



**MUNICIPAL PLANNING
STRATEGY**

**TIMBERLEA/LAKESIDE/
BEECHVILLE**

**THIS COPY IS A
REPRINT OF THE
TIMBERLEA/LAKESIDE/BEECHVILLE
MUNICIPAL PLANNING STRATEGY
WITH AMENDMENTS TO
OCTOBER 13, 2023**

**MUNICIPAL PLANNING STRATEGY
FOR
TIMBERLEA/LAKESIDE/BEECHVILLE**

THIS IS TO CERTIFY that this is a true copy of the Municipal Planning Strategy for Timberlea/Lakeside/Beechville which was passed by a majority vote of the former Halifax County Municipality at a duly called meeting held on the 10th day of August, 1992, and approved with amendments by the Minister of Municipal Affairs on the 20th day of November, 1992, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 13th day of October, 2023.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this ____ day of _____, 20__.

Municipal Clerk

**MUNICIPAL PLANNING STRATEGY
FOR
TIMBERLEA/LAKESIDE/BEECHVILLE**

This document has been prepared for convenience only and incorporates amendments made by the Council of Halifax County Municipality on the 10th of August, 1992 and includes the Ministerial modifications which accompanied the approval of the Minister of Municipal Affairs on the 20th of November, 1992. Amendments made after this approval date may not necessarily be included and for accurate reference, recourse should be made to the original documents.

NOVEMBER 1992

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INTRODUCTION

This municipal planning strategy has been prepared according to the provisions of the Planning Act, SNS 1989, c.346, and pursuant to Municipal Council's adoption of Policy Paper I: Municipal Development Plan Preparation for the Urban Areas in the autumn of 1980. The planning strategy covers the area within the boundary of Municipal Electoral District 2 as well as a portion of District 3, being the communities of Timberlea, Lakeside and Beechville and intervening lands.

Instrumental in the planning process was a Public Participation Committee of area residents. The committee had representation on the Municipal Planning Strategy Committee of Council and held prime responsibility for the success of general public input and participation throughout the process. The Public Participation Committee held regular and general meetings, received representation from area residents and public officials and distributed information by way of mailed flyers, a newsletter and a public display in the local fire hall. Also in keeping with the provisions of the Planning Act, this municipal planning strategy was subject to an extensive review conducted between 1988 and 1991. In this case, public input was gathered from a survey sent to every household in the community and through a number of public meetings.

This planning strategy is organized into four sections. Section I places the Plan Area within a regional context and presents a profile of its communities' population and development characteristics, and of issues identified through the planning process. Section II discusses the status of environmental health services in the communities, transportation facilities and the provision of community services within the area. Section III contains policies and guidelines for land use regulation. The final Section consolidates the various implementation measures of the planning strategy policies as provided for within the document and through the Planning Act.

The policies adopted by Municipal Council in this planning strategy are prefaced by explanatory text which shall be considered to be a legal part of the planning strategy. Of the maps which are included and specifically referred to, Map 1 - Generalized Future Land Use Map, Map 2 - Servicing Boundaries and Map 3 - Transportation shall constitute legal parts of this planning strategy.

SECTION I

Regional Context

As shown on the accompanying map (overleaf), Beechville, Lakeside and Timberlea are three suburban communities extending westwards along Highway No. 3 from the City of Halifax. The communities had a total 1986 population of approximately 4,300 within the Halifax-Dartmouth/Halifax County area population of approximately 306,411, and by January, 1991, had grown to approximately 5,700.

The three communities have thus far experienced moderate growth and development in comparison to other suburban areas in the Municipality, such as Sackville and Cole Harbour. Nevertheless, the Plan Area is in close proximity to the City of Halifax and is served by Highways 102 and 103. Highway No. 3, the St. Margarets Bay Road, historically provided major access to the south shore from Halifax. The CNR railway passes through the community and serves the Municipality's Lakeside Industrial Park, which is the site of wholesale and distribution activities, and some small manufacturing and assembly operations.

Prior to 1982, development was controlled through the provincial Halifax-Dartmouth Regional Development Plan (1975). In recognition of environmental health problems and the absence of municipal water and sewer services, the Regional Plan permitted only very limited development within the Plan Area's communities.

With the introduction of municipal water and sewer services, the area's ability to attract and sustain development has approached that of other suburban communities within the metropolitan region. Services were completed in 1983.

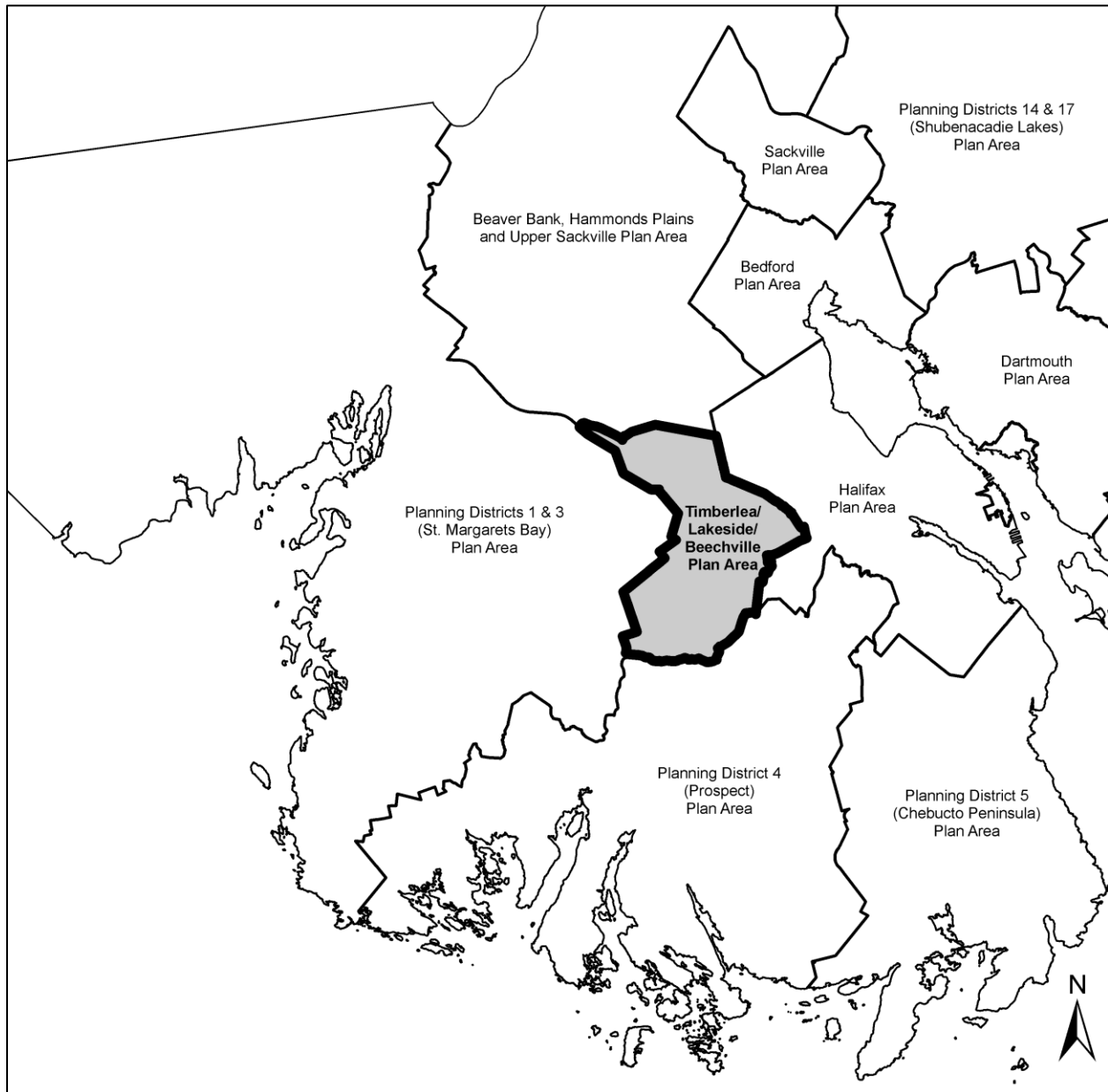
The plan area encompasses a large tract of land on the south side of Highway No. 103 which has remained largely undeveloped due to lack of access to the public road system. However, with the completion of a new interchange at Highway No. 103 to service Timberlea and the Regional Solid Waste Disposal Facility to the southwest of Otter Lake, the development potential of these lands increased considerably.

