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Item No. 12.1

Regional Council
March 19, 2024
April 9, 2024

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Cathie O'Toole, Chief Administrative Officer

DATE: February 21, 2024

SUBJECT: **MPSA 2023-00474 (formerly Case 23961): Amendments to the Municipal Planning Strategy and Land Use By-law for Dartmouth for 16 Greenbank Court, Dartmouth**

ORIGIN

- Application by Bryanna Cluett
- February 7, 2023, Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Dartmouth, as set out in Attachments A and B of this report, to permit the development of single-unit dwelling on R-1 (Single Family Residential) zoned properties on Greenbank Court and Cove Lane, Dartmouth and schedule a public hearing; and
2. Adopt the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Dartmouth, as set out in Attachments A and B of this report.

BACKGROUND

Bryanna Cluett has applied to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Dartmouth to permit the development of a single unit dwelling on a R-1 (Single Family Residential) zoned property at 16 Greenbank Court in Dartmouth. The MPS currently allows for the replacement of, or addition to, existing homes on Greenbank Court. However, the MPS and the LUB contain specific wording that prohibits new single family residential development on Greenbank Court and Cove Lane.

Subject Site	Properties at Greenbank Court and Cove Lane near and adjacent to PID 00098665
Location	The area is located along Greenbank Court and Cove Lane, to the north of National Gypsum Wharf, on the inner portion of Wright's Cove, Dartmouth
Regional Plan Designation	Harbour Designation (HARB)
Community Plan Designation (Map 1)	Limited Use Residential (LUR) Sub-designation, Wright's Cove Secondary Planning Strategy
Zoning (Map 2)	Single Family Residential (R-1) Zone
Size of Site	761 square metres (8195 sq. ft.)
Street Frontage	Approximately 16.2 metres (53 ft.)
Current Land Use(s)	Vacant
Surrounding Use(s)	To the north: water lots, inner portion of Wright's Cove To the east: single-unit dwellings and vacant land To the south: single-unit dwellings, a few vacant lots and National Gypsum Wharf train track To the west: single-unit dwellings, vacant lots and National Gypsum Wharf

Proposal Details

The applicant proposes a residential development. The major aspects of the proposal are as follows:

- A single unit dwelling will be built on an existing vacant lot at 16 Greenbank Court in accordance with the provisions of the Single Family Residential (R-1) Zone;
- the proposed single-unit dwelling will be serviced by on-site septic and central water services via an existing water main; and
- the proposed MPS and LUB amendments will lift the ban on new single-unit dwellings on the subject site and the remaining existing vacant lots on Greenbank Court and Cove Lane.

Within the [January 27, 2023 Initiation Report¹](#), staff recommended that all of the existing R-1 lots on Greenbank Court and Cove Lane be considered for these proposed amendments. There are approximately 26 lots in this area, 12 lots are already developed. If Council approves the proposed amendments, 14 vacant lots will be enabled for development.

Regional Plan Context

The subject properties are designated Harbour under the Regional Municipal Planning Strategy (Regional Plan). This designation preserves land for potential marine industrial uses and ensures that the viability of marine industrial uses is not compromised by development of incompatible uses in their proximity. Relevant excerpts of the Regional Plan can be found in Attachment C.

MPS and LUB Context

On May 26, 2009, Regional Council adopted the Wright's Cove Secondary Municipal Planning Strategy (SMPS). One objective was to protect the marine industrial potential of Wright's Cove, parts of which are

¹ <https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230207rc1514.pdf>

suitable for deep water marine berths, such as the existing marine terminal for loading gypsum. Under the Wright's Cove SMPS, coastal properties with deep water are reserved for harbour-related industrial uses through the Harbour Industrial (HI) designation (Map 1). Most land around Greenbank Court, including the marine terminal, are also designated HI. Relevant excerpts of the Wright's Cove policy can be found in Attachment C.

Residential development serviced with central water and on-site septic had been established along Greenbank Court and Cove Lane prior to the adoption of the Wright's Cove SMPS. The 2006 Wright's Cove Land Use Plan and Transportation Study identified that this area was better suited for recreational, commercial and low-density residential uses, as the inner cove is too shallow for marine industrial use. However, the lots on Greenbank Court and Cove Lane have a Limited-Use Residential (LUR) sub-designation which allows only for the replacement or additions to existing homes and new homes are not permitted "due to their proximity to harbour-related industrial lands ...". Policy WC-6 reads:

The Limited-Use Sub-Designation, as shown on Map 11 is applied to existing residential lots within the Secondary Plan Area and is intended to allow for the replacement of, or additions to, existing homes. Under the Land Use By-law, lands within this sub-designation shall be zoned R-1 Zone (Single Family Residential), with special provisions made to allow for replacement of, or additions to, existing residences, but new residences shall be prohibited.

