

HALIFAX

Case 21281:
Public Hearing

Amendments to Regional MPS &
Eastern Shore (West) LUB

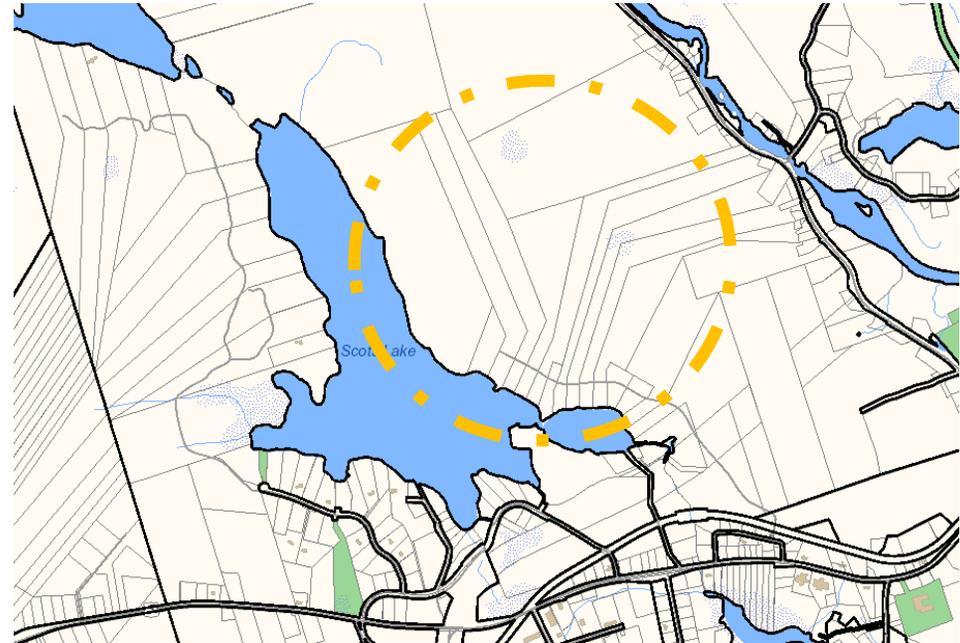
Regional Council
April 24, 2018

Proposal

Applicant: Scott Rowlings

Location: east side of Scots Lake, Musquodoboit Harbour

Proposal: enable development on ten 10-hectare (25-acre) lots on the east side of Scots Lake



Background

- **Regional Plan:** regulates rural housing development in several ways, one of which is new residential development permitted on existing public roads and approved private roads (2006).
- New private roads are not permitted (2006).
- ***HRM Charter:*** allows the creation of parcels of land having an area greater than 10-hectares (25 acres) without municipal subdivision approval. Exemption is intended for resource uses such as farming and forestry.

Background

- **HRM Charter** exemption has been used to create residential lots (specifically in the rural area), however the lots do not meet municipal subdivision requirements (no frontage on a public street) therefore development permits can not be issued.
- **January 10, 2017 Regional Council** approved amendments to the Regional Plan and several community LUBs regarding 10-hectare (25 acre) lots – a one-time exemption for seven subdivisions throughout HRM.
- West side of Scots Lake received this one time exception however the east side of Scots Lake did not.

Site Context

Scots Lake, Musquodoboit Harbour





East Side of Scots Lake

- In 2012, the developer received subdivision approval for 5 lots on the east side of the lake under lot frontage exemption provisions of the Regional Subdivision By-law.
- In 2013, the developer created 10 additional lots under the *HRM Charter* through the subdivision approval exemption for lots larger than 10-hectare (25 acre) size.
- Subject lands were not included in the one-exemption provision granted by Regional Council on January 10, 2017.

Proposal

Scots Lake, Musquodoboit Harbour

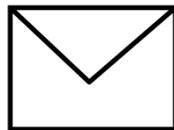


★ Existing Lots approved under lot frontage exemptions

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and a public information meeting held on September 27, 2017
- Feedback from the community generally included the following:
 - Support for the proposed amendments

**Notifications
Mailed**



140

**Meeting
Attendees**



31

**Letters/Emails
Received**



1

Proposed Policy

- Allow the east side of Scots Lake to received the same one-time exception as the west side of Scots Lake:
 - special provision in Regional Plan and add east side of Scots Lake to Schedule D of Eastern Shore (West) LUB
- Proposed policy is limited to the existing ten 10-hectare (25 acre) on the east side of Scots Lake

Proposal

Scots Lake, Musquodoboit Harbour



Rational

- **Limited Scope:** site specific and limited implications to residential development region wide.
- **Existing Five Municipal Approved Lots:** 5 of the 15 lots meet LUB requirements, 5 lots dispersed along a 1.5km long shared driveway access. Enabling permits to be issued on remaining 10 with provide financial support for ongoing maintenance of the shared access.

Rational

- **Previous Advise to Regional Council:** Council did consider granting the one-time exemption but motion was defeated. At that time Staff was under the understanding the 10-hectare (25-acre) could be reconfigured through the as-of-right process, staff has since determined this is not the case.
- **Musquodoboit Community Development Plan:** subject lands are outside the bounds to the study area of the Community Development Plan.

Staff Recommendation

Staff recommend that Regional Council:

1. Approve the proposed amendments to the Regional Municipal Planning Strategy (RMPS) and the Eastern Shore (West) Land Use Bylaw as set out in Attachments A and B of the staff report dated January 24, 2018.

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Thank You