) feet.
- (d) Notwithstanding Section 3(a), minimum sideyards, where a dwelling includes an attached garage the minimum sideyard for both sides of the dwelling shall be five (5) feet.
- (e) On all lots where there is no attached garage, the driveway shall extend into the sideyard of the lot a minimum of fifteen (15) feet beyond the front wall of the structure.
- (f) Where a lot fronts on the outside of a street curve having a radius of one hundred (100) feet or less, the required lot frontage may be reduced to a minimum of 25 feet.

(As amended by By-law C-730, Oct25/95)

32(4) Notwithstanding anything else in this by-law, the following zone requirements shall apply to all new lots that were approved after October 13, 2001:

- Zone Requirements
 - Minimum Side Yard 8 feet
 - Minimum Rear Yard 8 feet
- The maximum building eave projection into the minimum required side yard shall be 2 feet

(Harbour East Community Council-November 1, 2001, Effective-November 25, 2001)

C ZONE - CONSERVATION ZONE

46. (1) The following uses only shall be permitted in a C-Zone:
- (a) conservation related projects;
 - (b) watersheds;
 - (c) cemeteries;
 - (d) passive recreational activities;
 - (e) facilities for storage, transmission, treatment, distribution or supply of water; and (As amended by By-law C-711, Sept 27/94)
 - (f) uses accessory to any of the foregoing uses.
- (2) Notwithstanding the provisions of subsection (1), communications facilities are permitted on the land identified by Schedule "J". (As amended by By-law C-710, Dec 9/94)
- (3) No Buildings or structures shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W". (RC - Feb 8, 2005 E - April 23, 2005)

P ZONE - PARK ZONE

- 44 (1) The following uses only shall be permitted in a P Zone:
- (a) public parks;
 - (b) recreational fields and facilities;
 - (c) golf courses;
 - (d) cemeteries;
 - (e) circuses, sports meets or uses of a similar nature on motion of the City Council for limited periods of time;
 - (f) uses accessory to any of the foregoing uses.
- (2) Notwithstanding the provisions of subsection (1) transit terminal facilities are permitted on land identified by Schedule "M". (As amended by By-law C-722, June9/95)
- (3) No Buildings or structures shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W". (RC - Feb 8, 2005 E - April 23, 2005)

H ZONE - HOLDING ZONE

47. (1) The following uses only shall be permitted in an H Zone:
- (a) R-1, C, and P uses as herein set out;
 - (b) uses accessory to any of the foregoing uses.
 - (c) All equipment, structures and buildings associated with extracting water from Morris Lake in association with an existing oil refinery operation.
(RC - March 22, 2005 E - April 23, 2005)
- (2) Buildings used for R-1, C or P uses in an H Zone shall comply with the requirements of an R-1, C or P Zone respectively