

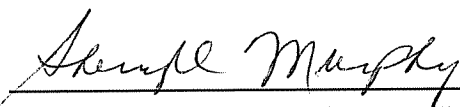
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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
April 13, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
for Councillor Bruce Hetherington, Chair
Harbour East Community Council

DATE: April 2, 2004

SUBJECT: Case 00525 - Application by Lake Loon Developments Limited to amend the Municipal Planning Strategies for Cole Harbour/Westphal and Dartmouth

ORIGIN

Harbour East Community Council - April 1, 2004

RECOMMENDATION

The Harbour East Community Council recommends that:

1. **Halifax Regional Council proceed with the request by Loon Lake Development Ltd. to amend the Municipal Planning Strategy for Dartmouth to remove only their parcel of land and include it in the Cole Harbour/Westphal Plan area.**
2. **Halifax Regional Council initiate the process to amend the Municipal Planning Strategy to extend the Water Service District boundary to lands owned by Lake Loon Development on the south side of Loon Lake, Westphal.**
3. **Request staff to follow the public participation program as approved by Council in February, 1997.**

PLEASE RETAIN REPORT FOR PUBLIC HEARING

BACKGROUND

Lake Loon Developments Limited has made application to amend the municipal planning strategies for Dartmouth and for Cole Harbour/Westphal. The application is in two parts:

1. The applicant requests that the said lands be removed from the Dartmouth plan area and added to the Cole Harbour/Westphal plan area so that they can be subject to less restrictive land use policies and zoning regulations applicable to the Cole harbour/Westphal plan area.
2. Extend the Water Service District in Westphal to include lands which the company owns between Forest Hills Connector (Trunk 7) and Lake Loon in Westphal (Map 1 of the February 6, 2004 staff report). The intention is to accommodate the subdivision of new single unit dwellings on centralized water service.

DISCUSSION

Community Council approved Alternative 2 of the February 6, 2004 staff report siting that the proposed development will allow for a previously agreed to water service loop connection in keeping with the desires of the community. As noted in the staff report, the resulting development would be consistent with existing abutting development such as Montague Estates. In addition, the Department of Transportation have indicated they would be willing to consider a second access to the development when the proposed Highway 107 Bypass is being constructed.

ATTACHMENTS

Staff report dated February 6, 2004.

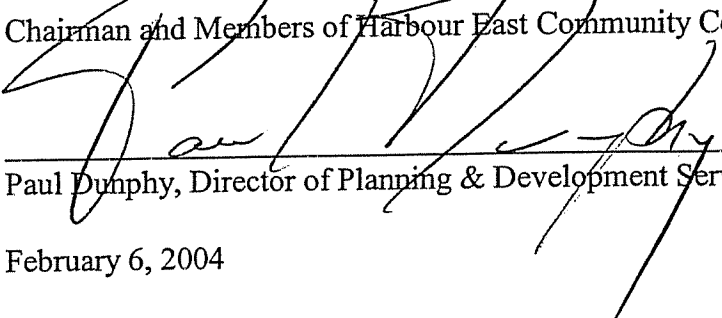
<p>Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208. Report Prepared by: Julia Horncastle, Legislative Assistant</p>



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Harbour East Community Council
April 1, 2004

To: Chairman and Members of Harbour East Community Council

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

Date: February 6, 2004

SUBJECT: Case # 00525 - Application by Lake Loon Developments Limited to amend the Municipal Planning Strategies for Cole Harbour/Westphal and Dartmouth.

ORIGIN

Request submitted by Lake Loon Developments Limited to expand the Water Service District boundary in Westphal in order permit new single unit dwellings on central water on the lands between Forest Hills Connector (Trunk 7) and Lake Loon, Westphal (see Map1).

RECOMMENDATION

It is recommended that Harbour East Community Council:

1. Recommend that Regional Council initiate the process to amend the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/ Westphal and Dartmouth to realign the Plan Area Boundary as depicted on Map 1, attached to this report;
2. Recommend that Regional Council not initiate the process to amend the Municipal Planning Strategy to extend the Water Service District boundary to lands owned by Lake Loon Development on the south side of Loon Lake, Westphal.
3. Request staff to follow the public participation program as approved by Council in February, 1997.