A large portion of these lands were originally acquired by Public Service Commission of Halifax for a protected watershed area when Big Indian Lake served as a backup potable water supply for the City. With the commissioning of the Pockwock Water Supply system in the 1970s, the lands were no longer needed for this purpose and ownership was transferred to the Municipality. Additional lands were also acquired by the Municipality around the solid waste facility.

**In 1998, the Municipality initiated a planning study to determine how these lands could be best utilized to benefit the surrounding communities and the region (during the exercise, these lands became known as "the Western Common"). The study recommendations have been adopted under this plan, as well as under the planning documents for the abutting plan areas of Halifax and Planning District 4 (Prospect) as a framework for decisions regarding planning and development¹.
(RC-Jul 4/00;E-Aug 5/00)**

¹Planning for the Western Common. Prepared by EDM (Environmental Design and Management) for the Western Region Needs Assessment Committee. February 1999.

REGIONAL CONTEXT MAP



Community Profile

Beechville, Lakeside and Timberlea extend in a linear fashion along Highway 3, westerly from the boundary of the City of Halifax. The three communities are further defined to the south by the major provincial arterial Highway No. 103 and to the north by a series of waterbodies; Fraser Lake, Governor Run, Governor Lake and Lovett Lake.

Within the built-up area the major land use is low density residential interspersed with institutional, commercial and industrial uses, most of which are small local facilities. Although this general development pattern describes all three communities, each is also characterized by individual developments and distinct community histories.

Beechville is the smallest and oldest community, and the Lakeside Industrial Park, the first Municipally-developed industrial facility, is situated here. Timberlea, at the other end of Highway No. 3, appears to be the most affluent and growing community, with large newly developed subdivisions. Lakeside is the central community and is characterized by mobile home park development, a well-established residential environment and the amenities offered by Governor Lake.

In Beechville, local history post-dates the War of 1812.² The first settlers were refugee blacks who came to Halifax during the War of 1812 and settled on Beech Hill in 1815-1816. Prominent among the early settlers were the family names of Allen, Cooper, Hamilton, Lovett and Wheeler. A Baptist congregation was organized in 1844 and a chapel built in 1848. A school was opened in 1879.

Beechville has played a prominent role in the province's black history. Beech Hill stretched from Armdale (near the Northwest Arm) inland to Bayers Lake and Lovett Lake. The community built homes, farms, businesses, a church and a school. Developing a church and a school was crucial, because many institutions did not allow African Nova Scotians (Nova Scotian schools de-segregated in 1965). The original church and school were built next to Lovett Lake, on the property where the Beechville Baptist Church is located. (RC-Jul 11/23;E-Sep 6/23)

Throughout the 19th and 20th centuries, the City of Halifax acquired land in and around Beechville for a watershed area and municipal water supply, gradually becoming the first major city in Canada to have complete control of the lands around its water supply areas¹. These land acquisitions altered and shrank the community boundaries of Beechville and displaced its residents. (RC-Jul 11/23;E-Sep 6/23)

Government land acquisition in Beechville continued in the 1970s and 80's with the development of the Bayer's Lake Industrial Park. The Provincial and Municipal governments targeted large areas of Beechville for industrial development. As the amount of land traditionally owned by African Nova Scotians was acquired and used for other purposes, many residents left and the population shrank. In 1970 the Munroe Subdivision was created

² Charles B. Ferguson, *Place Names and Places in Nova Scotia*. Public Archives of Nova Scotia, 1967.

¹ *Halifax Water Chain Lakes Emergency Water Supply Watershed Area*
<https://halifaxwater.ca/sites/default/files/2019-01/chainlakes-swp-plan.pdf>

by the Provincial government, to provide alternate properties for those whose homes along the St Margaret's Bay Road were rezoned for industrial uses. (RC-Jul 11/23;E-Sep 6/23)

Community Planning Project – Beechville (RC-Jul 11/23;E-Sep 6/23)

In 2017, Regional Council began working with Beechville's historic African Nova Scotian community on a planning project and a community benefit action plan. These initiatives originated with a development application in an area of heightened archaeological potential for the African Nova Scotian community. In an effort to better understand community concerns, Council gave direction to engage closely with the community, identify development impacts to the African Nova Scotian community, and to respond to their concerns. These concerns include:

- The boundary of Beechville has shrunk through a history of expropriation and tax sales
- New development continues the displacement of Beechville's African Nova Scotian community, leaving fewer parcels for community led development;
- Housing is a pressing need to accommodate an aging population and to encourage former residents to return, yet there are limited planning options to encourage or require inclusive and affordable housing
- Many lots on St. Margarets Bay Road are zoned Industrial, which, interspersed with adjacent residential uses, could create further incompatible land uses;
- African Nova Scotian communities throughout HRM have experienced both overly permissive zoning and many unwanted land uses.

Creating new land use policy to meet the needs of historic African Nova Scotian communities like Beechville will take time. New policy must support the social and economic goals of Beechville, and regional initiatives like the African Nova Scotia Road to Economic Prosperity. To protect Beechville, Council is undertaking a community planning strategy review and community benefit action plan.

