

# HALIFAX

## Public Hearing for Case 24020

Land Use By-law Amendment for the  
Kearney Lake Area of Halifax (Bedford West - Sub Area 11)

Halifax and West Community Council  
March 27<sup>th</sup>, 2022

# Origin

## Applicant:

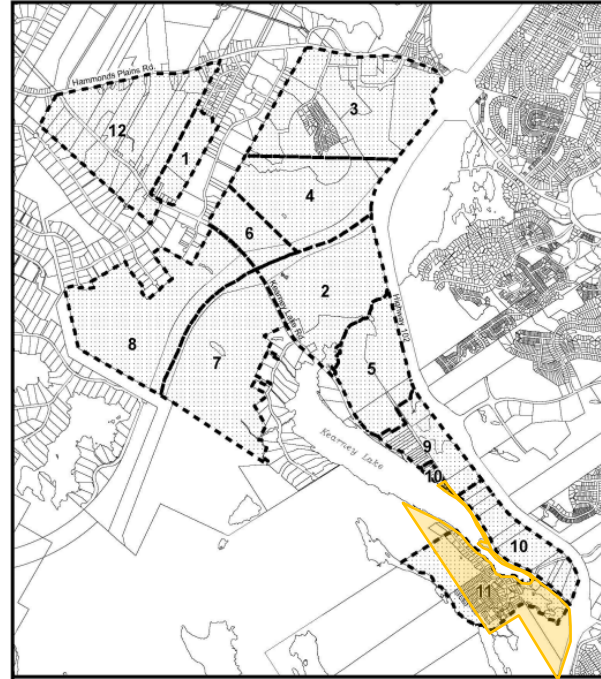
HRM Initiated following Case 20401  
(Policy amendments related to Sub Area 10)

## Location:

Sub Area 11 and specific surrounding lands

## Proposal:

Update a reference in the Halifax Mainland Land Use By-law to conditionally enable R-2 Zone uses on subject lands.



Sub Area 11 Boundary in Yellow

# Site Context

## Kearney Lake Area of Halifax



Bedford West SPS Area in Yellow



# Policy & By-law Overview

Kearney Lake Area of Halifax

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Regional Designation: Urban Settlement



Community Designation: Bedford West Secondary Planning Strategy



Zone: US (Urban Settlement) Zone, Halifax  
Mainland Land Use By-law



Services: On-site services (BUT within the Urban  
Service Boundary)

# Planning Policy Context

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## June 20, 2006

Bedford West Secondary Planning Strategy was adopted:

- *Redesignated the subject lands from “Residential Environments” to “BWSPS”*

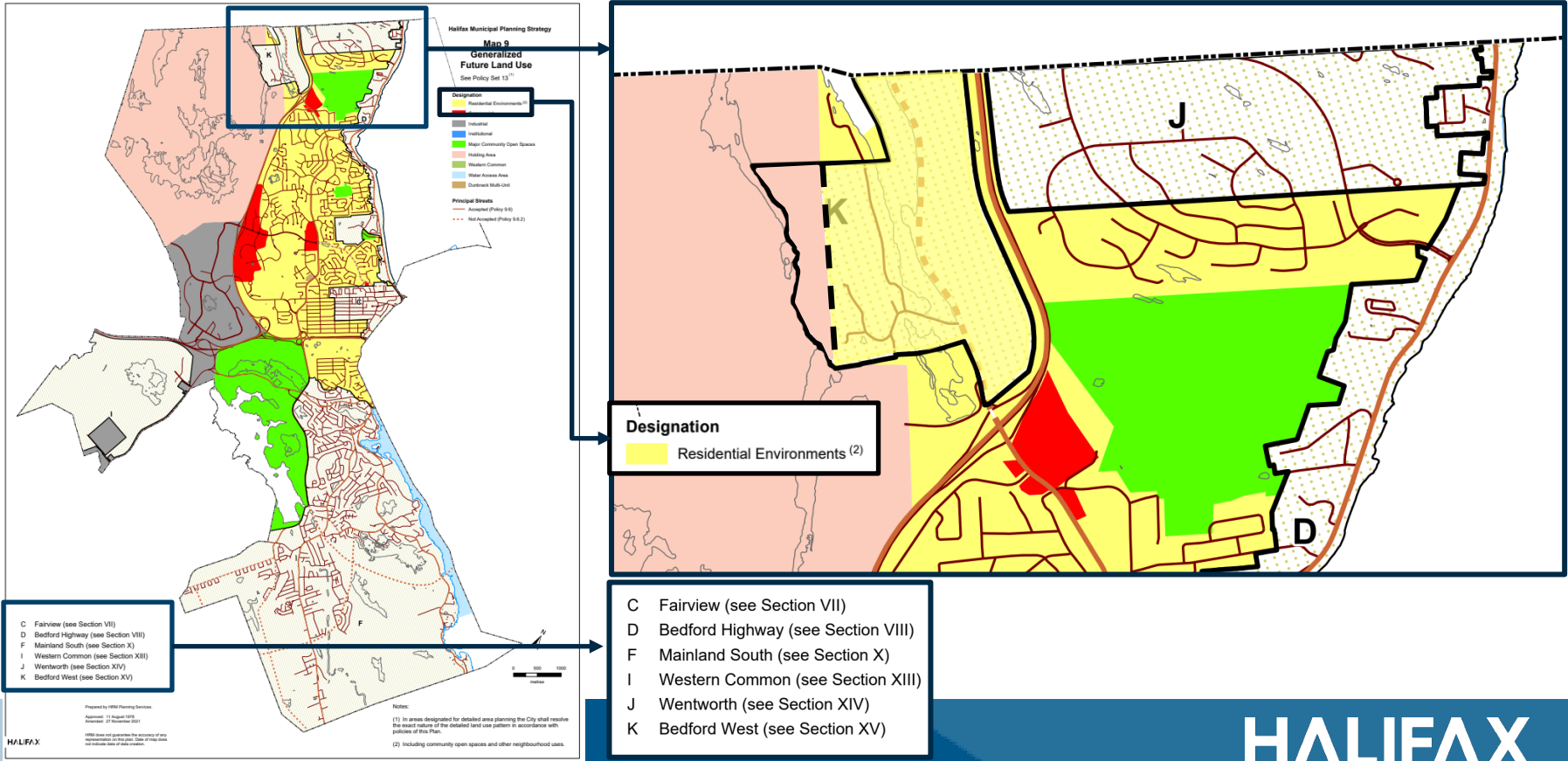
## June 27, 2006

Regional Plan was adopted:

- *Established the Urban Settlement Zone in the Halifax Mainland LUB and applied it to the subject Lands*



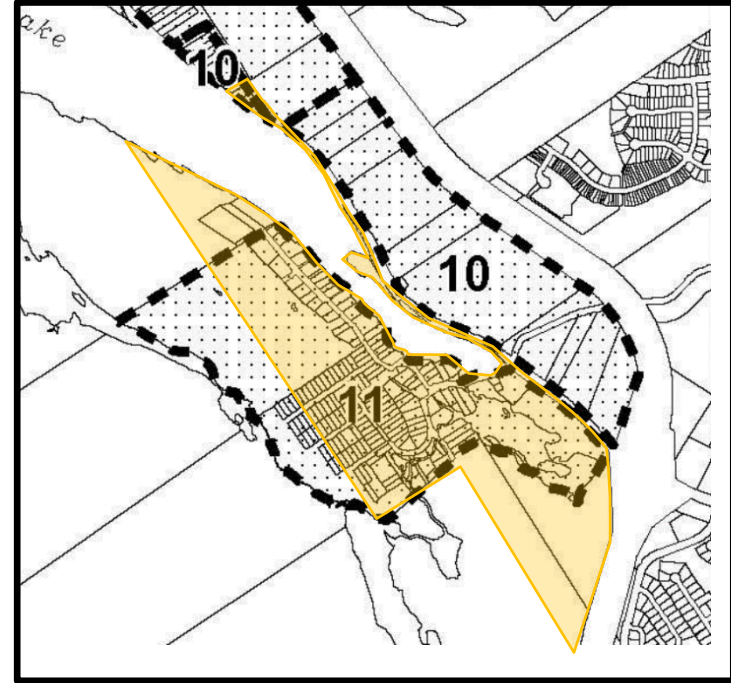
# Change in MPS Designation



# Planning Policy Context

## Regional Plan and Bedford West Secondary Planning Strategy

- Prevent premature development in the Kearney Lake Area by applying a US Zone with a 2-Hectare minimum lot area.
- Retain the ability to develop R-2 uses on properties designated “*Residential Environment*”
- Revisit Sub Area 11 for comprehensive planning when services become available



Bedford West Sub Areas

# Land Use By-law Context

## Halifax Mainland Land Use By-law

	US Zone
Permitted Uses	<ul style="list-style-type: none"><li>• Single family dwellings, on lots on an existing road(s) provided that a private on site sewage disposal system and well are provided on the lot</li><li>• Passive recreation uses</li><li>• Public parks and playgrounds</li><li>• Uses accessory to the foregoing uses</li><li>• R-2 uses on lands within the area of Kearney Lake west of the Bicentennial Highway that are <b>designated "Residential Environments"</b></li></ul>

- General provision to allow onsite services for R-1 and R-2 uses for properties designated **Residential Environments.**



# Public Engagement Feedback

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- Level of engagement completed was “inform” achieved through halifax.ca and public hearing notice.
- Feedback on the matter had previously been obtained through Case 20401 where HRM was alerted to the issue. Members of the public advised that the inconsistent reference was:
  - Impacting the ability to have a home occupation;
  - Impacting the ability to develop two-unit dwellings; and
  - Impacting the ability to subdivide (6 Hamshaw).