This policy is implemented through the R-1 Zone. Subsection 32(6) of the LUB states:

For any R-1 zoned lot abutting Green Bank Court, Cove Lane, or Basinview Drive, no new single family dwellings shall be permitted; but existing single family dwellings and accessory uses may be replaced, repaired, and additions made to in accordance with the R-1 Zone and any other general provision of this By-law.

Due to the prohibition on new single-unit dwellings, the R-1 Zone applied to the lands along Greenbank Court and Cove Lane only permits parks, institutional and recreational uses, including schools, colleges, universities, public parks, playgrounds, tennis clubs, and golf clubs.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Administrative Order (2023-002-ADM). The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a narrated power point presentation and brief survey questionnaire posted at Shape Your City webpage.

A total of 22 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 152 unique pageviews over the course of the application, with an average time on the page of 27 seconds. The public comments received include the following topics:

- Single unit dwellings should be allowed in the R-1 zone;
- New dwellings should match existing dwellings;
- Services should be upgraded so all potential lots can be developed; and
- Existing lot standards of the R-1 zone should be maintained.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing through a notification by regular mail.

DISCUSSION

A Municipal Planning Strategy (MPS) is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in Municipality. Amendments to a MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise it is reasonable to allow single unit dwellings in the R-1 Zone at this location and therefore amendments are recommended. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments.

Proposed MPS and LUB Amendments

Staff considered the existing MPS policy context and a number of policy approaches when drafting the proposed MPS and LUB amendments. Attachments A and B contain the proposed Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendments. A summary of the proposed amendments are as follows:

- Amendment to the Dartmouth MPS to allow new single unit dwellings within the Limited Use Residential (LUR) sub designation (Attachment A); and
- Amendment to the R-1 Zone of the Dartmouth LUB to allow new single unit dwellings on existing lots on Greenbank Court and Cove Lane.

Lots on Greenbank Court and Cove Lane may be developed with on-site septic and connection to existing water service, and must meet the requirements of the R-1 zone of the LUB. Amendments to the MPS and LUB to remove the restriction of new dwellings on Greenbank Court and Cove Lane would allow vacant lots to develop in accordance with the R-1 zone. It should be noted that while these are not site-specific amendments the impact will be low as it will only apply to the lots on Greenbank Court and Cove Lane.

Of the matters addressed by the proposed MPS and LUB amendments, the following have been identified for detailed discussion.

Amendment Rationale

Wright's Cove Study

The Wright's Cove Land Use Plan and Transportation Study (Cantwell & Associates, January 2006.) noted that the inner portion of Wright's Cove, due to its shallow nature, is best suited for residential, recreational, and commercial purposes. The current LUB restriction prevents development of lots on Greenbank Court and Cove Lane is therefore not aligned with the recommendation from the study, notwithstanding its adoption after the study was completed. Staff believe the proposal to construct residential homes on vacant lots in an existing residential community is in alignment with the municipality's need to expand housing development for its growing population.

Avoidance of Conflicts with Marine Industrial Uses

The MPS intends to restrict new housing development in order to avoid potential conflict between residential and marine industrial uses. There is no industrial activity present along the shoreline of the inner portion of Wright's Cove near Greenbank Court or Cove Lane, and there are several existing residential uses already present. Given that the marine industrial use is not proximate and is impractical within the immediate vicinity, of future residential development, the proposal presents no concern relative to conflicting uses.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, this planning application was assessed against the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027. While these priority plans often contain policies which were originally intended to apply at a regional level and inform the development of Municipal Planning Strategy policies, there are still components of each plan which can and should be considered on a site-by-site basis. Where conflict between MPS policy and priority

plan policy exists, staff must weigh the specificity, age, and intent of each policy, and consider how they would be applied to a specific geographic context. In this case, no specific conflicts between MPS policy and priority plan policy have been identified.