In response, Council has adopted a suite of policies to manage and guide development in Beechville.

In Timberlea, the earliest grantee was George Boutilier who received two lots of land in 1821. "Timberlea" means a grassy field in timberland. This was the name given to the community before 1922, when it was the centre of a considerable lumbering district. The Fraser family was still operating a sawmill in the area during the 1950s. St. Andrew's Anglican Church was built about 1925 and a three room school was opened in 1944.

Lakeside derives its name from its location on Governor Lake. In 1846 Theodosius Morris received the first grant of some five hundred acres. The Sacred Heart Roman Catholic Church was built in 1938 and a one-room school opened in 1952.

Population

Statistics indicate that the Plan Area's population level has increased steadily since the completion of centralized sewer and water service. Although the rate of population growth has not been as

dramatic as that of other suburban communities such as Cole Harbour, recent data suggests that an increase in the annual rate of growth is occurring.

Table 1 summarizes population growth from July, 1981 to January, 1991. Between 1981 and 1986, the population increased by an average yearly rate of 2.2%, while from 1986 to 1991 the annual growth rate increased to 6.3%.

TABLE 1: POPULATION GROWTH

ACTUAL ¹ 1981 1986		Average Annual % Growth 81-86	Estimated ² 1991	Average Annual % Growth 86-91
3,910 4,335		2.2%	5,700	6.3%

Sources: 1. Census of Canada, 1981 and 1986
 2. Halifax County Assessment Roll, 1991

The current population is estimated at 5,500 persons of whom approximately 42 per cent are under twenty-five years of age and 5 per cent are over age sixty-five. The average household size of 3.3 persons is somewhat higher than the provincial average.

Table 2 shows that the population is relatively young, with a greater than average number of school aged children compared to both Halifax-Dartmouth and the Province as a whole. The table also indicates that the Plan Area has an average proportion of young adults, a higher than average proportion of early middle aged persons, and a lower proportion of late middle aged and senior citizens. This pattern is indicative of many newer suburban areas.

TABLE 2: AGE COMPOSITION, 1986

AGE GROUP	PLAN AREA %	HALIFAX-DARTMOUTH %	NOVA SCOTIA %
0-14	24.3	16.5	21.5
15-24	17.8	20.0	17.6
25-34	19.9	20.5	17.1
35-44	16.6	12.9	13.9
45-64	16.6	18.8	18.1
65+	4.9	11.2	11.9
	100.1	99.9	100.1

Source: Census of Canada, 1986

Residential Growth

Table 3 indicates the growth in total dwelling units since 1981 and Table 4 provides a breakdown of major dwelling types and indicates housing trends since 1981 as reflected in residential building permit activity. Over 800 new dwelling units have been constructed in the Plan Area since 1982.

Although the annual rate of residential development appears to have tapered off somewhat since the high point in the mid-1980s, growth has been steady with over 100 new dwelling units being constructed annually. A major proportion of the growth in new housing development has been in the form of two unit and multiple unit dwellings.

TABLE 3: DWELLING UNIT GROWTH

ACTUAL ¹ 1981 1986		Average Annual % Growth 81-86	Estimated ² 1991	Average Annual % Growth 86-91
1,120	1,334	3.8%	1,894	8.4%

Sources: 1. Census of Canada, 1981 and 1986
 2. Halifax County Assessment Roll, 1991

TABLE 4: RESIDENTIAL BUILDING PERMIT ACTIVITY

YEAR	NUMBER OF DWELLING UNITS				
	Single Unit	Two Unit	Multi Unit	Mobile	Total
1982	2	0	0	1	2
1983	25	0	10	0	25
1984	45	1	10	0	46
1985	44	73	28	42	187
1986	25	63	0	0	88
1987	46	80	0	1	127
1988	29	73	30	7	139
1989	32	50	24	8	114
1990	18	18	32	1	69
TOTAL	260	368	117	60	805

Note: Does not include part of District 3 within the Plan Area
 Source: Municipal Building Inspector's Monthly Reports

Commercial and Industrial Growth

Commercial and industrial growth has shown a steady increase since 1982. Table 5 shows commercial and industrial growth from the perspective of development (building permit activity) and economic impact (taxable assessment). Building permit activity does not give the complete picture of activity as only new developments are tabulated and not renovations or additions. The proportion of taxable commercial and industrial property to the total tax base gives a good indication of the impact of business in the community.

As shown in Table 5, this impact is decreasing but still makes up more than twenty percent of the total tax base of the community. Much of this tax base is in the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park.

TABLE 5: COMMERCIAL GROWTH

YEAR	BUILDING PERMITS ¹		TAXABLE PROPERTY ²		
	Number of Comm/Ind Permits	Value of Comm/Ind (\$'000)	Number of Business Occupancies	Total Assessed Value Comm (\$'000)	% of Total Assessed Property
1982	1	30	55	22389	38.0
1983	1	737	54	22238	37.7
1984	3	1535	52	26239	36.0
1985	3	90	50	28182	36.5
1986	1	170	44	27922	35.5
1987	0	0	54	33158	27.9
1988	0	0	61	33260	26.2
1989	4	240	58	33430	24.5
1990	7	312	68	38618	23.7

Note: Does not include part of District 3 within the Plan Area

Source: 1. Municipal Building Inspector's Monthly Reports
2. Halifax County Assessment Rolls

Existing Land Use

In terms of residential development, single unit dwellings remain the predominant form of housing although in recent years, two and multi-unit housing forms have become more prevalent. A mobile home park in Lakeside accommodates approximately 165 units which represents most of the mobile homes in the area.

Commercial uses are primarily located along Highway No. 3, which is the main thoroughfare in the area. Businesses along this route provide services primarily to the immediate community in the form of retail outlets, offices and services industries. Some of the latter serve a broader market. Some existing businesses are interspersed throughout more established residential areas.

Community facilities include several schools, churches, a new fire hall and several recreational facilities which are primarily associated with schools and parkland dedicated through the development of new subdivisions. The relatively young population and recent population growth have increased demands for an improved level of community facilities and services.

Industrial development consists of small local firms dispersed along Highway No. 3 and the more extensive forms of industry as those found in the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park. The concentration of industrial development within and around the park, combined with its proximity to a major provincial highway, results in high traffic levels in the Lakeside/Beechville part of the Plan Area.

Most of the lands south of Highway No. 103 and north of Fraser Lake, Governor Run and Governor Lake are largely undeveloped. A majority of landholdings in these areas are publicly held and undeveloped.

General Issues

Various matters of specific interest to the communities as well as to the Municipality have been identified through the planning process.

