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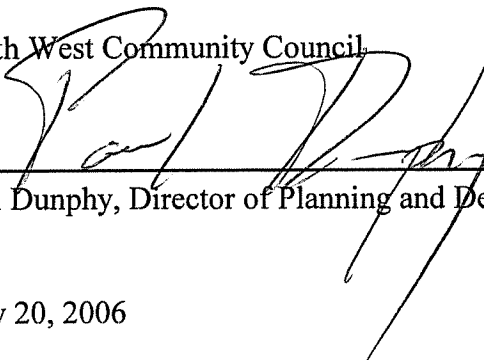
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**North West Community Council
September 28, 2006**

TO:

North West Community Council

SUBMITTED BY:


Paul Dunphy, Director of Planning and Development Services

DATE:

July 20, 2006

SUBJECT:

Motion of NWCC - Vacant Lot near Sandy Lake, Bedford

INFORMATION REPORT

ORIGIN

May 25, 2006 request by North West Community Council.

BACKGROUND

At the May 25, 2006 meeting of the North West Community Council, property owner Ms. Cathy Martin addressed Council and advised them of her inability to develop her vacant lot near Sandy Lake. In response to her presentation, Council requested information from staff on the existing land use provisions surrounding the Sandy Lake Area.

DISCUSSION

Sandy Lake Area:

Sandy Lake is located north of the Hammonds Plains Road and Atlantic Acres Industrial Park, west of the Bicentennial Highway (*refer Map 1 and 2*). This is an area of environmental, residential and recreational interest. Within this area, several residential dwellings exist on small lots serviced by on-site well and septic with no frontage on a public street (*refer to Map 3*). There are also several vacant lots with no frontage on a public street (*refer to Map 3*).

Designation and Zoning:

The Sandy Lake area is designated Urban Settlement under the Regional Plan (*refer to Map 1A*) and Residential Reserve under the Bedford Municipal Planning Strategy (*refer to Map 1*). The area is zoned US (Urban Settlement) (*refer for Map 2*). The Urban Settlement zone permits single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided.

Land Use Bylaw Provisions:

The Bedford Land Use Bylaw (Section 5.14) requires all uses to have public street frontage. Development permits cannot be issued on vacant lots which do not have frontage on a public street. Existing buildings on private streets may be renovated or altered however.

Enabling Policy for vacant lots without frontage on a public street:

Development of lots without public street frontage can be considered by development agreement. The main criteria must be located within the Residential Development Boundary (Policy R-28). This boundary is now referred to as the Urban Service Boundary in the Regional Plan (Map 4). The boundary follows the Bicentennial Highway. Land in the Sandy Lake area is outside the boundary and has been since the Bedford Municipal Planning Strategy was first adopted. Lots in the Sandy Lake area which are located on private roads therefore do not meet the policy criteria for development.

Regional Plan Policy:

Under the Regional Planning Strategy, a majority of the lands surrounding Sandy Lake are designated "Urban Settlement" which supports future residential development serviced with municipal sewer and water services. However, before development can proceed, a secondary planning process has to be undertaken (see Section 3.1 and Policy S-3 of the Regional Plan). In addition, a study into the major infrastructure costs associated with Urban Settlement areas must occur prior to undertaking a community plan review. It is the intent of staff to initiate a study on these lands in the near future. Other areas will also be studied in order to identify the most cost-effective sites to develop.

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.