Conclusion

Staff have reviewed the application and the existing policy context and recommend that the MPS and LUB be amended to permit single family dwellings on vacant R-1 zoned lands on Greenbank Court and Cove Lane in Dartmouth. There is no evidence of conflict between existing single unit dwellings and marine industrial uses. A study prepared to support secondary planning for Wright's Cove, having a list of reasonable land uses, included residential providing there was no conflict with industrial uses. Therefore, staff recommend that Regional Council approve the proposed MPS and LUB amendments.

FINANCIAL IMPLICATIONS

The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of these amendments. The administration of the amendments can be carried out within the approved 2023-2024 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS and LUB amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

Regional Council may choose to:

1. Modify the proposed amendments to the MPS and LUB for Dartmouth, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the MPS and LUB for Dartmouth. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

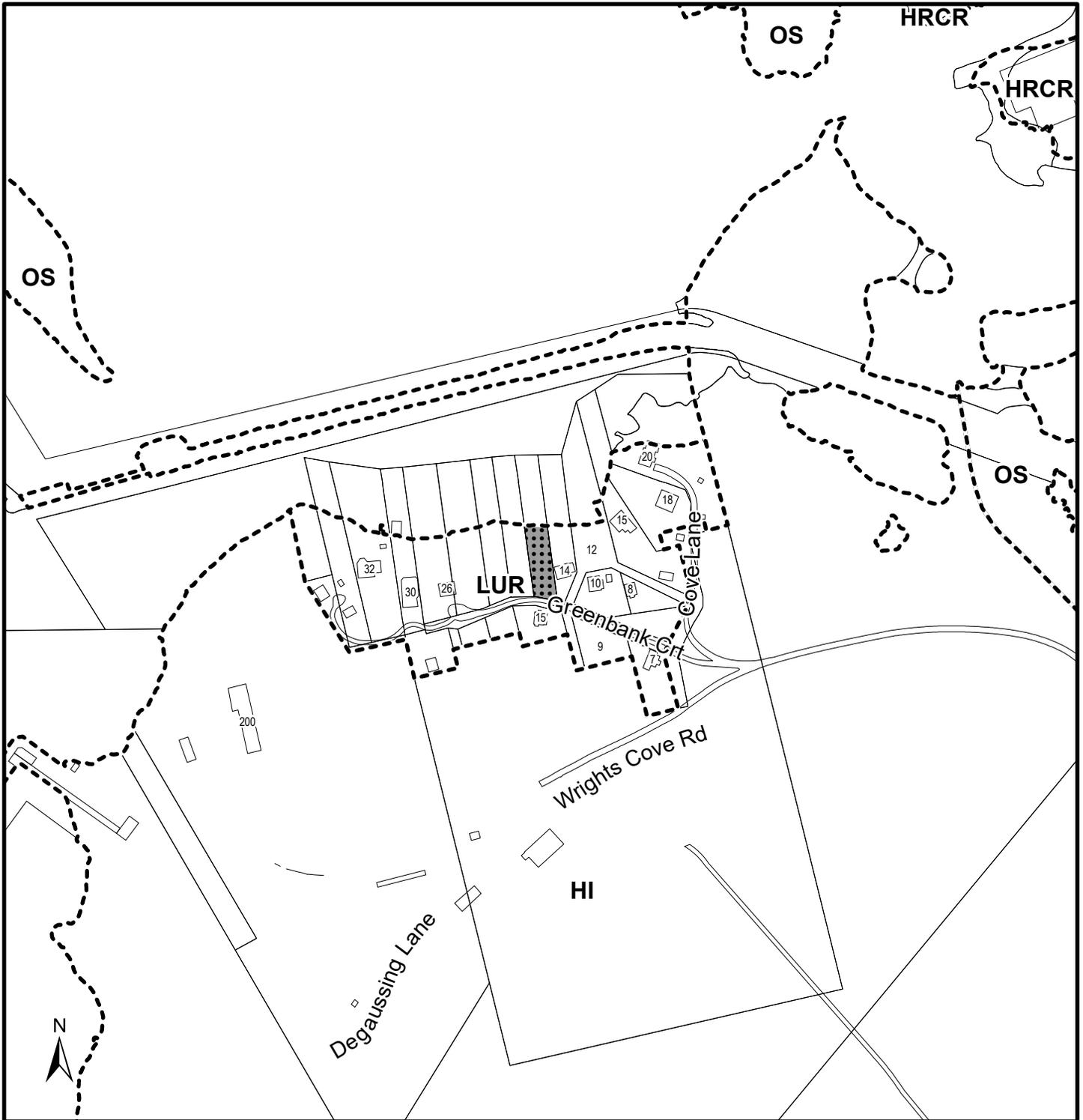
Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area