Residential Development

The majority of residential development has occurred in the Lakeside and Timberlea communities on larger landholdings developed by a few developers. Although residents have benefited from the amenities offered by new subdivisions, there are public concerns over the compatibility of higher density forms of housing developments with existing lower density residential neighbourhoods.

As of 1990, single unit dwellings comprised approximately 60 percent of the Plan Area's housing stock, while other forms of housing comprised the remaining 40 percent. There is a general desire on the part of residents to have more input into the decisions respecting the location of higher density housing in the area.

Commercial Development

Some of the more established businesses within the Plan Area are interspersed throughout residential areas. Concerns related to the incompatibility of certain commercial uses with surrounding residential neighbourhoods have been identified through both the initial planning and plan review processes. Although it is the intention to maintain the integrity of existing neighbourhoods, limited business uses associated with residences are common within the area and may be supported in a manner and scale which are consistent with surrounding land uses.

As is the case in most suburban communities, there is a need for a greater range of commercial development and services in order to meet the demands of a growing population. Providing for a greater range of goods and services may be accomplished without increasing strip development along Highway 3 by creating a major commercial focus as well as providing for the development of minor commercial areas to conveniently meet the needs of local residents in the three distinct communities.

Industrial Development

As is the case with commercial development, concerns were expressed during both the initial

planning process and plan review process relative to the encroachment of warehousing, commercial trucking and service industries within or in close proximity to residential areas. Concerns about the contamination of groundwater by industrial development occurring on land located beyond the area serviced by centralized services have also been identified. If industrial development and expansion is to occur outside of the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, suitable areas to accommodate such development should be identified. Local residents have expressed a desire to have a greater say in the manner by which existing industrial development located within residential areas will be accommodated.

Originally the St Margarets Bay Road through Beechville was primarily residential. The Provincial and Municipal governments began to encourage industrial development in the area in the 1970s and 80s, and many properties were rezoned to I-1 (Light Industrial). Introducing industrial zones to a historically residential area created incompatible uses side-by-side. (RC-Jul 11/23;E-Sep 6/23)

The Beechville community has stated they want fewer light industrial properties on St. Margaret's Bay Road. Zoning changes to encourage residential and commercial uses will be part of the new plan for Beechville. (RC-Jul 11/23;E-Sep 6/23)

Natural Resources

Large tracts of land south of Highway No. 103 and north of Fraser Lake, Governor Run and Governor Lake are largely undeveloped with accessibility and site constraints such as bedrock and steep slopes. A variety of land uses, including certain primary resource industries, may be accommodated in these areas. Nevertheless, environmental health concerns engender large lot requirements as well as setback requirements from waterbodies, particularly for intensive resource uses, such as sawmills, salvage yards and livestock operations which may conflict with residential developments.

Conservation and the Environment

As part of the environmental and engineering studies carried out prior to servicing, conservation lands have been identified along a portion of Nine Mile River, between Highway Numbers 3 and 103, and on lands in Beechville which have been identified as floodplain or watershed lands. Specific community concern has arisen regarding the gradual infilling of waterbodies, particularly Lovett Lake and Half Mile Lake.

Transportation

Local transportation problems include truck traffic generated by the Lakeside Industrial Park and other industrial sites, and poor road conditions primarily resulting from Highway No. 3 being the only collector for traffic within the communities. In response to general use of this highway by school children and other pedestrians, residents express a desire for sidewalks, particularly in conjunction with truck routes. Therefore, in order to establish more specific locational criteria upon which to evaluate developments and to prioritize municipal servicing programs (such as sidewalks), it is desirable to establish a road classification system appropriate to the needs of the Plan Area.

Private roads receiving municipal water and sewer services present their own special problems. There is a need to accommodate development on these services, and to outline priorities for the eventual upgrading and listing of these roads.

Community Facilities

The development of active and passive recreation areas is deficient despite increasing local community efforts. Concerns relate to inadequacies in the basic delivery of recreation services and the shortage of available public land and facilities. It is recognized that the upgrading of present recreation services in the community involves a coordinated and long range public and private effort. A recreation master plan could lay the framework for continuing community efforts.

Environmental Health Services and Storm Drainage

Prior to the adoption of this planning strategy in 1982 there had been efforts to obtain municipal water and sewer services for the three communities. A 1978 report of the Department of Health confirmed what many local residents had known for some time, especially those who had taken to boiling their drinking water - that there were severe problems with existing on-site sanitary systems. With the introduction of new municipal water and sewer services and the lifting of regional development controls, new development and its attendant concerns make planning for future growth and development essential.

The cost of municipal central services to the communities provides a fundamental reason for encouraging future development to use these services. Conversely, previous experience with the environmental health problems of private servicing systems and septic tanks and wells demands a greater measure of development control in areas not to be provided with municipal water and sewer.

Stormwater drainage systems consist primarily of culverts, ditches and swales. The problems associated with stormwater management in an urbanizing watershed are many and diverse. They include property damage and loss from flooding, adverse impacts on municipal sewer services from inappropriate connections, drainage inconvenience and environmental impacts on the nearest receiving waterbodies. There is strong community support for storm drainage planning and for requiring storm drainage systems in all new subdivisions.

SECTION II

ENVIRONMENTAL HEALTH SERVICES

A 1979 study entitled the Timberlea/Lakeside/Beechville Survey of Water Supply and Sewage Disposal by the provincial Department of Health noted that there was a need for central municipal water and sewer systems in order to alleviate serious health and environmental problems in the three communities. A general reliance upon septic tanks and wells and, in particular the operation of inadequate private central systems, had resulted in certain areas periodically being saturated with sewage. Both dug and drilled wells had demonstrated bacteria and coliform bacteria counts, and water of poor chemical quality. Swimming areas were deemed unsafe and there was general malfunctioning of on-site sewage disposal systems. The report recommended that Halifax-Dartmouth Regional Development Plan restrictions on development in areas without central municipal water and sewer services be continued. The report further recommended that the only suitable long term solution to water supply and sewage disposal problems in the three communities was the provision of a municipal water and sewer system.

Full municipal water and sewer services were available in the communities during the summer of 1983. Excluding the area of the Industrial Park, central municipal services can accommodate a population density of 17 persons per acre (ppa). This 17 ppa remains a modest population density for suburban residential development.

The Plan Area's services were designed and installed relative to a "serviceable area" which defines those lands where services can be extended economically insofar that the majority of flows of water and waste are by the force of gravity.

Gravity flow avoids expensive infrastructure such as booster stations for water or forcemains and pumping stations for sewage, although there may be some relatively minor areas which require servicing by this infrastructure because of previous development and prevailing health problems.