ATTACHMENTS

Map 1: Generalized Future Land Use Map

Map 1A: Regional Plan Generalized Future Land Use

Map 2: Zoning Map

Map 3: Private Roads

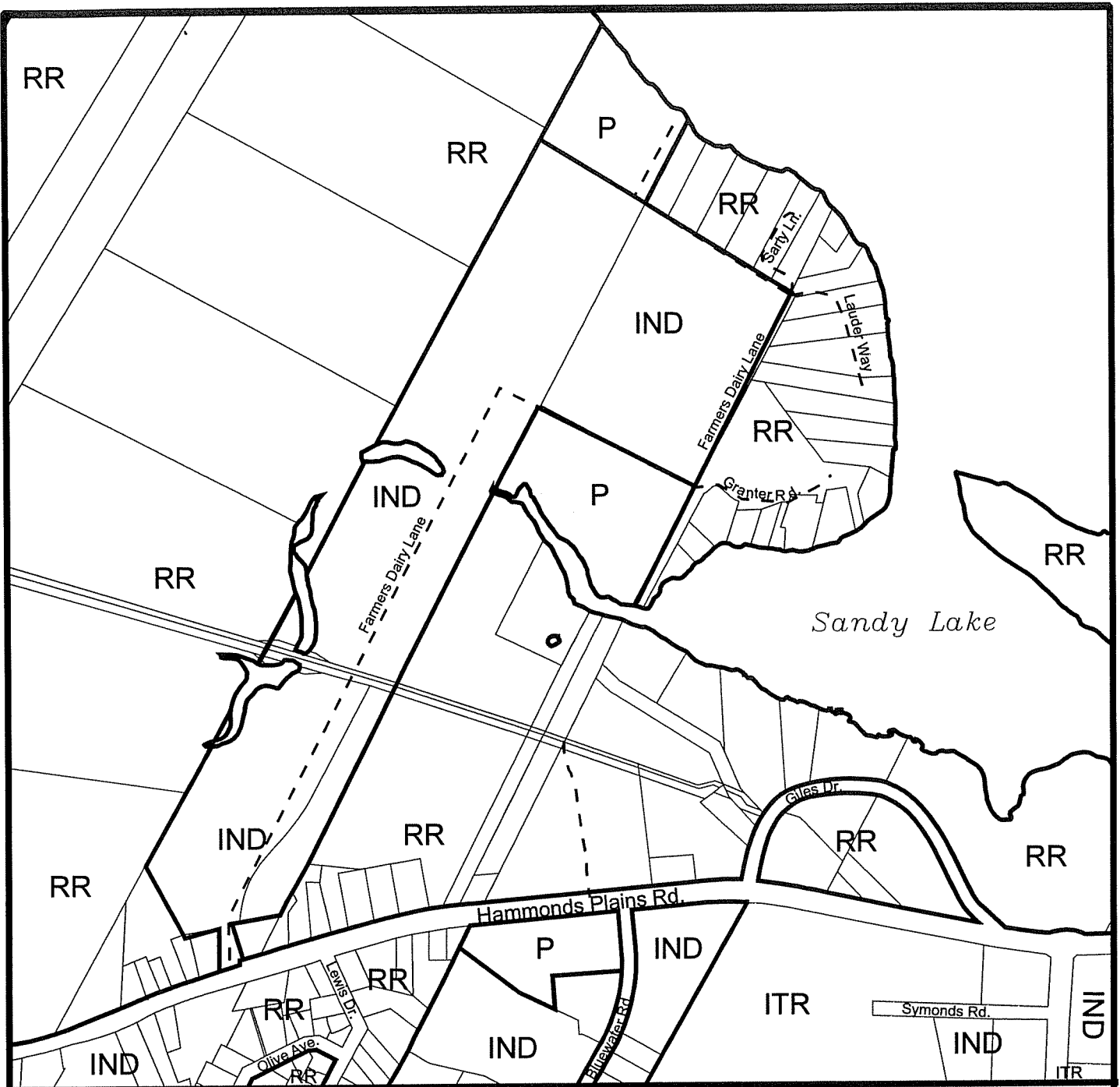
Map 4: Former Residential Development Boundary and Existing Urban Service Area

Attachment A: Excerpts of the Bedford Municipal Planning Strategy and Land Use Bylaw

Attachment B: Excerpts of the Regional Municipal Planning Strategy

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Thea Langille-Hanna, Senior Planner, Planning and Development Services 869-4262