BACKGROUND

Lake Loon Developments Limited has made application to amend the municipal planning strategies for Dartmouth and for Cole Harbour/Westphal. The application is in two parts:

1. The applicant requests that the said lands be removed from the Dartmouth plan area and added to the Cole Harbour/Westphal plan area so that they can be subject to less restrictive land use policies and zoning regulations applicable to the Cole Harbour/Westphal plan area.
2. Extend the Water Service District in Westphal to include lands which the company owns between Forest Hills Connector (Trunk 7) and Lake Loon in Westphal (see Map 1). The intention is to accommodate the subdivision of new single unit dwellings on centralized water service.

The subject area is an approximately 51 acre parcel of land situated west of Montague Estates subdivision, a 90-lot residential subdivision integrated with a 9-hole golf course and driving range (Montague Links).

Developer's Obligations Under The Existing Development Agreement For Montague Estates
In 1994, Montague Estates was included within a Water Service District boundary as part of a broader land use/servicing policy initiative undertaken by the former Halifax County. As part of the 1999 development agreement which permitted the golf course, the applicant agreed to connect (loop) the water system between the two ends of Montague Drive and provide a service easement across the golf course lands for this portion of the water supply (identified on Map 1 as "approved water service connection").

To date, the developer has not fulfilled the requirement to loop the water system and this has been a matter of contention. The golf course has been constructed and is in operation. The developer however, has been reluctant to construct the loop as it will interfere with operation of the golf course. Staff have sought various means to remedy this situation including taking legal action. In response, the developer has suggested an alternative servicing scheme which has been reviewed by the Regional Water Commission. The developer has agreed to construct the connection within the next six months (identified on Map 1 as "alternative proposed water services connection"). This alternative alignment will satisfy the condition of the development agreement.

There has been some suggestion that the developer requires the additional 51 acres of land to finance the water service loop connection in Montague Estates. It should be noted, that the applicant's desire to subdivide and service the subject 51 acres with water service is separate from the developer's obligation in the approved development agreement to loop the water service.

MPS Policy and ZoningDartmouth Plan Area

Although the subject lands are in Westphal, the land is within the Dartmouth plan area because of the municipal boundaries. The land is physically divided from the remainder of Dartmouth by the Forest Hills Connector.

Under the Dartmouth Subdivision By-law, subdivision of an area of land within the Reserve designation is limited to one lot per year. Development of these lands is subject to on-site servicing standards for both water and sewer. Consequently, the applicant is requesting that the plan area boundary be adjusted to include the subject lands within the Cole Harbour/Westphal plan area and a designation and zone applied to offer increased residential development opportunity.

Cole Harbour/ Westphal Plan Area

Lands situated north of Barry's Run and Mitchell Brook between Loon Lake and the Montague Road are generally within the Cole Harbour/Westphal plan area and designated Rural Residential and Watershed. Except for a small area situated north of Montague Drive, located within the Lake Major Watershed and zoned R-7, most of the Montague Estates subdivision is designated Rural Residential. This area was rezoned to R-1 by the former Halifax County pursuant to policies of the Cole Harbour/Westphal MPS.

MPS Policies Respecting Water Service Districts

In 1993-94, Halifax County Council approved the designation of several Water Service Districts. These included areas which had water service or where it was anticipated that central water would be required to resolve a water quality or quantity problem. Within the Cole Harbour/Westphal plan area, these areas included lands along: Bissett Road; Ross Road; Broom Road; Caldwell Road; Montague Road; the Cole Harbour Road/Ritcey Crescent area; and the Salmon River subdivision area.

DISCUSSIONRationale for change

Site specific amendments to the MPS are not routine applications as rezoning and development agreement applications are. The Municipal Government Act contemplates applications for rezoning and development agreements and sets out procedures for a municipality to follow including provisions for an appeal of Council decisions. While there is an ability for Council to amend its MPS, it is under no obligation to do so and there is no appeal on its decision to amend or not amend.

A- Request to Re-align Plan Area Boundaries

Typically, plan area boundaries are established through comprehensive community planning processes which culminate in the adoption of new or revised municipal planning strategies. However, boundary adjustments are made from time to time, particularly where circumstances or community attitudes change. As stated previously, the Montague Estates subdivision was once

part of the Lake Major plan area and it is now part of the Cole Harbour/Westphal plan area. That boundary adjustment occurred as part of the 1999 request by the applicant which resulted in approval of the development agreement for the Montague Links golf course.

