

March 17, 2021

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Halifax Regional Municipality

Dear Ms. Maund,

**Re: Beaver Bank Residential Character**

This letter will consider what constitutes residential character in the Beaver Bank area, and the potential impact of the amendments suggested through Case 23213.

**What is Residential Character?**

Residential character refers to the look and feel of a neighbourhood - it's what makes a suburban neighbourhood different from an industrial area, or town centre. Each area will have a particular character, created by similarities that prevail there. It may be that most buildings have a similar height, or the same set back from the street, or a predominance of red brick.

In order to understand residential character of an area, it can be helpful to understand how an area has developed over time.

**History of Development in Beaver Bank**

The Beaver Bank area is comprised of a mix of land uses within a serviced, semi-urban, and suburban form. Historically the area developed in a rural form along Beaver Bank Road. This type of development was characterized by large tracts of land and single unit dwellings as part of the homestead. Traditional farming and resource based activities were the main economic drivers. Over time, these tracts of land were further subdivided into smaller parcels typically to provide housing to family members.

Beaver Bank and surrounding areas became attractive to others because of the ease of access to employment areas, the areas scenic value, its availability of land for development and the value or affordability of the land.

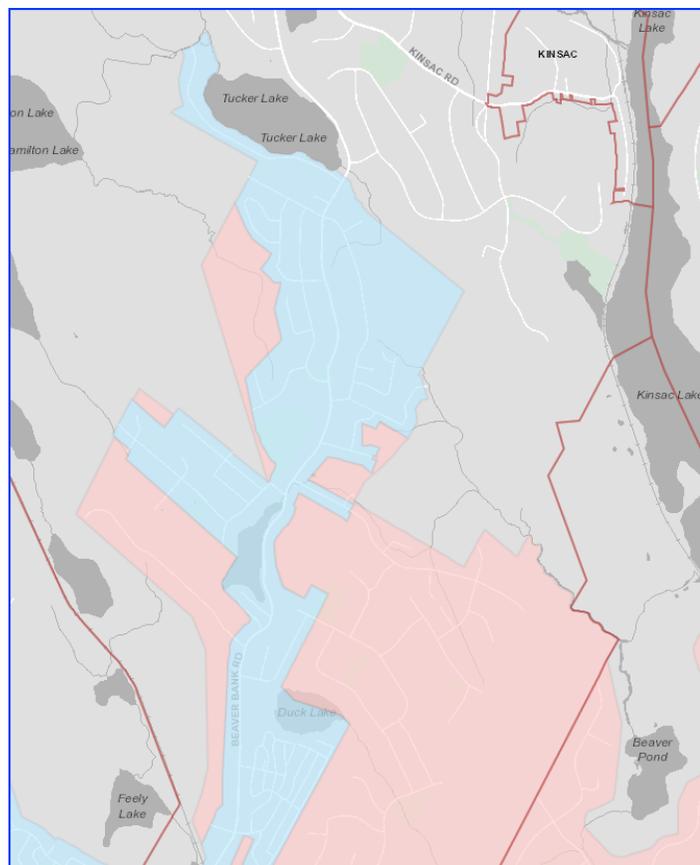


Figure 1 Service Requirement Map - Red Water Service area / Blue Urban service Area (Sewer & Water)

Up until the early 2000's, all development in the Beaver Bank area was through unserviced lots of various sizes on well and septic. In the early 2001/2002 services were extended to the Beaver Bank area in response to issues identified with older septic technology on smaller lots (typically 20-30,000 sq feet in area) used in the area. A service area was established where sewer and water services would be installed, and in some instances lands for future development were included. Beyond this area, a water only services area was established. New lots in the water only area reflected newer septic regulations which typically require a minimum area of 29,063 sq. ft. up to 96,878 sq. ft.

