

**HALIFAX**

# **Public Hearing for Case 20589**

Amendment to the Musquodoboit  
Valley/Dutch Settlement MPS and LUB  
and HRM Subdivision By-law

Regional Council  
October 2, 2018

# Applicant Proposal

---

Applicant: Lorna Snair & Family

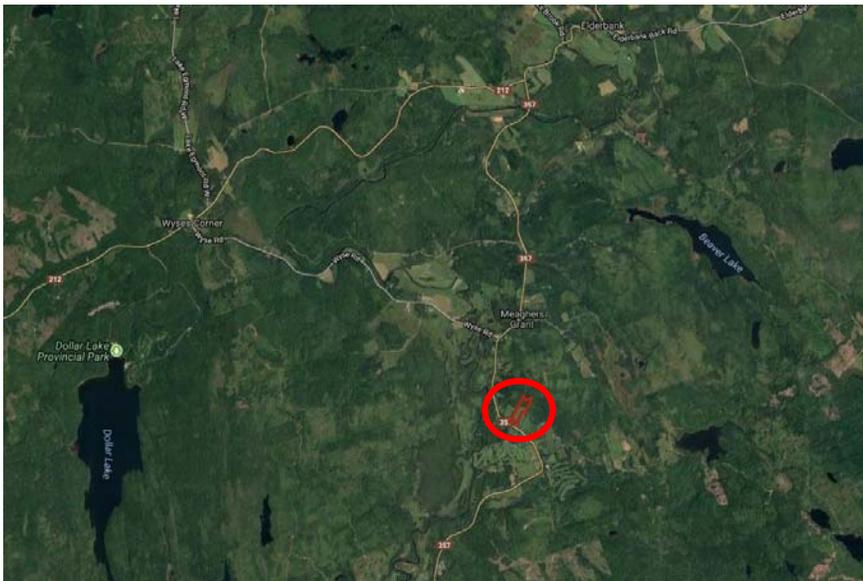
Location: Highway 357, Meaghers Grant

PID: 00474965

Proposal: To subdivide property into 6 lots with reduced or no road frontage so the family can convey lands to family members as per their late Mother's Will. Request is an site specific amend the Municipal Planning Strategy and Land Use By-law for the Musquodoboit Valley-Dutch Settlement and the Halifax Regional Subdivision By-law