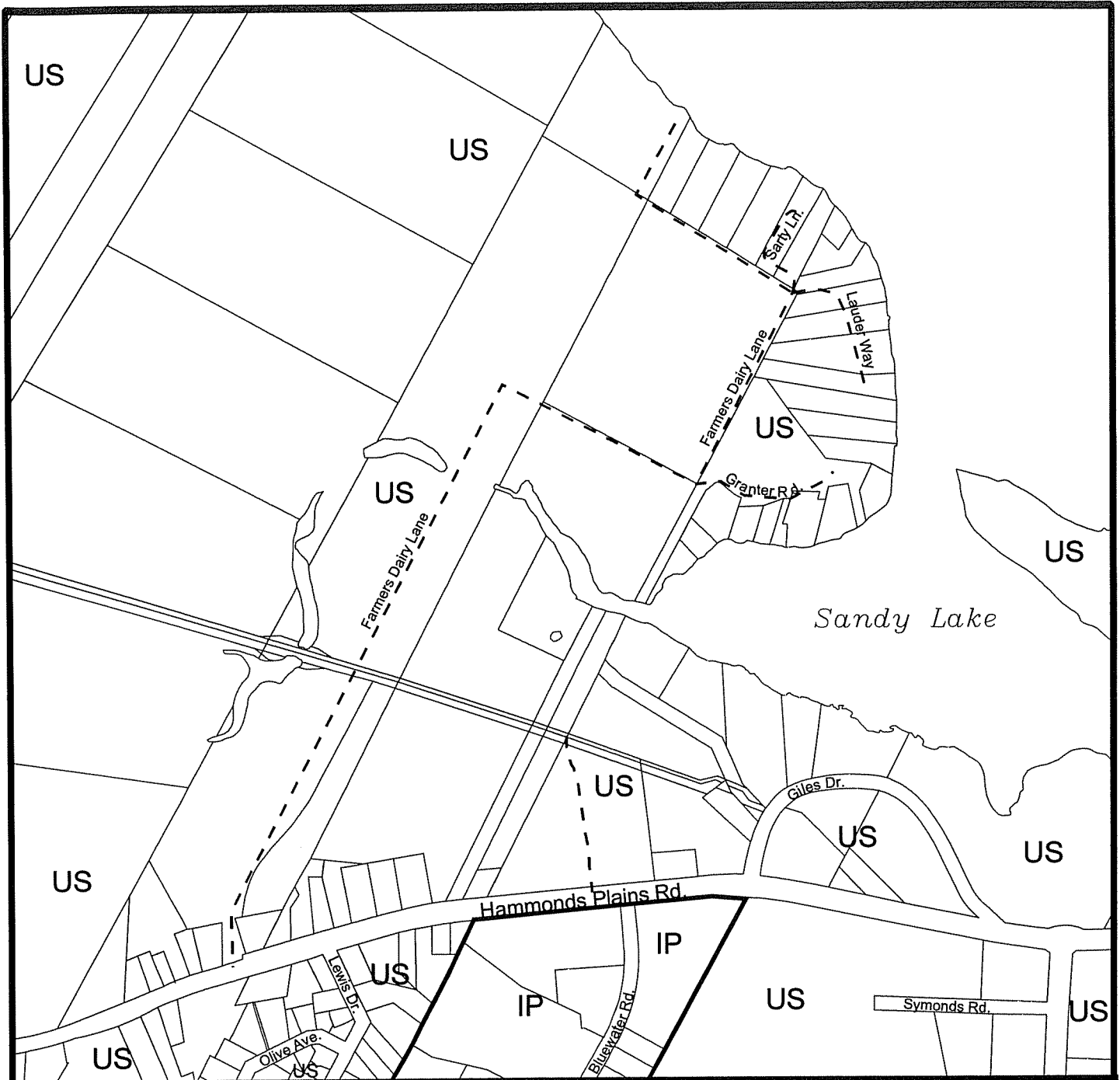


Map 1
Generalized Future Land Use



RR	Residential Reserve Designation	IND	Industrial Designation
P	Park and Recreation Designation	ITR	Information Technology and Research Designation