After the installation of sewer and water services, the expectation was that the Beaver Bank area would further develop. The availability of services brought with it the ability to develop lots in a serviced urban form where the zone so permitted. The serviced lot sizes permitted in Beaver Bank are identical to minimum lot sizes enabled in many other urban areas of the plan such as Halifax, Dartmouth, Bedford and Sackville (minimum 6000 sq. ft. and 60 ' frontage).

The continued build out of the newly serviced areas progressed in form typical to the urban serviced area with sewer and water. Existing development gradually saw infill of a smaller scale creating a mix of lot sizes and new communities were uniformly urban residential. This process has been gradual over the past 20 years.

### Existing Lot Characteristics

The result of this historical process in the Beaver Bank area can be described as mixed, and varies from one street to the next. Only within a few subdivisions (typically newly developed) can the character be described as uniform. In the general area, it is not uncommon to see a 6000 square foot lot next to a 35000 square foot lot (Figure 2)



Figure 2 - Mixed lot fabric, Danny Drive, Beaverbank

While lot sizes in Beaver Bank are not uniform, there are two distinct development forms:

1. Unserviced lots served by well and septic or septic and municipal water which are:
  - Developed under current standards
    - 29,063 sq. ft. up to 96,878 sq. ft. area; and
    - Minimum 100 feet of frontage; and
  - Developed under older standards
    - Lots as small as 8000 sq. ft.
    - Lot frontages as small as 60 feet
2. Services lots (municipal well as septic)
  - Developed under current standards
    - Minimum 6000 sq. ft. area; and
    - Minimum 60 feet of frontage; and
  - Developed under older unserviced standards
    - Varying lot sizes typically between 20,000 sq ft to larger lots of 1 acre plus
    - Lot frontages between 60-100 feet or greater

### **Elements of Single Unit Dwelling Character**

The history above establishes the reasons for the general variety in lot styles we see in Beaver Bank. The following section analyses specific elements of character. We will look at the manifestation of various specific aspects of character in the Beaver Bank area, and how they compare to the proposed forms, in order to inform our understanding of the cumulative impact the regulatory changes may have on local character.

### **Land Use**

Residential single unit dwellings are the permitted land use that is predominately available in Beaver Bank. The R-1 Zone is how this has been established. Policy P-33 and P-34 set up the primary area where single unit dwellings are enabled.

*P-33 It shall be the intention of Council to establish a Residential Designation as shown on the Generalized Future Land Use Maps. Within this designation, it shall be the intention of Council to support and protect the existing low density residential environment.*

*P-34 Within the Residential Designation, it shall be the intention of Council to establish a residential zone which permits single unit dwellings, existing two unit and mobile dwellings, open space uses, offices and day care facilities operated by a resident of the dwelling, bed & breakfasts, as well as activities related to traditional arts and crafts and domestic arts, provided that controls are established on the scale of the business and that no outdoor storage or display are permitted and signs are regulated through provisions Beaver Bank, Hammonds Plains and Upper Sackville MPS Page 48 of the Land Use By-law (RC-Jun 30/09;E-Sep 5/09), in order to ensure that the external appearance is compatible with the residential environment.*

Within the residential designation, single unit dwellings are undeniably the predominant land use. While the land use is consistent, the manner in which single unit dwellings are situated is variable. While parameters establish minimums, there is great variety in how single unit dwellings have been established over the landscape.

### **Architectural Style and Built Form of Single Unit Dwellings**

Housing forms or architecture contributes to character of an area; however it is generally not regulated in the Beaver Bank, Hammonds Plains and Upper Sackville MPS except by development agreement.

Many factors can influence a chosen housing form including popularity of housing form, current trends, construction cost, availability of materials, lot width, mortgage rates, zoning regulations, characteristics of a lot and personal preference, etc.

The date or period of construction is one of the most significant factors influencing the type of dwelling unit constructed in an area, simply due to popularity at the time. For example the Beaver Bank area contains a mix of the following single unit dwelling housing types because of its history of development: Cape Cod; Ranch; Split Level and Two storey. Presently no single housing form dominates the Beaver Bank area and generally communities which have a housing mix, broadly appeal to a wide variety of potential homeowners.