# Site Context

Highway 357, Meaghers Grant



General Site location

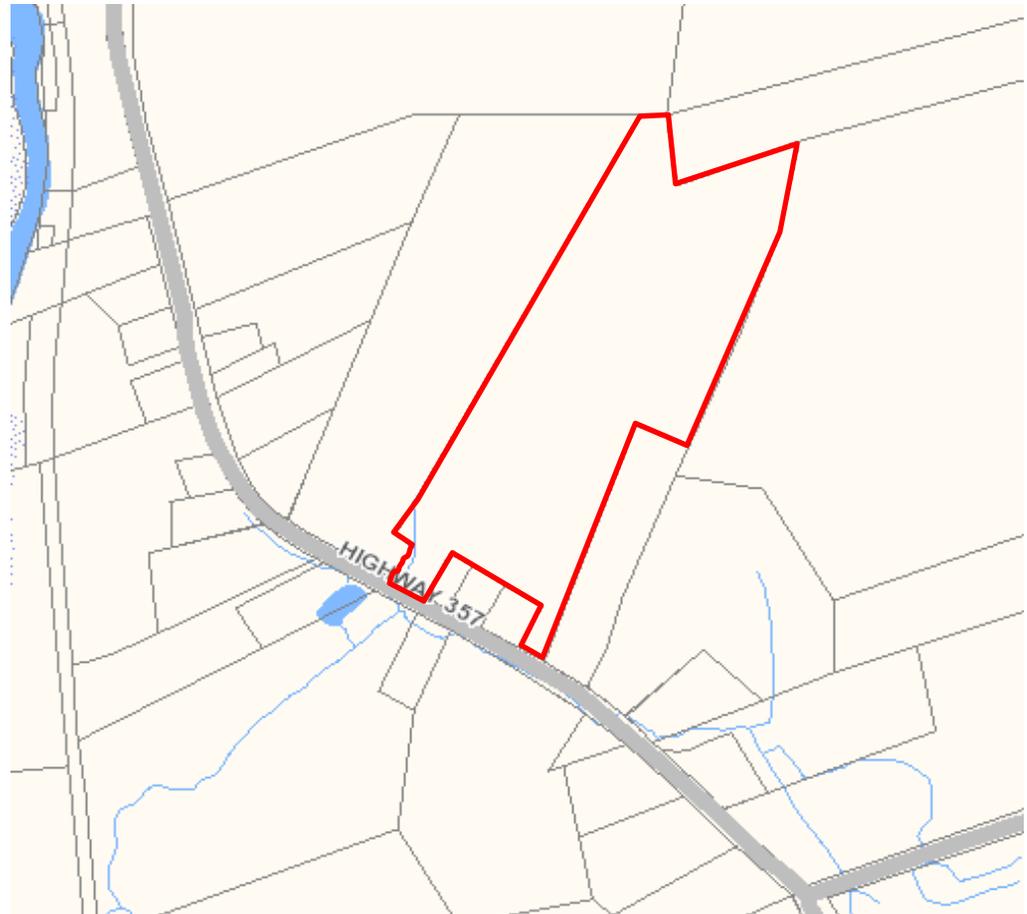


Site Boundaries in Red

# Subject Property

## Musquodoboit Valley-Dutch Settlement Municipal Planning Strategy

- 18.2ha (45 acres)
- 30m (100 ft) frontage east side
- 38m (126 ft) frontage west side
- Vacant
- Surrounded by single unit dwellings and woodlands



HALIFAX

# Background

---

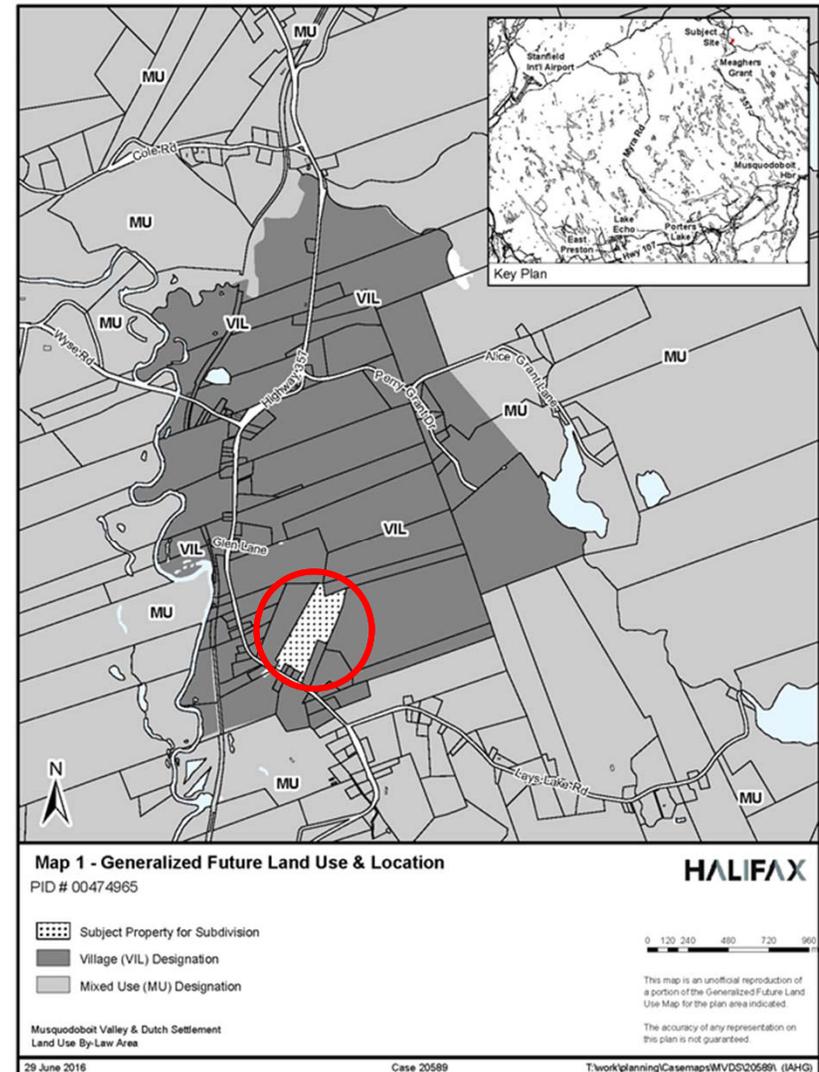
- Mrs Sibley was advised by her legal counsel that she could divide her land into 6 lots without seeking Municipal Approval by will and testament under the MGA Act.
- In 1999, the MGA was changed to stop the subdivision of land by Will and Testament.
- Mrs. Sibley's will was dated April 22, 2005 and could not be used to subdivide the property as Mrs. Sibley intended