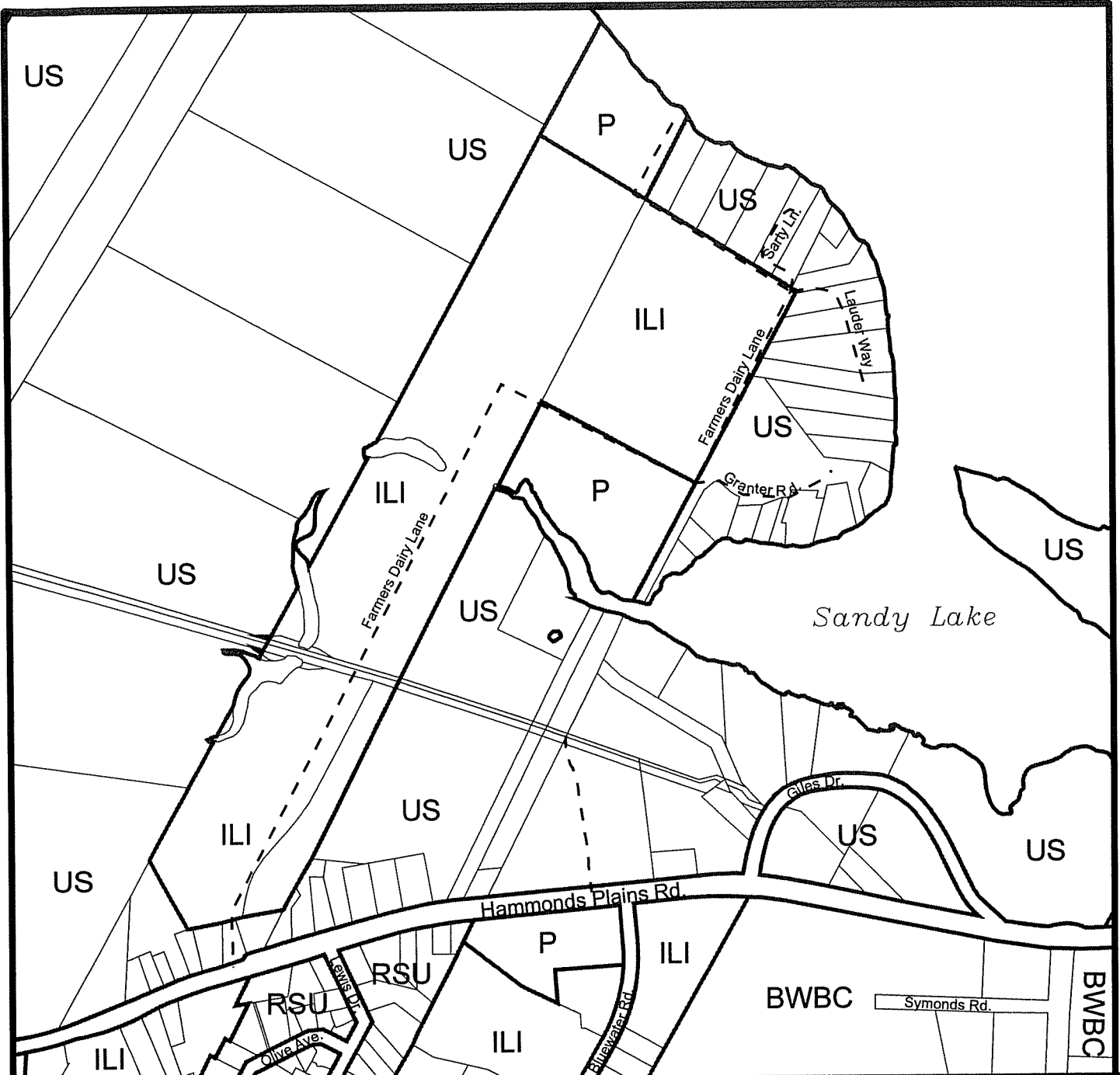


Map 1A
Regional Plan Generalized Future Land Use



US Urban Settlement Designation
 IP Industrial Park Designation



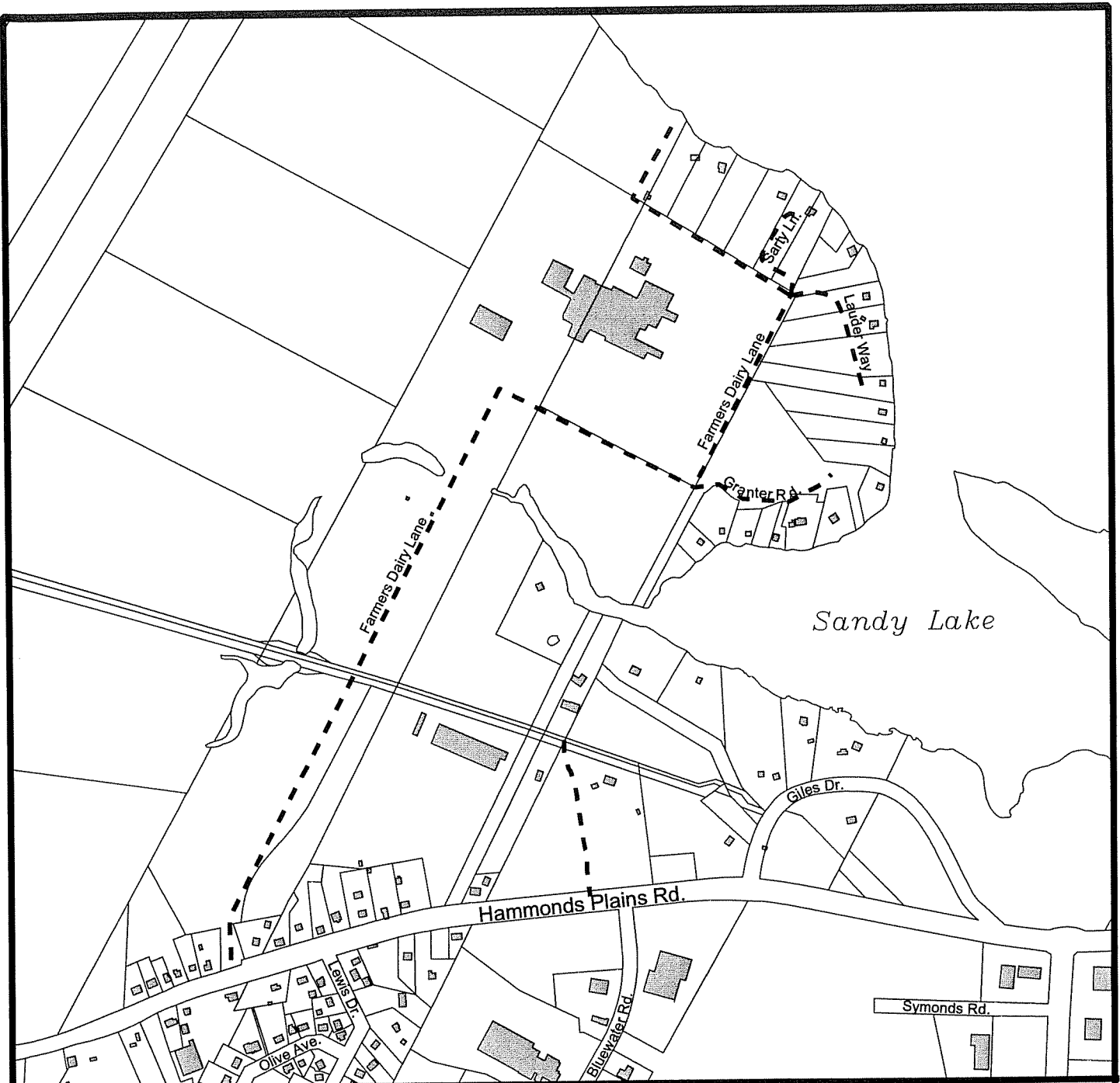


**Map 2
Zoning**



- | | | | |
|------|-----------------------------------|----|-----------------------|
| RSU | Single Dwelling Unit Zone | US | Urban Settlement Zone |
| P | Park Zone | | |
| ILI | Light Industrial Zone | | |
| BWBC | Bedford West Business Campus Zone | | |