Existing: As the Beaver Bank area has developed over an extended period of time, many different housing styles can be found in the Beaver Bank community and in other areas of the plan.

Proposed: The architectural styles will continue to represent preferences of the time and place, and will not be regulated. The proposed lot width does influence choice for housing form, as a 40 foot lot width is likely to be developed with a 24 foot wide, two storey plus basement form. However, this built form exists today.

### **Spatial Relationships between Single Unit Dwellings**

Minimum relationships between a home and neighbouring homes, and the street, are one of the most important elements to regulate. These minimum requirements encourage privacy and enhance the equitable enjoyment of individual properties.

**Minimum Front Yard Setbacks :** The front yard setback of buildings from the property line influences a range of issues that give an area a particular character. These include the perception of the streetscape and the experience of being in that street, the level of activity conveyed by the building onto the street, and the relationship of building's occupants to the street (i.e. the privacy of internal spaces and the potential for occupants to overlook the street).

Setbacks help to maintain and enhance an area's character. In new areas it will help to establish the character of the street by providing a consistent building line for adjacent buildings to align with.

In residential streets front yards provide privacy for the dwelling. Passersby and vehicles are kept away from windows and the front yard allows for some landscape screening. Minimum setbacks can also ensure there is adequate parking in front of a dwelling unit.

Existing: In Beaver Bank there is great variation among front yard setbacks. On newer smaller lots, the front yard setbacks are more consistent with the minimum and older properties are quite variable and in many cases significantly exceed minimum setbacks.

Proposed: The proposal does not change the minimum front yard setbacks for future dwellings and maintains minimum yards required in the R-1 (Single Unit Dwelling) Zone under the existing Land Use

Bylaw. The proposal will have no impact on these matters and thus has no impact on this element of neighbourhood character.

**Minimum Side Yard Setbacks:** The side yard serves several important functions. It maintains light, air, sun and privacy; can provide a space for landscaping between developments; allows windows and articulation on the side of the building; and provides a transition space between different buildings, particularly if they are different heights. This helps to prevent the dominance of larger buildings over smaller ones.

The setback can also continue or create a pattern of development that positively defines the rhythm of the streetscape. Ideally, the spaces between buildings should be designed to be organized and coherent, and not determined by what is left over around the building form.

Existing: In Beaver Bank there is variety in side yard setbacks. On newer smaller lots, the side yard setbacks are more consistent and closer to the minimum. On older properties the side yards are quite variable and in many cases exceed minimum setbacks. An example below demonstrates the relationships anticipated (Figure 3 and 4).

Proposed: The proposal does not change the minimum side yard relationship between any future dwellings and maintains minimum yards required in the R-1 (Single Unit Dwelling) Zone under the existing Land Use Bylaw. The proposal will have no impact on these matters and thus has no impact on this element of neighbourhood character.



Figure 3 40' lots Westfield Dr, Dartmouth



Figure 4 – 60' lots Danny Drive, Beaver Bank

**Minimum Rear Yard Setbacks :** The 'back to back' distance between buildings should maximise sunlight, privacy and the amount of usable open space appropriate to the desired development. A large rear setback allows for more planting, including mature trees.

Existing: In Beaver Bank there is variety in rear yard setbacks and there is great variation in this parameter. On newer smaller lots, the rear yard setbacks are more consistent with the minimum and older properties they are quite variable and in many cases exceed minimum setbacks.

Proposed: The proposal does not change the rear yard setbacks between any future single unit dwelling and maintains existing yards required in the R-1 (Single Unit Dwelling) Zone under the existing Land Use Bylaw. The proposal will have no impact on these matters and thus has no impact on this element of neighbourhood character.