There are two relatively small areas or "secondary areas", which will remain unserved in the foreseeable future, yet which can be accommodated within the design of the new system. The secondary area north of the present **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, in Beechville will remain unserved and undeveloped. A majority of this land is owned by the Municipality and reserved for future industrial expansion. The other secondary area is in Timberlea, just beyond the Service Boundary. As the secondary area in Timberlea is sparsely populated and local residents have been opposed to the extension of municipal services, any extension is unwarranted at the present.

The capacity to sustain development on municipal water and sewer within the area currently protected to receive such services is sufficient for a considerable time. The secondary areas shall continue to develop on septic tanks and wells.

Municipal Water and Sewer Services

Municipal services include a water distribution system, a storage reservoir in Timberlea and other waterworks improvements. The **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, is also integrated into the municipal system and consideration can be given to a second water storage reservoir in the Beechville area. The second reservoir may be warranted in consideration of further population growth and the necessity of raising the level of fire protection.

The municipal sanitary sewerage system includes a sanitary trunk sewer, pumping stations, force mains and sewage treatment plant on the Nine Mile River. Although much of the capital cost has been funded by senior levels of government, the remainder will eventually be paid by the communities through area rates and frontage charges. Encouraging new development on municipal water and sewer services will not only help to reduce the cost to each resident but will also support the efficient use of transportation systems, schools and other community facilities over the long-term.

- E-1 In consideration of providing direction for future growth on central sewer and water services, it shall be the intention of Council to adopt Map 2 - Servicing Boundaries. Service Boundary shall define the priority area for serviced development within the design of the municipal central sewer and water system. Lands within the Service Boundary shall only be developed when municipal water and sewer services are available.
- E-2 It shall be the intention of Council, before approving any proposal to extend either sewer or water services, to consider:
- (a) the financial capability of the Municipality to absorb any costs relating to the extension;
 - (b) the amount of vacant land which is serviced by existing municipal services within the Service Boundary;
 - (c) the type, density and phasing of proposed developments to be served, relative to their effects upon existing municipal infrastructure and general municipal and community services and facilities, and to the affects of any extension upon the natural environment; and
 - (d) existing drainage or pollution problems in the area under consideration.

In the Western Common planning study, lands immediately to the south of Highway 103 were identified as a potential area for the development of a serviced community which integrated residential, commercial, business and commercial recreation uses. The sanitary sewage collection system would directed towards the existing system serving the Ragged Lake Business Campus in the Halifax plan area.

- E-2A Municipal services may be extended to lands on the south of Highway 103 where municipal planning initiatives have been undertaken in accordance with the policies identified for the Western Common designation. (RC - July 4, 2000 / E - August 5, 2000)**

On-site Services

Outside the Service Boundary there is minimal residential and commercial development in close proximity to Highway No. 3 and the area south of Highway No. 103 is inaccessible and presently uninhabited. Along the north shores of Governor Run and Fraser Lake where access is limited to private road, there are a small number of single family residences, a salvage yard and a gravel pit operation. Existing and future development in these areas will continue on septic tanks and wells. However, in response to the community's previous experiences with serious environmental health problems, the area's slope, soil and drainage constraints and the potential development impacts on waterbodies adjacent to the communities, minimum lot sizes in excess of provincial standards for

septic tank installation will be required.

- E-3 With reference to Policies RS-1 and RS-2, it shall be the intention of Council to monitor development in the unserved portion of the Plan Area and in the interests of maintaining public health and reducing long term servicing costs, it shall be the intention of Council to require a minimum lot area of eighty-thousand (80,000) square feet for development on lands which are located within the Resource Designation.

Community Concerns

The introduction of municipal water and sewer services, despite the level of public funding, is a matter of some concern. There is a significant gap between the costs of servicing and the ability of some residents to pay. Some of the housing within the community, for example, does not have interior plumbing systems suitable for central service hookup and in some cases there is a lack of suitable basements for service hookup. Houses with inadequate inside plumbing require upgrading, thus adding further costs.

- E-4 It shall be the intention of Council, in co-operation with provincial and federal agencies, to determine ways and means of defraying the costs of municipal water and sewer services to private residences where such costs impose undue economic hardship on those residents with low and fixed incomes.

Stormwater Management

Stormwaters normally flow through drainage systems which include rivers, creeks, lakes, ponds, marshes and other natural features. In rural areas, there is generally little notice of the impact of these drainage systems, but in developing areas, it has become apparent that significant environmental and economic costs can arise as a result of changes in these systems.

Especially in more developed areas where additional surface runoff from the development and after effects of subdivisions can lead to erosion and sedimentation in rivers and lakes, and infilling to the loss of natural wetlands and water retention areas, there is a growing recognition of the need to protect watercourses. Stormwater management can provide a significant reduction in development associated drainage impacts and their consequent costs.

Stormwater management has assumed a higher priority in the Municipality since Council's adoption of the Stormwater Task Force Report. This led to the passage of the Halifax County Stormwater Drainage Act in 1988, which enables the Municipality to enact its own controls over stormwater drainage. In addition, stormwater design criteria have been developed and additional attention paid to engineering considerations during the subdivision stage of a development. These features are to be incorporated into a by-law which controls the infilling, diversion and removal of natural stormwater systems and requires adequate stormwater drainage systems for both subdivisions and individual lots.

While interest in stormwater management was initiated largely due to problems and concerns with the flooding of built up areas, stormwater runoff, although often overlooked, is also a cause of water pollution. Its proper management is, therefore, essential in order to maintain water quality.

- E-5 It shall be the intention of Council to implement the Stormwater Policy and Design Criteria for types of development and in portions of the Plan Area where it is determined to be appropriate and feasible, through necessary amendments to the Subdivision By-law.

The infilling of any water body can have detrimental effects on stormwater and the maintenance of environmental quality. In some instances, in order to divert, infill or otherwise alter any watercourse or body of water, permission may be required from the federal Department of Transport (for navigable waters) or the provincial Departments of the Environment or Lands and Forests. These requirements, unfortunately, are all too often ignored. Portions of Lovett Lake and Half Mile Lake have, in the past, been infilled.

- E-6 It shall be the intention of Council to request the federal Department of Transport and the provincial Departments of the Environment and Natural Resources to improve enforcement of the regulations and guidelines governing infilling or other interference with watercourses within the Plan Area, and to encourage clean-up and maintenance programmes for watercourses and waterbodies and, more specifically, for Governor Run and Governor Lake.

Poor construction practices, particularly in developing areas, can also result in damage to watercourses or bodies of water. A prime example is careless excavation which leads to increased siltation from uncontrolled runoff. Proper construction practice guidelines have been jointly prepared by federal and provincial governments. However, while such guidelines are widely distributed, there are no provisions for their enforcement.

- E-7 It shall be the intention of Council to request the Nova Scotia Departments of Transportation and Communications and the Environment to enforce compliance with the Province of Nova Scotia Environmental Construction Practice Specifications.