There is merit to Council considering a plan area boundary change in this area:

- all of the lands situated between Loon Lake and Forest Hills Connector are physically severed from the remainder of the Dartmouth plan area by the highway which was constructed well after the Dartmouth MPS was adopted; and
- municipal amalgamation in 1996 effectively removed any political boundary between Dartmouth and the former County.

However, this situation is applicable to additional properties in the immediate vicinity of the applicant's lands and the Forest Hills connector. As the situation is not unique to the applicant's property, Council may wish to consider the relative merits of re-aligning plan area boundaries to:

- recognize that the Forest Hills connector physically separates the communities of Dartmouth and Westphal; and
- identify the Forest Hills connector as a boundary between plan areas to promote greater consistency of development opportunities between the subject properties and their immediate abutting communities.

Scope of an MPS Amendment

Although there is merit to initiating a process to consider a re-alignment of the plan area boundary that encompasses several properties in the area, the following two technical issues regarding the applicant's property require further evaluation before a final decision is made:

1. The bulk of land holdings between Forest Hills Connector and Loon Lake are under ownership by the Province to support highway improvements. The Province has expressed a desire to complete the Highway No. 107 By-pass which would see construction of one segment through lands which it has acquired immediately north of the applicant's lands.

A planned at-grade, signalized intersection with the Forest Hills Connector may or may not provide direct street access to the applicant's lands. Access would be subject to provincial approval of subdivision and highway plans which at this point in time are not finalized. It is not known at this time whether any of the applicant's lands will be required as part of the planned highway improvements or whether the Province would permit street access to the provincial highway system to facilitate a planned subdivision of the subject lands. Without this access, the only apparent means of providing street access to the subject lands would be through the existing Montague Estates subdivision which leads to the second issue.

2. Montague Estates subdivision and golf course are served by a single connection onto the Montague Road. Cul-de-sacs are an acceptable means of road access and provide privacy for residents who reside on such streets, however, they are not appropriate to access large number of properties. As a general rule, the Municipality discourages cul-de-sacs which are excessive in length or are intended to serve more than 100 dwelling units although exceptions may be considered where a developer can demonstrate that additional access connections will be constructed. There is a clearly established public safety basis for this requirement, At this time, the applicant has not demonstrated how a secondary means of access would be provided in order to service additional building lots.

However, because staff sees merit in re-aligning the plan area boundary to recognize the Forest Hills connector as a physical divide between communities, it is prepared to recommend further consideration of an amendment to the Municipal Planning Strategy.

B- Request to Expand Water Service District

The Cole Harbour/Westphal MPS stipulates that “central municipal water services will only be permitted within designated Water Service Districts”(pg. 22). Furthermore, the same section of the MPS provides for; “expansion of existing Water Service Districts or the establishment of new ones where it can be demonstrated that all engineering, financial, and planning concerns have been properly addressed”. Specifically, Policies E-10(a) and E-10(b) are pertinent to this application:

- E-10(a) It shall be the intention of Council to establish Water Service Districts for those areas to which central municipal water services only have or may be extended in the future, as shown on the Water Service District Map (Map 2a). It shall be the policy of Council that the extension of central municipal water services shall not be permitted outside of designated Water Service Districts. It shall further be the policy of Council that within the Water Service Districts, central municipal water services shall be provided to all subdivisions adjacent to existing municipal water services and which propose to provide a new or extended public street or highway.*
- E-10(b) Notwithstanding Policy E-10(a), Council may consider amending this planning strategy and the Municipal Subdivision By-law to permit the expansion of existing or the establishment of new Water Service Districts. When considering new or expanded Water Service Districts, priority shall be given to:*
- (1) areas identified as experiencing problems related to insufficient quality and/or poor quality of existing sources of water supply;*
 - (2) existing communities within a reasonable distance of the central water supply system where there is a demonstrated need and conditional upon the availability of water supply capacity; and*
 - (3) areas which would provide looping of existing infrastructure thereby enhancing reliability of the water system in the local area.*

In addition to the priority criteria outlined above, it shall also be the policy of Council when considering the establishment of new or expanded Water Service Districts, to have regard to the following:

- (a) the engineering and financial implications of such extensions as identified by the Master Infrastructure Plan, Implementation Plan, and Financial Plan carried out pursuant to Municipal Services General Specifications;*
- (b) the potential scale of such development and the effects which this may have on existing and future levels of services, as well as the development pattern which is desired and deemed appropriate within this plan area as well as the larger Municipality; and*
- (c) environmental considerations related to the long term integrity of on-site sewage disposal systems as well as natural water drainage systems.*

The subject lands do not constitute an area where there is an identified risk due to insufficient quantity or poor water supply as the lands are presently undeveloped. The lands are not an “existing community” where there is a “demonstrated need” and servicing these lands with centralized water service will not result in further looping or other enhancements to the local water system. This is a requirement which the developer must fulfill as part of his commitment to approval of the existing developed subdivision. Furthermore, the applicant has not undertaken detailed engineering studies to determine potential impacts on existing servicing systems, or planning studies to determine the appropriateness of the proposed land use, nor has any environmental analysis been provided. Clearly, the application does not meet the MPS criteria for considering this area as a “priority” for expansions to the Water Service District.

As this application is not a rezoning or development agreement, but instead, an application to amend municipal land use policy, Regional Council is not bound to follow Policies E-10(a) and E-10(b) in considering this application. These policies serve to provide Council with criteria by which to evaluate and prioritize expansions to the regional water service system, particularly where there may be many competing demands for expansions to the regional water system.

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

The following alternatives to the staff recommendation are identified:

1. Council could choose to initiate the request to amend the plan area boundary and extend the water service district boundary. This would enable single unit dwellings to be developed on lots serviced by centralized water. While extending the water service district is inconsistent with MPS policy, the resulting development would be consistent with existing abutting development such as Montague Estates.
2. Council could choose to proceed with the request by Loon Lake Development Ltd. to amend the Municipal Planning Strategy for Dartmouth to remove only their parcel of land and include it in the Cole Harbour/Westphal Plan area. While extending the water service district is inconsistent with MPS policy, the resulting development would be consistent with existing abutting development such as Montague Estates.
3. Council could choose not to proceed with re-aligning the plan area boundaries. Thus, the subject properties would be developed with on-site services in accordance with the applicable land use zoning applied to the properties.

ATTACHMENTS

Map 1: Location Map & Zoning

Map 2: Generalized Future Land Use and Water Service District

Appendix I: Relevant MPS Plan Policy

Appendix II: Relevant LUB Requirements

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: John MacPherson, Planner, 490-5719



**Map 1
Zoning**

COLE HARBOUR ZONING

- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- R-3 Mobile Dwelling
- R-4 Multiple Unit Dwelling
- R-1a Single Unit Dwelling
- R-7 Rural Estate
- P-1 Open Space
- P-2 Community Facility
- P-4 Conservation

Area proposed to be moved to Cole Harbour Plan

COLE HARBOUR ZONING

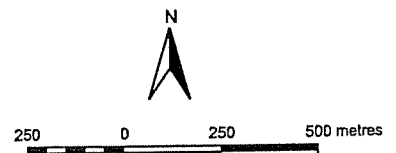
- C-4 Highway Commercial
- PUD Planned Unit Development
- Development Agreement