**Maximum Building Height:**

The height of a building in relation to its overall configuration or massing is one of the more significant factors in determining the impact a building will have on its surrounding environment. Building height for the R-1 Zone is the same regardless of any other matters and is set at a maximum of 35 feet.

Existing: In Beaver Bank most single unit dwellings in residential areas of HRM vary between 1 and 2 storeys. Beaver Bank has a variety of these heights and the heights vary from lot to lot based on the preferences of the day or the preferences of the original builder. It is anticipated that proposed buildings will be typically 2 storeys which is in the accepted norm for the Beaver Bank area or any residential subdivision.

Proposed: The proposal does not change the maximum height of single unit dwellings and has no impact on heights proposed for any future single unit dwelling as required in the R-1 (Single Unit Dwelling) Zone under the existing Land Use Bylaw. The proposal will have no impact on these matters and thus has no impact on this element of neighbourhood character.

**Maximum Lot Coverage:**

Lot coverage is essentially the building footprint and is measured as a percentage of the site. This standard ensures the site has an appropriate physical built form density. Building coverage may vary from zone to zone. Along with height limits, it manages the bulk or size of buildings and therefore influences the character and appearance of an area.

35 percent is the lot coverage enabled under the R-1 Zone in the Land Use By-law. While the proposal does not change the lot coverage requirement, lot coverage directly relates to minimum lot size. The smaller the lot, the smaller the size of building that would be enabled. As the proposal is to reduce the lot size to 4000 square feet, it is reasonable to ask what the impact would be. See the table below for a comparison of a 60000 square foot lot and a 4000 square foot lot:

Lot Size	4000 sq ft	6000 sq ft
35 % lot coverage	1400 sq ft	2100 sq ft

Essentially the impact of the change in lot size is that the maximum buildable area on the smallest lot (4000 sq. ft./ 40 feet frontage) would force a smaller footprint. Typically a two storey building is built on the proposed lot size. The scale of house is consistent with what you would see built in the Beaver Bank area today.

Existing: Beaver bank has a range of lot sizes, and therefore a range of building sizes and coverage formats. The larger lots tend to have lower coverages, however the building forms and coverages vary considerably throughout the community. See Appendix A for a variety of house examples, ranging from approximately 23 feet, to 40 feet wide; some set back and buffered from the street and other homes, and others placed in close proximity.

Proposed: The proposal does not change the maximum lot coverage of single unit dwellings and has no impact on lot coverages for any future single unit dwelling as required in the R-1 (Single Unit Dwelling) Zone under the existing Land Use Bylaw. While the proposal will reduce the maximum lot size, the footprint of any homes constructed will be within a range that you would typically see in the greater

community. The proposal will have no significant impact on these matters and thus has no significant impact on this aspect of neighbourhood character.

**Minimum Lot Width and Lot Area:**

Minimum lot width and area contribute to the character by limiting the density of residences along a given length of street. Narrower lots result in a relatively fine-grained built form. Though a larger minimum lot width does not preclude the construction of narrow homes, those homes would have larger than minimum side yards as a result, than the same home placed on a narrower lot.

Existing: The Beaver Bank area is comprised of diverse lot forms, which have emerged as a result of evolving lifestyles of residents and local regulations over a span of many decades. While there does not appear to be lots narrower than 40 feet wide, or smaller than 4000 square feet at present, there is no consistent size that characterizes the area as a whole. See Appendix A for representative images demonstrating the diverse nature of lot development in the area.

Proposed: The proposal is to reduce minimum lot width from 60 feet to 40 feet and reduce lot area from 6000 sq. ft. to 4000 sq. ft.