The Municipality has had experience with the results of a lack of stormwater management in conjunction with major developments. With the passage of the Halifax County Stormwater Drainage Act, the Municipality now has the authority to prepare stormwater management policies and plans including, as a priority, urban drainage master plans.

- E-8 It shall be the intention of Council to adopt a comprehensive stormwater management system for the Timberlea/Lakeside/Beechville Plan Area. Preparatory to its adoption, Council, through the Engineering and Works Department, should undertake:
- (a) the identification of watersheds, watercourses and waterbodies within the Plan Area;
 - (b) to identify areas within the Plan Area which have deficiencies in their existing storm drainage systems;
 - (c) the preparation of urban drainage master plans appropriate to the Plan Area.

Subsequent to the preparation and adoption of the Municipality's Stormwater Drainage Act, the focus of efforts leading to the implementation of this legislation has been on amendments to the Subdivision By-law. It has become apparent, however, that drainage problems at the single, private lot level especially residential - represent the single most critical stormwater management issue in the Municipality. It is, therefore, appropriate for the Municipality to prepare and adopt storm drainage controls at the single lot as well as the subdivision level, in order to reduce the

drainage problems associated with the improper grading of subdivisions and individual residential properties.

- E-9 It shall be the intention of Council to prepare and adopt a Lot Grading and Drainage By-law to control the grading of subdivisions and individual lots in order to reduce erosion and sedimentation of watercourses which result from improper or inappropriate drainage practices.

The protection of the natural drainage systems in the Plan Area can, in some instances, also provide opportunities for active recreational and natural open spaces. While storm drainage land is often available through the subdivision process, its potential for recreational purposes is not always examined. Through their respective roles in the subdivision process, the Municipality's departments of Recreation, Planning and Engineering and Works can, while protecting, make available for recreation purposes appropriate storm drainage areas.

- E-10 It shall be the intention of Council to involve the Engineering and Works, Recreation and Planning Departments to review the capability of stormwater drainage systems to support recreational activities.

In many plan areas there are also watercourses which are of importance to adjoining municipal units with which the Municipality shares boundaries. Consultation and cooperation in the management of such watercourses is important to ensure consistent and complementary measures are adopted by each of the units. The implementation of stormwater management policies, procedures, and the cooperation of adjacent areas and jurisdictions are essential to the protection of watercourses and their natural functioning.

It shall be the intention of Council to encourage adjacent municipal units to implement appropriate stormwater management and construction practices in developing areas adjacent to the Plan Area and cooperate with these units in maintaining the environmental quality of watercourses in which there is a joint interest.

Solid Waste Disposal

Solid waste collection is contracted to private firms on a weekly pick-up basis and is disposed at the regional sanitary landfill site operated by the Metropolitan Authority. The landfill site is located in Upper Sackville to the west of Highway No. 101 and extends back from the highway to the Sackville River. The site contains approximately 330 acres, 80 of which are actually used for the landfill. Operations began in November, 1977 and the site is scheduled to close in 1994. The Metropolitan Authority, therefore, started work on a "Solid Waste Master Plan" in August of 1989. The key to this plan is the concept of Integrated Waste Management. This concept recognizes that solid waste is a mixture of materials requiring a range of methods for disposal. Therefore, the recycling and reduction of waste will play a significant role in the Solid Waste Master Plan.

- E-12 It shall be the intention of Council to request the Metropolitan Authority to investigate, in cooperation with other levels of government, programmes for reducing waste and for waste reclamation.

- E-13 It shall be the intention of Council to support the public participation process established

by the Metropolitan Authority in locating a new regional landfill site.

- E-14 It shall be the intention of Council to support non-financial community based recycling efforts.

In 1994, the Metropolitan Authority prepared a solid waste management strategy which proposed the construction of a waste-to-energy plant (incinerator) and a landfill for residual ash. This proposal, however, was rejected by the Minister of the Environment which resulted in the Sackville landfill site remaining open after the June 30, 1995 deadline. On August 9, 1994, The Metropolitan Authority passed a resolution requesting Halifax County Municipality to assume responsibility for solid waste management.

On September 6, 1994, Halifax County Municipality assumed responsibility on behalf of the four metropolitan units for solid waste management, including the siting of the new landfill site. To help establish the overall waste management strategy and the siting of a new landfill, Halifax County established a community stakeholder committee (CSC) in October of 1994 to oversee the process. On March 25, 1995, the CSC adopted in principle, "An Integrated Resource Management Strategy", which was later adopted in principle by all four municipal units involved.

The Waste Management Strategy establishes goals for the diversion of solid waste from the new landfill site. The goal of the strategy is to reduce the amount of solid waste disposed of at the new landfill site from 97 percent of total waste generated to approximately 12 percent. The Waste Management Strategy is made up of a number of components which must be implemented together in order to achieve its objectives. A significant increase in composting activity is considered essential to meeting or exceeding waste diversion targets as well as ensuring that organic wastes are not disposed of at the new regional landfill site.

To achieve the desired diversion target, the strategy focuses on the diversion of organic matter from the waste stream through personal (backyard) composting and source-separated composting. Personal composting is intended to divert approximately 30 percent of the total residential organics while source-separated composting is intended to divert 60% of the total organics. Personal composting has been promoted by the Municipality through the subsidization and distribution of personal composters.

It is anticipated that composting operations will utilize either windrow³ or in-vessel⁴ composting approaches. Due to the high capital costs associated with in-vessel facilities, windrow composting is the most utilized approach for neighbourhood or small community composting operations. However, the type of composting approach utilized for large populations or areas would depend on a number of factors such as land prices, transportation costs, and the quantity of material to be processed. Therefore, both windrow

³ *"Windrow Composting" refers to the method of controlled, aerobic composting of organics in which piles of material are aligned in long rows and turned on a regular basis by mobile equipment. Windrow composting can be conducted in buildings or out-of-door.*

⁴ *"In-Vessel Composting" refers to the method of aerobic composting of organics which is conducted in vessels, under cover, where the movement of air, the movement of material, and the monitoring of environmental parameters are mechanically controlled.*

and in-vessel composting should be permitted equally within the Plan Area. The strategy recommends that there be multiple composting sites and be located close to the centres of generation.

To facilitate the safe production, distribution and use of compost material the Department of the Environment has adopted guidelines for commercial composting operations which contain provisions for establishing and operating commercial/municipal/industrial composting facilities and for the testing and classifying of the finished compost product. All composting facilities, except for personal composting operations, are required to obtain a composting permit from the department and each facility must satisfy the requirements of the composting guidelines.

In order to support the waste management strategy, composting operations will be permitted in a number of zones throughout the plan area subject to locational criteria contained within the land use by-law and compliance with provincial guidelines.