**Notifications  
Mailed**



107

**Webpage  
Views**



183

**Letters/Emails/Calls  
Received**



15

# Proposed By-law Amendments

## Section 14A(g):

### WATER/SEWER EXCEPTIONS

14A No development permit shall be issued unless the proposed development is on a city sewer or water system, provided however, that this section shall not apply to:

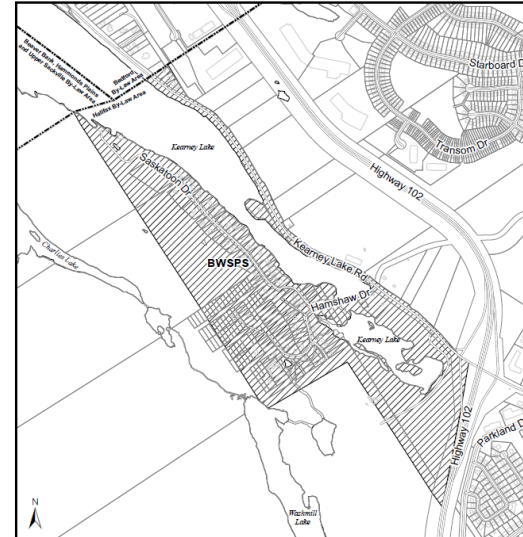
- (g) R-1 and R-2 uses on lots which abut the existing public street network for the area **identified on Schedule ZM-35**.

## US Zone - Section 61A(5):

### KEARNEY LAKE - RESIDENTIAL ENVIRONMENTS

61A(5) Notwithstanding Sections 61A(1) through 61A(4), within the area **identified on Schedule ZM-35, existing lots which abut the existing public street network** shall be developed subject to the permitted uses and requirements of the R-2 Zone (Two-Family Dwelling Zone).

## Schedule ZM-35:



Schedule ZM-35: Kearney Lake Area

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Area of Kearney Lake west of the Bicentennial Highway subject to Sections 14A(g) and 61A(5)

0 50 100 200 250 300 m

Halifax Plan Area  
Beaver Bank, Hammonds Plains and  
Upper Sackville Plan Area

This map is an official reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated. The accuracy of any representation on this plan is not guaranteed.

23 January 2023

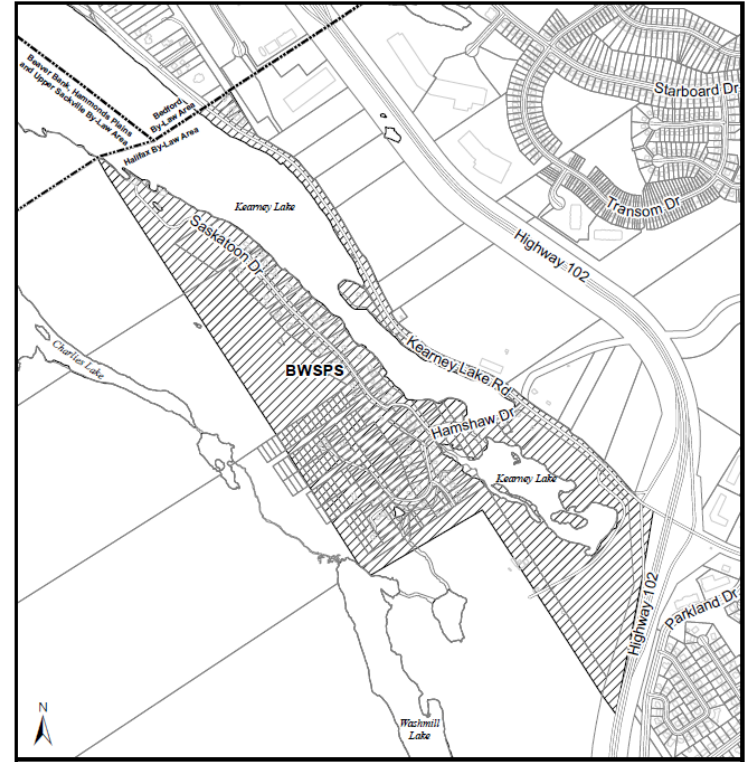
Case# 24202 - T:\work\parring\GEM\_Group\GEM\_Cases\161646\24202\Map\_Plan\_Area

# Summary of the Proposed Amendments

1) Allow R-2 uses on properties that are:

- Zoned US
- Have frontage on an existing street
- Are an existing lot, and
- Are included on schedule ZM-35

2) Allow on-site services for R-1 and R-2 uses for all properties included on schedule ZM-35



**Schedule ZM-35**

# Staff Recommendation

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It is recommended that Halifax and West Community Council:

- ✓ 1. Give First Reading to consider approval of the proposed amendments to the Halifax Mainland Land Use By-law, as set out in Attachment A, to enable R-2 Zone uses within the Kearney Lake area of Halifax (Bedford West - Sub Area 11) and schedule a public hearing;
2. Adopt the amendments to the Halifax Mainland Land Use By-law, as set out in Attachment A.

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## Thank You

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