Attachment A: Proposed MPS Amendments

Attachment B: Proposed LUB Amendments
Attachment C: Review of Relevant Planning Policies

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Darrell Joudrey, Planner II, 902.225.8630



Map 1 - Generalized Future Land Use

Greenbank Court,
Dartmouth

-  Subject Property
-  Sub-Designation Boundary

Designation

WCSPS Wrights Cove Secondary Planning Strategy

Sub-Designation

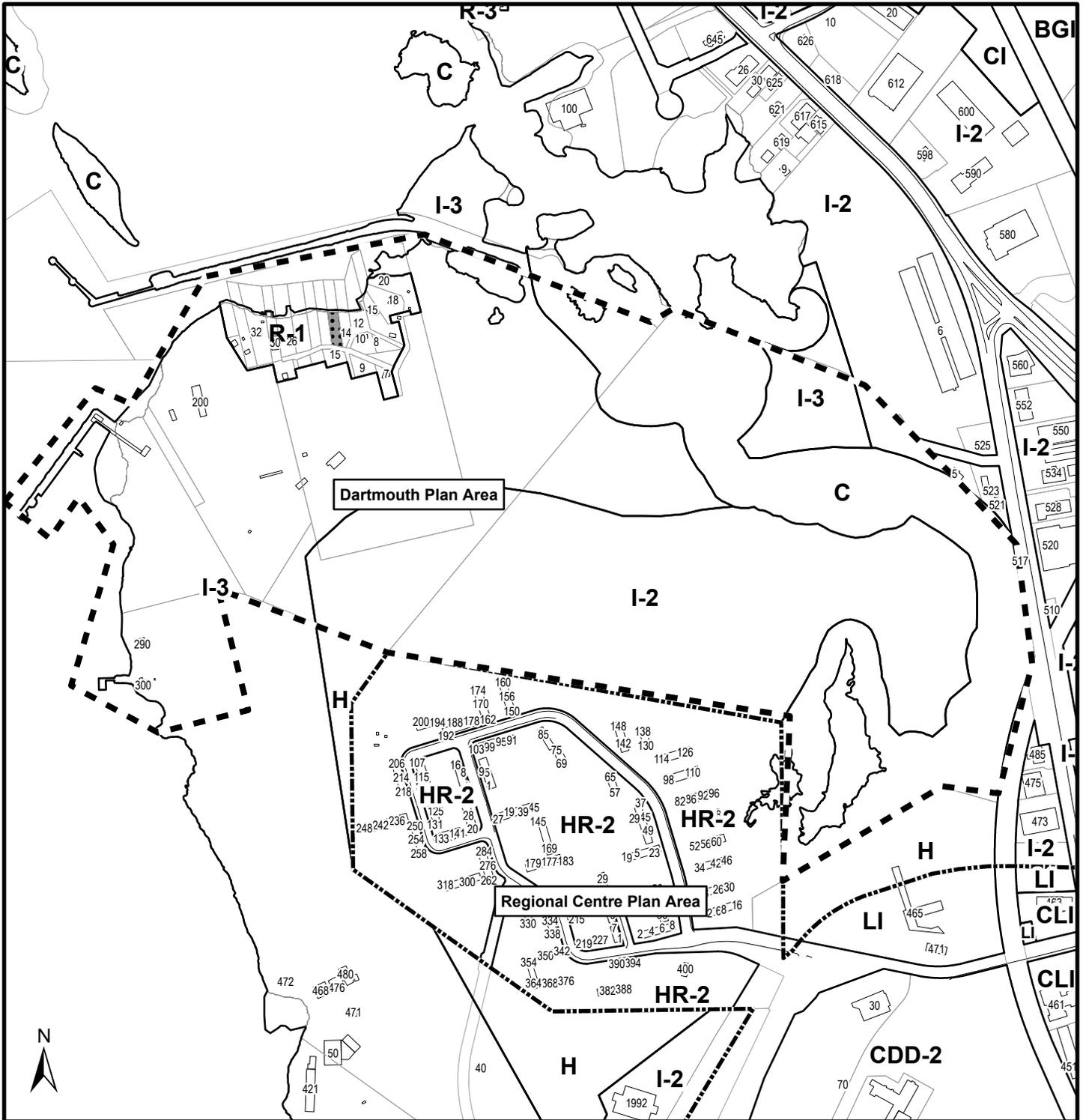
- HI Harbour Industrial
- HRCR Harbour Related Commercial Residential
- LUR Limited Use Residential
- OS Open Space



This map is an unofficial 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.