Where widely implemented, the intensity of development would likely feel greater with a consistent 40' lot fabric, despite physical built form density (size of homes) being less when compared to a similar street with 60' lots. However, in order for a change in character to be noticeable, the new lot form would have to a) present a strong contrast to its surroundings, and/or b) become the predominant housing form.

a) In the case of developing a strong contrast on a lot by lot basis, there would have to be a consistent existing form to deviate from. As discussed above, the development pattern in the area has evolved over time, and as a result, the current day lot fabric is extremely diverse, and in fact is characterized by diversity. Infill development of a smaller lot form does not contradict the existing diverse lot fabric.

b) Where diversity is already so prevalent, in order to feel a change in character, substantive development under a different standard would have to occur, and the new form would have to dominate the landscape.

- If larger amounts of undeveloped land were available, you may see a 33 % increase in the number of lots. However, the Turner Drake report has addressed the risk to the greater community of this and it has identified it is minimal. It has been made clear that widespread redevelopment of existing homes is not economically feasible.
- Limited opportunities on large land holdings have been identified and tearing down existing homes which the Turner Drake report identifies as not economic are insufficient to enable the domination of this housing form.
  - The Carriagewood Estates property represents the largest and most significant tract of undeveloped land. Its isolation limits its interaction with existing housing forms and does not allow it to become a dominant feature of the Beaver Bank area. Further, the community form is consistent with other new subdivisions which deviate from the historic built form.

Unlike areas which developed in a standardized form, Beaver Bank has grown through societal and regulatory changes, and other influences and the development patterns reflect this. Rather than being highly contrasting, or dominating, we find that diversity is the character in the area, and sporadic infill

development is similar in nature to the existing lot fabric and established relationships between single unit dwellings. The lower minimum standard is not necessarily equal a fundamental change, but rather an evolution which has taken place in many service areas of the municipality. It is not anticipated that lot widths would change the character of an existing neighbourhood as there is already great variability in the Beaver Bank area.

### **Summary**

Residential character refers to the look and feel of a neighbourhood - it's what makes a suburban neighbourhood different from an industrial area, or town centre. Each area will have a particular character, created by similarities that prevail there. It may be that most buildings have a similar height, or the same set back from the street, or a predominance of red brick.

Lands in the R-1 (Single Unit Dwelling) Zone in Beaver Bank can be generally characterized as:

- Single unit dwellings
- Consistent minimum relationships between dwellings but extreme variety in the actual placement of buildings.
- Smaller lots in newer neighbourhoods
- Larger lots in older neighbourhoods
- Mixed lot sizes in evolving neighbourhoods (old standards to existing standards)
- Variety of single unit dwelling forms and sizes
- Consistent minimum lot coverages, but variety in the actual lot coverages.

Overall, there are elements of character which are either not regulated, or are not being changed by the proposal. With the maintenance of the majority of the zone regulations, particularly minimum separation distances, it is not anticipated that lot widths would change the character of an existing neighbourhood.

Further, the transition to a 40 foot lot enables a more affordable housing form and more modern version of suburban serviced development. The reduction in lot width and size will enable the construction of the same number of lots with the construction of fewer roads in Carriagewood. This is generally positive for the municipality (less road to maintain) and for the applicant (less road to build).

Clayton Developments Limited is not seeking to increase the number of lots capable of being developed beyond that has been previously approved for the property. Measures are being considered which would ensure an increased number of dwelling units could not take place beyond what has already been approved for development. Conservation easements, other deed restrictions or outright land dedication to an appropriate third party could prevent this from happening.

Based on the above analysis, we are confident that we have accurately described the context in Beaver Bank.

Kind Regards,  
**Original Signed**

Andrew Bone, MCIP, LPP  
Director of Planning and Development  
Clayton Developments Limited

**Original Signed**

Stephanie Mah, MES Planning, MCIP, LPP  
Planner, Urban Designer  
Clayton Developments Limited

**APPENDIX A – Variety of Character in Beaver Bank Area**



Beaver Bank Road and Barrett Rd



Danny Drive



Ernest Avenue



Splinter Court



Tucker Lake Road



Mayflower Avenue



Frederick Lane



Frederick Lane



Trinity Lane