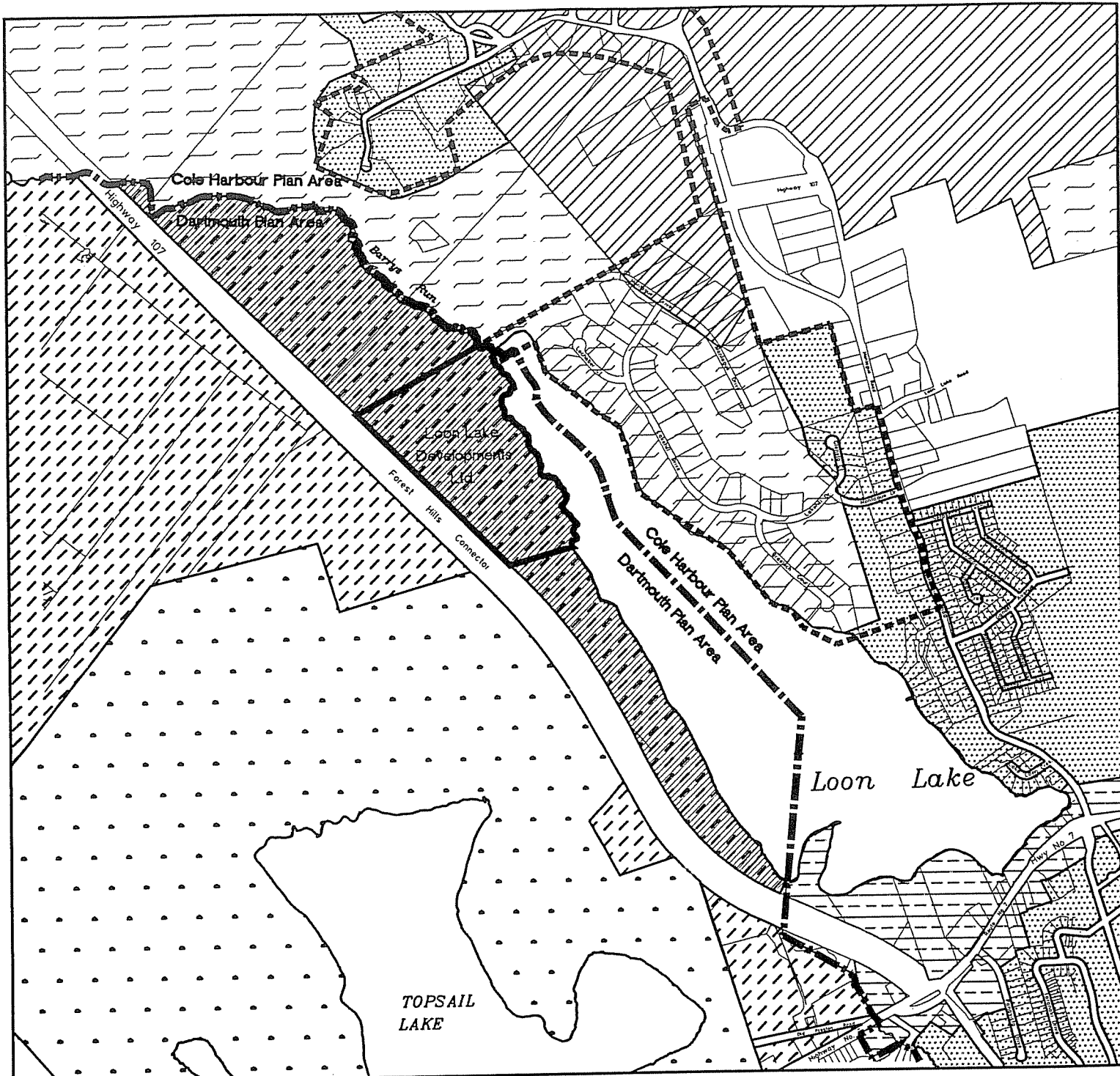
DARTMOUTH ZONING

- H Holding Zone
- P Park + Open Space Zone
- R-3 Multiple Family Dwelling Zone
- C Conservation Zone




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





**Map 2
Generalized Future
Land Use**

 **Subject Property**
(Area proposed to be added to
the Cole Harbour Plan Area)

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

COLE HARBOUR

 **Urban Residential**

 **Rural Residential**

 **Highway Commercial**

 **Watershed**

Dartmouth

 **Conservation**

 **Holding**

 **Water District Boundary**

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



Appendix I
Relevant Municipal Planning Strategy Policy

Cole Harbour/Westphal (MPS)

RURAL RESIDENTIAL DESIGNATION

There remain large areas of land within the Plan Area, which are not presently accessible by public road. As discussed in Section II, concern regarding development in these areas relates to the potential demand for central water and sewer services and to the influence of larger new developments upon existing community form.

- RR-1 With regard to Policy E-12, it shall be the intention of Council to establish a Rural Residential Designation as shown on the Map 2 - Generalized Future Land Use Map. Lands within the Designation shall constitute a secondary area for residential development.
- RR-2 Within the Rural Residential Designation, it shall be the intention of Council to establish a rural estate zone, which shall permit open space uses and single unit dwellings located on lots having a minimum area of eighty thousand (80,000) square feet and provide for the use of dwellings for limited day care facilities and businesses operated by the owner of the dwelling. In addition, the zone shall control parking and the number and size of signs, and prohibit open storage and outdoor display.