E-14A It shall be the intention of Council, in support of the Integrated Waste Management Strategy adopted in June 1995, to support the location of composting operations in (industrial, resource, and mixed use) zones subject to compliance with provincial and municipal guidelines and regulations.

CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY

The key objective of Halifax Regional Municipality's (HRM) Integrated Waste/Resource Management Strategy (IWMS) is to minimize the amount of material going to a municipal landfill. The IWMS comprises a number of components which must be implemented together in order to achieve its objectives.

Of the various components, construction and demolition (C&D) waste is a key component. Construction and demolition materials means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. The combination of strong economic growth and corresponding growth in waste generation has resulted in increased financial pressure on the Municipality. In the interests of the greater public, it is essential that all aspects of the integrated waste management system, especially opportunities to maximize diversion, operate effectively. The IWMS recognizes that, while a significant proportion of C&D waste should be reused or recycled, it is necessary for some of this material to be buried.

On January, 1998 Regional Council approved the following objectives in support of implementing an HRM-wide C&D Waste Management Strategy:

- (i) maximize diversion from landfill through recycling of construction and demolition debris in keeping with the Halifax Regional Municipality Solid Waste Resources Strategy;
- (ii) increase economic activity and value added processing through recovery of construction and demolition debris;
- (iii) provide an opportunity to properly dispose of construction and demolition debris that cannot be recycled; and
- (iv) minimize environmental, land use and nuisance impacts from the operation of construction and demolition debris transfer, processing and disposal operations.

The C&D Strategy is in keeping with the overall objectives of the IWMS. Its implementation requires that municipal planning documents recognize the unique land use requirements of the C&D industry and that a specific Licensing By-law is required to address operational issues. The intent is to provide a comprehensive regulatory framework that is applied fairly and consistently throughout HRM.

HRM discourages processing and disposal of some C&D waste at its landfill. Inert C&D material does not need to be disposed of at the regional landfill site. Generators or haulers of these materials are generally discouraged from utilizing municipal facilities due to comparatively high tipping fees which encourage the use of private recycling or disposal facilities. Hazardous C&D waste materials are not accepted at the landfill or at private recycling or disposal facilities and must be disposed of as set out in provincial legislation.

The following municipal planning policies are intended to support and/or implement key components of HRM's C&D Strategy.

- SW-1** It shall be the intention of Council to initiate an education and public awareness program for builders, home renovators and developers describing best practices for maximizing the amount of C&D materials recycled, reused and/or diverted from municipal landfill.
- SW-2** It shall be the intent of Council to review its construction and procurement practices to ensure that C&D debris materials resulting from municipal construction projects are diverted to appropriate reuse and recycling facilities.
- SW-3** Further to Policy SW-2, Council shall encourage provincial and federal agencies working within HRM to also review their construction and procurement practices to support recycling / reuse of C&D materials.

The C&D industry comprises three types of operations which must be accommodated through land use regulations: C&D transfer stations; C&D processing operations; and C&D disposal operations. These facilities can operate independent of each other or jointly on the same or separate properties.

Operational and compatibility considerations related to C&D facilities require they not be located within residential, community facility, or environmentally sensitive designated areas. To minimize compatibility concerns, the Land Use By-law will permit C&D facilities only in areas designated industrial or resource, where the density of residential development, types of uses permitted, and potential for land use conflicts is minimized. Further, as the potential impact of C&D operations on adjacent lands depends, to a degree, on the type of C&D operation, the Land Use By-law provisions will recognize individual characteristics of the three forms of C&D operations.

- SW-4** It shall be the intention of Council to provide a consistent approach to permitting C&D operations throughout HRM. Further, the Land Use By-law shall clearly define each type of operation and implement measures to minimize the impact of C&D operations on surrounding land uses and watercourses.
- SW-5** It shall be the intention of Council to prohibit C&D operations from establishing in areas designated residential, community facility, or environmentally sensitive.

Operational aspects of the C&D industry can be classified into two categories: operations where materials are transferred and/or processed; and operations which dispose of materials.

Transfer Stations and Processing Facilities

Municipal planning documents adopted or amended prior to 2002 did not recognize C&D transfer stations and processing facilities as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations which apply to other uses such as salvage yards and “industrial” or “processing” operations. This resulted in inconsistency and the creation of an uneven “playing field” for contractors and C&D operators. Additionally, standards were appropriate in addressing unique siting, land use

and other aspects of the C&D industry. In order to ensure consistency, new C&D transfer and processing operations will be considered by rezoning. This will minimize the impact of such facilities on adjacent land uses and ensure that public consultation forms part of the process for considering new operations. Further, the site plan approval process will be used for all C&D operations to address compatibility issues on a site specific basis.

SW-6 A CD-1 (C&D Transfer Stations) Zone shall be established in the land use by-law. The zone shall permit only C&D transfer stations and shall establish controls on setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impacts on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D operations will only be considered where such operations are within the Industrial or Resource Designations and pursuant to the following criteria:

- (a) safe access to and from the site of the proposed operation shall be obtained from the abutting street or highway and the development shall not cause traffic circulation problems or traffic hazards due to the nature or level of traffic created;
- (b) no operation shall have direct access to a local road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not be provided through lands zoned for residential or community use;
- (c) sites shall allow for the reasonable separation of the proposed operation from surrounding residential development;
- (d) consideration shall be given to the extent and location of open storage with respect to abutting properties;
- (e) scale and appearance of the proposed operation will not detract from or adversely affect surrounding developments;
- (f) the proposed site layout, including but not limited to landscaping, buildings or structures, access and egress, parking areas, signage, and outdoor storage or display areas, shall be appropriate having regard to the other provisions of this Policy;
- (g) adequate buffering and screening measures, including the use of berms, opaque fencing, and vegetation, shall be provided as a means to reduce any visual and/or noise intrusion to surrounding residential development;
- (h) applicant shall provide a report that addresses the effectiveness of environmental measures used to protect the natural environment (ie watercourse, groundwater, etc.);
- (i) no portion of the operation shall be located within a floodplain (1:100 year event);
- (j) consideration shall be given to the adequacy of onsite or central services; and
- (k) provisions of Policy IM-12.

SW-7 A CD-2 (C&D Recycling Operations) Zone shall be established in the land use by-law. The zone shall permit C&D recycling operations and CD-1 zone uses, excluding disposal, and shall establish controls on setbacks from adjacent uses, provide buffering and screening, landscaping measures, regulate access and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new CD-2 Zone uses shall only be considered where

such operations are within the Industrial or Resource Designations, and pursuant to criteria of Policy SW-6.

C&D Disposal Facilities

In the past, construction and demolition materials were disposed of either through use as general fill material at private sites or through disposal at the regional landfill facility. Respectively, these practices have come under criticism due to concerns about potential environmental impacts associated with disposal at unregulated private facilities and the financial burden associated with disposing of significant amounts of C&D waste at a municipal landfill site which was not designed to accommodate this material.