# Planning Policy

## Musquodoboit Valley-Dutch Settlement Municipal Planning Strategy

### Village Centre Designation

- Supports low density residential and the traditional mix of residential, commercial and resource that occurred in the past.
- Does not permit heavy industry or intensive agriculture



# Cultural Landscape

---

- Landscape of Meaghers Grant is characterized by large lots extending deeply into the backlands.
- Lots reflect historical practice of using the front portion of the property for farming if the lot was inland and the back portion for forestry.
- Traditional farmhouses and barns are close to the main road throughout the area.

# Lot Infill in MPS and LUB

---

Creation of lots without road frontage:

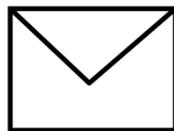
- Policy SB-1 allows the creation of one lot plus a remainder in any designation from parcels of land in existence on or before August 1, 1987
- Policy SB-1(a) allows the creation of one lot plus a remainder with no road frontage in any designation from parcels of land in existence on or before May 3, 1996
- Policy SB-3 allows the creation of five lots with a minimum of 20 feet (6m) of road frontage and one remainder lot with no road frontage where the properties are situated within the Mixed Use Designation only

# Public Engagement Feedback

---

- Level of engagement completed was **consultation** achieved through **a mail out notification** and **a public information meeting held on February 23, 2017**
- Feedback from the community generally included the following:
  - Public generally in support of requested amendment.
  - Two members of the public did not want to see this exemption applied throughout the Village Centre Designation but were in support of the application of this exemption to this property only.

**Notifications  
Mailed**



**56**

**Meeting  
Attendees**



**27**

**Letters/Emails  
Received**



**0**

# Proposed Policy Change

MV-DS Municipal Planning Strategy – MV-DS LUB

---

## **MPS**

- amend Policy SB-3 to allow three additional lots with a minimum frontage of 6.1 metres (20 feet) and a remainder with no frontage on this subject property (Attachment B).

## **SUBDIVISION AND LAND USE BY-LAW**

- update relevant sections to allow the issuance of permits for development on proposed 6 lots.

**HALIFAX**



# Rationale for Proposed Policy

---

- The proposed amendments will allow the family to execute their late Mother's will.
- This will allow the creation of six lots that will not be out of character with the surrounding area.
- Confining this additional exemption to the Sibley property only will ensure that the rural character of Meagher's Grant is retained

# NWCC Recommendation

---

NWCC recommended that Regional Council:

Approve the proposed amendments to the Municipal Planning Strategy and Land Use By-law for the Musquodoboit Valley-Dutch Settlement and the Halifax Regional Subdivision, as set out in Attachments B, C and D of this Staff Report.

# Staff Recommendation

---

Staff recommend that Regional Council:

Approve the proposed amendments to the Municipal Planning Strategy and Land Use By-law for the Musquodoboit Valley-Dutch Settlement and the Halifax Regional Subdivision, as set out in Attachments B, C and D of this Staff Report.

The background features a large, stylized graphic of a chevron or arrow pointing to the right. The top half of the chevron is dark blue, and the bottom half is a lighter, medium blue. The word "HALIFAX" is written in white, bold, uppercase letters across the dark blue section.

**HALIFAX**

**Thank You**