WATER SERVICES

It is the intent of Council that central municipal water services will only be permitted within designated Water Service Districts. Council may, however, consider the expansion of existing Water Service Districts or the establishment of new ones when satisfied that all engineering, financial, and planning concerns have been properly addressed.

- E-10(a) It shall be the intention of Council to establish Water Service Districts for those areas to which central municipal water services only have or may be extended in the future, as shown on the Water Service District Map (Map 2a). It shall be the policy of Council that the extension of central municipal water services shall not be permitted outside of designated Water Service Districts. It shall further be the policy of Council that within the Water Service Districts, central municipal water services shall be provided to all subdivisions adjacent to existing municipal water services and which propose to provide a new or extended public street or highway.
- E-10(b) Notwithstanding Policy E-10(a), Council may consider amending this planning strategy and the Municipal Subdivision By-law to permit the expansion of existing or the establishment of new Water Service Districts. When considering new or expanded Water Service Districts, priority shall be given to:

- (1) areas identified as experiencing problems related to insufficient quality and/or poor quality of existing sources of water supply;
- (2) existing communities within a reasonable distance of the central water supply system where there is a demonstrated need and conditional upon the availability of water supply capacity; and
- (3) areas which would provide looping of existing infrastructure thereby enhancing reliability of the water system in the local area.

In addition to the priority criteria outlined above, it shall also be the policy of Council when considering the establishment of new or expanded Water Service Districts, to have regard to the following:

- (a) the engineering and financial implications of such extensions as identified by the Master Infrastructure Plan, Implementation Plan, and Financial Plan carried out pursuant to Municipal Services General Specifications;
- (b) the potential scale of such development and the effects which this may have on existing and future levels of services, as well as the development pattern which is desired and deemed appropriate within this plan area as well as the larger Municipality; and
- (c) environmental considerations related to the long term integrity of on-site sewage disposal systems as well as natural water drainage systems. (C-AUGUST 29, 1994 / M-OCTOBER 21, 1994)

Appendix II
Relevant Land Use By-law Requirements

COLE HARBOUR/WESTPHAL LAND USE BY-LAW

PART 14: R-7 (RURAL ESTATE) ZONE

14.1 R-7 USES PERMITTED

No development permit shall be issued in any R-7 (Rural Estate) Zone except for the following:

Residential Uses

Single unit dwellings;
Home business uses in conjunction with permitted dwellings;
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings.

Community Uses

Open space uses

14.2 R-7 ZONE REQUIREMENTS: RESIDENTIAL USES

In any R-7 Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432.2 m ²)
Minimum Frontage	200 feet (61 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 percent
Maximum Height of Main Building	35 feet (10.7 m)
Minimum Width of Main Building	20 feet (6.1 m)

14.3 OTHER REQUIREMENTS: HOME BUSINESS USES

Where home business uses are permitted in any R-7 Zone, the following shall apply:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the operator of the business.
- (b) No accessory building shall be used for the storage or display of materials, goods, supplies or equipment related to the operation of the business.
- (c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any business use, and in no case shall any business use occupy more than three hundred (300) square feet (27.9 m²) gross floor area.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration, glare, odour or dust or which is obnoxious.
- (e) No outdoor storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted.
- (f) No more than one (1) sign, which shall be affixed to the main dwelling, shall be permitted for any business and no such sign shall exceed two (2) square feet (0.2 m²) in area.
- (g) 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 (13.9 m²) of floor area devoted to any business.
- (h) No exterior alterations to the dwelling related to the business use shall be permitted except to meet fire safety, structural safety, or health regulations.
- (i) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.

14.4 OTHER REQUIREMENTS: COMMUNITY USES

In any R-7 Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with the provisions of Part 20.

14.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-7 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 principal residence of the operator of the facility.

- (b) No open storage or outdoor display shall be permitted.
- (c) No more than one (1) sign shall be permitted for any facility and no such sign shall exceed two (2) square feet (0.2 m²) in area.
- (d) One (1) off-street parking space, other than that required for the dwelling, shall be provided.

DARTMOUTH LAND USE BY-LAW

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.
- (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

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.
- (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:

1. Zone Requirements

Minimum Side Yard 8 feet

Minimum Rear Yard 8 feet

2. 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)