Dartmouth Plan Area



Map 2 - Zoning and Notification Area

Greenbank Court,
Dartmouth

-  Subject Property
-  Area of Notification

Dartmouth and Regional Centre
Land Use By-Law Areas

Zone		
DART	C	Conservation
	I-2	General Industrial
	I-3	Harbour-Oriented Industrial
	R-1	Single Family Residential
	H	Holding
	CI	Commercial Industrial
RC	BGI	Burnside General Industrial
	CDD-2	Comprehensive Development District 2
	HR-2	Higher-Order Residential 2
	LI	Light Industrial

HALIFAX



The accuracy of any representation on this plan is not guaranteed.

ATTACHMENT A

Proposed Amendment to the Municipal Planning Strategy for Dartmouth

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Dartmouth is hereby further amended as follows:

1. Policy WC-6 and its preamble shall be amended by deleting the words shown in ~~strikeout~~ and inserting the words shown in **bold**, as follows:

Existing Residential Uses:

Residential developments serviced with piped water and septic fields have been established along Green Bank Court and Cove Lane prior to the adoption of this secondary planning strategy. These developments will be accommodated but, due to their proximity to harbour related industrial lands, **no lands will be considered for rezoning to R-1, however all existing R-1 lots may be developed in accordance with the provisions of the R-1 zone, and this may include the consolidation of existing R-1 zone lots.** ~~no additional housing will be supported.~~

Provisions will also be made to accommodate existing residential lots along Basinview Drive and any redevelopment of these lots will be subject to the policy provisions for the Harbour-Related Commercial Residential Sub-designation.

Policy WC-6:

The Limited-Use Sub-Designation, as shown on Map 11 is applied to existing residential lots within the Secondary Plan Area and is intended to allow for the replacement of, or additions to, existing homes **as well as new single family homes on existing R-1 zoned properties.** Under the Land Use By-law, lands within this sub-designation shall be zoned R-1 Zone (Single Family Residential). ~~with special provisions made to allow for replacement of, or additions to, existing residences, but new residences shall be prohibited.~~

The R-1 **zone** shall not be applied to any other lands within this Secondary Plan Area, but new townhouse or apartment buildings may be considered on properties zoned R-1 along Basinview Drive in accordance with the development agreement provisions of policy WC-4 and, where a residence no longer exists, the lot may be rezoned to a zone applied to abutting lands.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the Halifax Regional Council held on **[DATE], 202[#].**

Iain MacLean
Municipal Clerk

ATTACHMENT B

Proposed Amendment to the Land Use By-law for Dartmouth

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby further amended as follows:

1. Section 3, Part 1: R-1 (Single Family Residential) Zone Section 32(6) shall be amended by deleting the words shown in strikeout, as follows:

For any R-1 zoned lot abutting ~~Green Bank Court, Cove Lane,~~ or Basinview Drive, no new single family dwellings shall be permitted; but existing single family dwellings and accessory uses may be replaced, repaired, and additions made to in accordance with the R-1 Zone and any other general provision of this By-law.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on [DATE], 202[#].