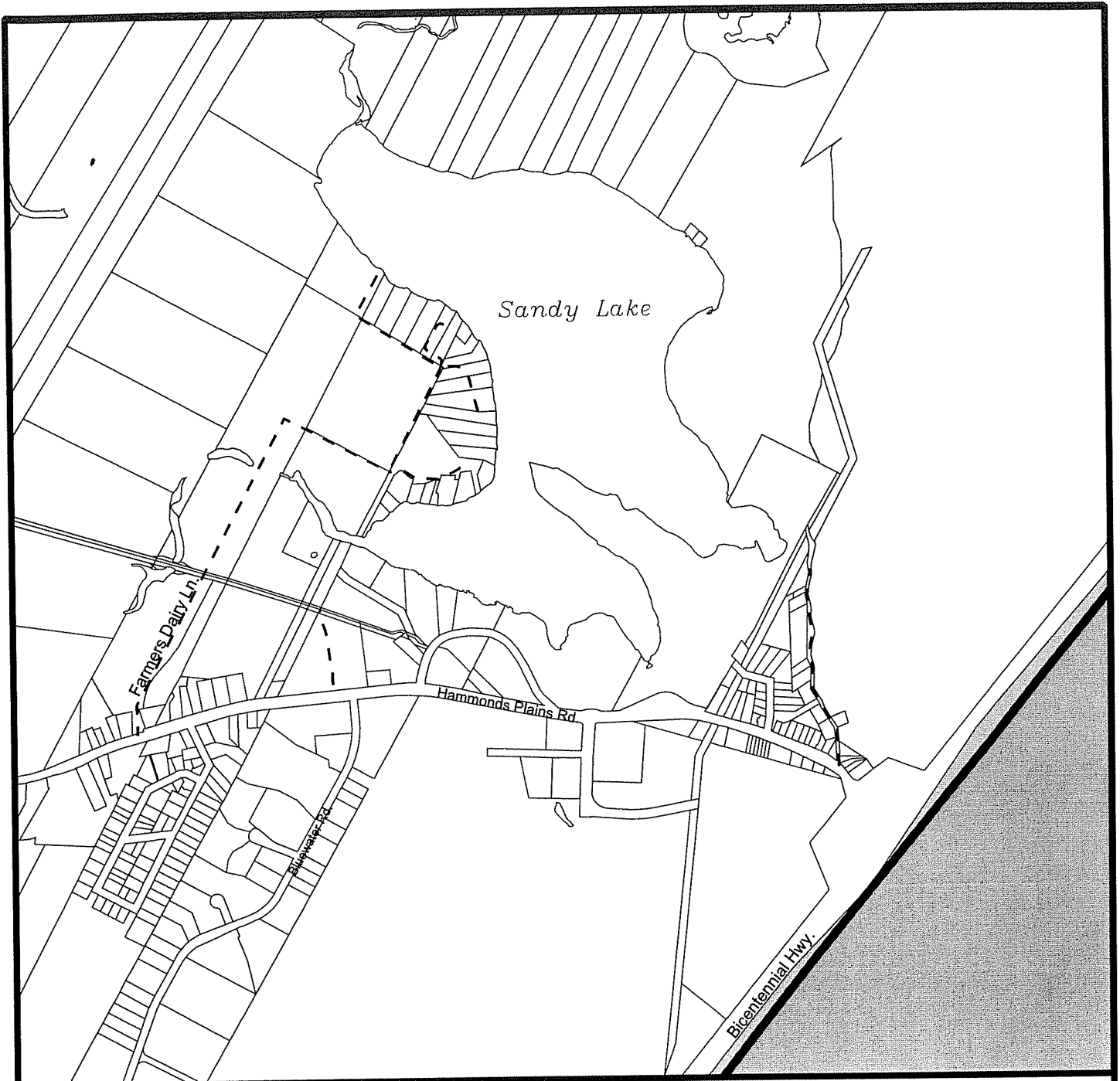




**Map 3
Private Roads**



--- Private Roads





Map 4

HALIFAX
 REGIONAL MUNICIPALITY
 Planning Services

-  Urban Service Area
-  Residential Development Boundary



ATTACHMENT A

Excerpts of the Bedford Municipal Planning Strategy

Policy R-28:

It shall be the intention of Town Council to permit, by development agreement, issuance of development permits to allow construction of dwellings on existing, vacant lots which do not have frontage on a public street. In considering such development agreements Council shall have regard to the following criteria:

- there is an easement available to provide access from the lot to a public street;
- the existing vacant lot must be within the Residential Development Boundary;
- the application for a development agreement shall include the specifications for the building envelope for the proposed dwelling such that the new dwelling shall not exceed the average height and building footprint of the existing dwellings which abut the vacant lot;
- the minimum rear yard separation distances between the proposed new dwelling and the existing dwellings shall be 40 feet;
- minimum front, side and rear yards shall be provided in accordance with the zone requirements
- minimum lot area shall be 6,000 sq. ft.; and,
- the lot must be located within an area which is zoned for residential land use

Excerpts of the Bedford Land Use Bylaw

GENERAL PROVISIONS: LOTS AND YARDS AND OTHER STANDARDS

14. Frontage On A Street

No **building, structure or use** shall be **permitted (NWCC-Apr 8/03;E-Apr 12/03)** unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street; except for alterations, renovations and additions to existing structures located on private streets or for construction of dwellings on existing, vacant lots as per Policy R-28.

PART 32: US (URBAN SETTLEMENT) ZONE

32.1 US USES PERMITTED

No development permit shall be issued in an Urban Settlement (US) Zone except for one or more of the following uses:

- Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot
- Public parks and playgrounds
- Uses accessory to the foregoing uses

32.2 US ZONE REQUIREMENTS

In any Urban Settlement (US) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Frontage:	110m
Minimum Lot Area:	2 ha
Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

ATTACHMENT B

Excerpts of the Regional Municipal Planning Strategy

3.1 URBAN SETTLEMENT DESIGNATION

The primary intention of the Urban Settlement Designation is to define those areas where urban forms of development will occur throughout the next 25 years. The designation encompasses both developed and undeveloped lands and includes the following six sites as potential areas for new urban growth subject to the completion of secondary planning processes for each area:

1. Bedford South;
2. Morris-Russell Lake;
3. Bedford West;
4. Port Wallis;
5. Sandy Lake; and
6. Highway 102 west corridor adjacent to Blue Mountain - Birch Cove Lakes Park.

This Plan supports the growth of a series of mixed-use transit-oriented centres in strategic locations throughout the designation. The centre types are: the Regional Centre, Urban District Centres, Suburban District Centres, Urban Local Centres and Suburban Local Centres as shown on the Settlement and Transportation Map (Map 1). These centres include lands suitable for significant residential growth, and are already, or will become, focal points for varying levels of service, amenity and employment for the surrounding communities. The vision for these centres is that they will be well designed, safe and comfortable communities which build on their historical foundations. A high quality public realm featuring public squares and parks, community gardens, public art, and a comfortable and safe environment for pedestrians and cyclists will be components for achieving the design concept for these centres.

S-1 HRM shall establish the Urban Settlement Designation, shown on the Generalized Future Land Use Map (Map 2), as the area where central wastewater and water distribution services are intended to be provided to facilitate an urban form of development over the next 25 years. Any development boundary established under the existing secondary planning strategies shall be replaced by the Urban Settlement Designation. The designation is intended to provide for a diverse, vibrant and liveable urban environment which provides for the development of a series of mixed-use transit-oriented Centres within the general locations as shown on the Settlement and Transportation Map (Map 1). The five types of centres within the designation are the Regional, Urban District, Suburban District, Urban Local and Suburban Local centres.

S-2 When considering amendments to the Urban Settlement Designation Boundary, HRM shall consider:

- (a) amendments to the boundaries to include additional areas to implement the results of reviews of regional population and housing forecasts;
 - (b) amendments to the boundaries of designations if the targets for growth under this Plan are not being met; and
 - (c) amendments to include adjacent lands if the lands are within a growth centre.
- S-3 Further to the principles of this Plan stated in section 1.4, HRM shall consider requests to allow for the initiation of a secondary planning process to consider development of the six sites for new growth provided that any such proposal serves to:
- (a) protect the fiscal health of HRM and its capacity to meet additional financial commitments; and
 - (b) address any deficiencies in municipal service systems which would be needed to service the proposed area and the estimated cost of upgrades needed to provide a satisfactory service level.