Iain MacLean
Municipal Clerk

Attachment C – Review of Relevant MPS Policies

HRM Regional Plan	
Part 5: Economy and Finance	
Policy	Staff Comments
<p>5.3.4 Halifax Harbour Designation <i>Halifax Harbour plays a strategically important economic role to HRM and the Province of Nova Scotia for shipping, ship building, naval operations and other port related industries. HRM seeks to ensure that sufficient lands are retained for these purposes and that the viability of these activities is not compromised by development of incompatible uses in their proximity.</i></p>	
<p>Policy EC-12 <i>HRM shall establish a Halifax Harbour Designation which extends from Hartlen Point in Eastern Passage to Chebucto Head, including Northwest Arm and Bedford Basin, and extends inland generally to the first major roadway paralleling the Harbour, as shown on the Generalized Future Land Use Map (Map 2). The Designation shall support a range of development opportunities including marine-dependent industrial and commercial uses, transportation uses and facilities including ferries, recreational uses, residential uses, institutional uses and matters related to environmental improvement and protection.</i></p>	<p>The Dartmouth MPS designation on the lands is Wright's Cove Secondary Municipal Planning Strategy and the Sub-Designation is Limited Use Residential (LUR) that encompasses the residential lots at Greenbank Court and Cove Lane and existing open space. The lands adjacent to and surrounding the LUR designated lands is Harbour Industrial (HI). The Sub-designation Limited Use Residential (LUR) prohibits new single unit dwellings but allows additions, replacement and repairs.</p>
<p>Policy EC-13 <i>Within the Halifax Harbour Designation, HRM shall establish zoning under applicable land use by-laws and apply the zone on lands where existing harbour related industrial uses are located and lands or water lots determined by HRM to be suitable for these uses in the future. Corresponding land use regulations will be established under the applicable land use by-laws. Amendments to applicable land use by-laws may be made to:</i></p>	
<p><i>(a) allow for additional lands or water lots for harbour related industrial uses that have not been previously identified where such lands are considered appropriately situated for these uses;</i></p>	<p>The Wright's Cove Land Use Plan (2006) and Transportation Study identified that the inner cove in this area is too shallow for harbour related industrial lands.</p>
<p><i>(b) implement regulations that mitigate potential negative impacts of existing and potential marine-dependent industrial and commercial areas on adjacent uses, while</i></p>	<p>The subject lands in the Limited Use Residential (LUR) Sub-designation in the Wright's Cove Secondary Plan area already partially developed with low density residential (R-1) uses. The</p>

<p><i>maintaining the economic viability of marine-dependent uses; and</i></p>	<p>continuation of a limited amount of residential use in this very small LUR area is not anticipated to have a negative impact on the adjacent marine industrial uses.</p>
<p><i>(c) discourage new residential development from locating in areas that abut lands designated for intensive marine dependent industrial and commercial uses.</i></p>	<p>All of the properties in the LUR area are currently zoned R-1, however a restriction on their development as a single-family dwelling has been restricted. As noted above the inner cove is too shallow for marine dependent industrial and commercial uses, and the impact of allowing a limited number of new residential dwellings in this existing residential neighbourhood is reasonable.</p>
<p>Policy EC-14 <i>When considering an amendment to secondary planning strategies, land use by-laws or development agreements to permit new residential development in proximity to harbour related industrial uses, consideration shall be given to the potential for nuisances and compatibility issues and the importance to HRM in protecting the viability of the marine related industrial uses.</i></p>	<p>See comments in ED-13 above.</p>
<p>9.6 PRIORITIES PLANS</p>	
<p><i>Since the adoption of this Plan in 2014, Regional Council has approved several priority plans including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027. The second review of this Plan began in 2020 and is expected to be readopted by Regional Council in 2023. The review will revise the policies of this Plan to ensure they are consistent with the priorities plans as approved. In the interim, this Plan supports the priorities plans which are actively used by staff to guide ongoing work.</i></p>	

Policy G-14A

In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, HRM shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:

- (a) The Integrated Mobility Plan;*
- (b) Halifax Green Network Plan;*
- (c) HalifACT;*
- (d) Halifax's Inclusive Economic Strategy 2022-2027; and*
- (e) any other priority plan approved by Regional Council while this policy is in Effect*

This application was assessed against the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027.

Where conflict between MPS policy and priority plan policy exists, staff must weigh the specificity, age, and intent of each policy, and consider how they would be applied to a specific geographic context. In this case, no specific conflicts between MPS policy and priority plan policy have been identified.

Dartmouth MPS

Wright's Cove Secondary Plan (SMPS)

The Wright's Cove Secondary Planning Strategy is based on the recommendations of the Wright's Cove Land Use Plan and Transportation Study (Cantwell & Associates, January 2006). The study was prepared in support of the Municipality's Regional Planning Strategy and undertaken in consultation with stakeholders and community residents.

The study area, illustrated on Schedule Map 11, encompassed a variety of uses including marine-dependent uses such as an ocean research institute, a gypsum loading facility, boat repair and restoration businesses, a yacht club, as well as numerous industrial, commercial, institutional and limited residential uses. A substantial portion of the study area was either undeveloped or had potential for redevelopment given the frontage on Halifax Harbour, close proximity to the Capital District and Burnside Business Park, and the proximity to regional road, rail, and transit systems.

The study objectives were to assess the marine industrial potential of Wright's Cove; assess the build-out potential in consultation with area stakeholders; determine infrastructure upgrading needs and associated costs; and make recommendations for adoption under municipal planning documents.

The primary study findings are summarized as follows:

- The outer portion of Wright's Cove is important for harbour-related industries and should be reserved for this purpose. However, the inner cove is too shallow and*

may be better suited for recreational, commercial, and residential uses provided that controls are established so as not to cause conflict with industrial uses.

- *The salt marsh should be retained as an environmental reserve and the Navy Islands preserved as a vegetated buffer.*
- *Lands abutting Windmill Road should be retained for commercial and institutional uses but residential and industrial uses should not be supported.*
- *Lands at Ocean Breeze Estates and Shannon Park offer potential for redevelopment as higher density “urban villages” with supporting services.*
- *Measures should be taken to limit access points to Windmill Road to improve the safety and efficiency for traffic movement.*
- *A new access road to the gypsum-loading facility should be considered.*
- *Various transportation improvements would be needed for redevelopment of Shannon Park and Ocean Breeze Estates.*

The study included a future land use plan for allocation of land uses within the study area. The following policies are based on this plan and on other matters, such as sea-level rise and residential height restrictions.

Policy	Staff Comments
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5.3.4 Halifax Harbour Designation
Halifax Harbour plays a strategically important economic role to HRM and the Province of Nova Scotia for shipping, ship building, naval operations and other port related industries. HRM seeks to ensure that sufficient lands are retained for these purposes and that the viability of these activities is not compromised by development of incompatible uses in their proximity.

<p>Policy WC-1 <i>The Wright’s Cove Future Land Use Plan, presented as Schedule Map 11, shall form the framework for land use allocation within the Wright’s Cove Secondary Plan Area.</i></p>	<p>Wrights Cove Study Land Use Plan and Transportation Study discussed above suggested recreation, commercial and residential uses be permitted beside the inner cove if controls were established to mitigate impact on industrial uses.</p>
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Harbour-Industrial Uses:
Lands bordering Halifax Harbour, where there is sufficient depth for larger ships, have been reserved for harbour-related industrial uses and support facilities.

<p>Policy WC-5 <i>The Harbour-Industrial Sub-designation, as shown on Map 11, is intended to support development that is harbour-dependent and industrial in nature. Lands within this sub-designation shall be zoned I-3 (Harbour-Oriented Industrial). Amendments to the Land Use By-law may be made to revise development standards or approval requirements, but no uses shall be permitted that are not supportive of harbour-dependent industrial uses.</i></p>	<p>N/A</p>
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Existing Residential Uses:

Residential developments serviced with piped water and septic fields have been established along Green Bank Court and Cove Lane prior to the adoption of this secondary planning strategy. These developments will be accommodated but, due to their proximity to harbour-related industrial lands, no additional housing will be supported. Provisions will also be made to accommodate existing residential lots along Basinview Drive and any redevelopment of these lots will be subject to the policy provisions for the Harbour-Related Commercial Residential Sub-designation.

Policy WC-6

The Limited-Use Sub-Designation, as shown on Map 11 is applied to existing residential lots within the Secondary Plan Area and is intended to allow for the replacement of, or additions to, existing homes. Under the Land Use By-law, lands within this sub-designation shall be zoned R-1 Zone (Single Family Residential), with special provisions made to allow for replacement of, or additions to, existing residences, but new residences shall be prohibited.

The R-1 (zone) shall not be applied to any other lands within this Secondary Plan Area, but new townhouse or apartment buildings may be considered on properties zoned R-1 along Basinview Drive in accordance with the development agreement provisions of policy WC-4 and, where a residence no longer exists, the lot may be rezoned to a zone applied to abutting lands.

If Council approves this application the proposed policy changes will allow new single unit dwellings on existing R-1 zoned lands within the Limited Use Residential Sub-Designation. New single unit dwellings will be permitted but no rezonings to create new R-1 lots will be permitted. This policy will be amended.