Past disposal practices have prevented significant amounts of C&D materials from being either reused or recycled and a lack of permitted locations for C&D waste disposal has contributed to illegal dumping on private and Crown land. Historically, there have been no approved locations in HRM where construction and demolition waste can be both conveniently and safely landfilled despite the existence of Provincial regulations which provide sufficient environmental protection.

Under Provincial regulations, businesses which dispose of C&D materials are classified into two categories:

- (a) Facilities which dispose of only inert C&D materials for which Ministerial approval and a permit from the Department of the Environment are not required. Inert materials are defined as “rock (excluding sulphide bearing rock), aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, milled wood that is free of adhesives, coatings or preservatives.
- (b) Facilities which dispose of all types of C&D materials (inert and non-inert) for which Ministerial approval is required. These operations require a permit from the Department of the Environment and Labour in accordance with Provincial “Construction and Demolition Debris Disposal Site Guidelines”, to address the design and operational requirements.

Any C&D disposal operation is required to comply with the provisions of HRM’s C&D Licensing By-law. The By-law prohibits disposal of materials which can be recycled or reused and will significantly minimize the number of such disposal operations. Neither the C&D License By-law nor provincial regulations prohibit the use of inert materials as fill on individual properties. Consequently, the regulation of C&D disposal facilities through municipal planning documents should focus on land use compatibility issues and locational criteria.

Under the Municipal Government Act, municipalities can regulate where disposal operations are permitted. To address land use compatibility issues, a C&D disposal zone shall be established in the Land Use By-law and disposal sites shall only be considered through the rezoning and site plan approval process.

SW-8 A CD-3 (C&D Disposal) Zone shall be established in the land use by-law. The zone

shall permit C&D disposal operations, CD-2 zone uses and establish controls relative to setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D disposal operations shall be considered where such operations are within the Industrial or Resource Designations and pursuant to the following criteria:

- (a) the applicant shall provide the level of information for a complete C&D disposal operation required by the N.S. Department of the Environment and Labour for approval; and
- (b) those criteria outlined in Policy SW-6.

Site Plan Approval

In order to minimize associated land use concerns all C&D operations shall proceed through the Site Plan Approval process.

SW-9 Further to Policies SW-6, SW-7, and SW-8, all C&D operations shall be regulated under a Site Plan Approval Process in order to minimize land use impacts. Siting standards shall be set out in the Land Use By-law to address such items as, but not limited to, screening, access, outdoor storage, maintenance, stormwater management, lighting, signage, and landscaping measures.

Existing C&D Operations

There are a number of existing C&D operations (transfer stations and processing operations) throughout HRM. To recognize these existing operations, applicable zoning shall be applied to reflect the use conducted on these properties in conjunction with the adoption of the amendments.

SW-10 It shall be the intention of Council to recognize existing C&D operations by applying the applicable zone to reflect their existing use.

SW-11 Further to Policy SW-10, any expansion of an existing C&D operation (ie. addition to an existing building, a new building, or a new/change of use) shall be subject to the site plan approval process.

Community Liaison Committee (CLC)

A concern of most communities, relative to C&D disposal operations, is not knowing whether or not the community and environment are being protected. To address these concerns, the N.S. Department of the Environment and Labour has the option to require a Community Liaison Committee in association with disposal operations. HRM supports the establishment of a CLC for C&D disposal operations and wishes to be involved with the committee to provide information on municipal approvals, requirements, and enforcement issues.

SW-12 Council shall recommend to the N.S. Department of the Environment and Labour

that a Community Liaison Committee be established for all C&D disposal operations within HRM. (RC-Sep 10/02;E-Nov 9/02).

INFRASTRUCTURE CHARGES

Halifax Regional Municipality has experienced sustained residential and commercial growth throughout the past several decades. The provision of new street and underground servicing systems to accommodate new developments is generally the responsibility of individual developers as condition of development approval and municipal take over of such servicing systems. In many cases, however, these servicing systems are sized and constructed to accommodate only the immediate area in which new development occurs. This leads to problems when the cumulative effect of individual developments either impact on, or are impacted by, the capability of overall community and regional infrastructure to accommodate growth.

Costs associated with ensuring that the size and extent of infrastructure required to accommodate new growth and its impacts on existing communities have been assumed largely by public sector funding. Traditional sources of public funding for municipal infrastructure have been reduced and new infrastructure will need to be funded without public financing available in the past. This presents a significant challenge to the Municipality in terms of balancing the economic benefits of new growth with the need to ensure that the infrastructure required to support growth is provided in a timely and cost-effective manner.

Council is concerned that many of the trunk infrastructure systems in the Municipality are nearing their design capacities and recognizes that new servicing systems are required to meet the needs of the community. An Integrated Servicing Study recently prepared for the Municipality identified substantial new infrastructure required in order to accommodate future development.

The Municipality has adopted a Multi-Year Financial Strategy with respect to its debt load and financial position. The Municipality is not in a financial position to absorb the capital costs associated with upgrading and extending the infrastructure necessary to facilitate future development, nor is it prepared to burden existing taxpayers with additional capital costs associated with new development.

In order to help facilitate continued growth without imposing an excessive financial burden on the existing taxpayers of the Municipality, it is Council's intention to recover infrastructure-related costs associated with new growth in the form of Infrastructure Charges in accordance with the provisions of the *Municipal Government Act (MGA)*. Recovery of Infrastructure Charges will enable the Municipality to allocate the capital costs associated with new infrastructure to developers and subdividers deriving servicing benefits from the new infrastructure.

In keeping with the *MGA*, Infrastructure Charges for:

- (a) new or expanded water systems;
- (b) new or expanded waste water facilities;
- (c) new or expanded storm water systems;
- (d) new or expanded streets;
- (e) upgrading intersections, new traffic signs and signals, and new transit bus bays, may

be imposed in the Subdivision By-law to recover all, or part, of the capital costs incurred, or anticipated to be incurred, by the Municipality by reason of the subdivision and future development of land as well as to recover costs associated with land, planning, studies related to the Master Plan, engineering, surveying and legal costs incurred with respect to any of them.

The Subdivision By-law shall set out the infrastructure charge areas in which Infrastructure Charges are to be levied, the purposes for which Infrastructure Charges are to be levied and the amount of, or method of calculating, each infrastructure charge.

The Municipality will initiate Master Plan studies where necessary in order to determine appropriate charge areas and the costs associated with oversized and new infrastructure. The cost of any such studies will be included as part of the infrastructure charge to be recovered under the Subdivision By-law.

Where the costs of providing infrastructure to accommodate development activity in specific geographic locations may place excessive financial burden on the Municipality, it may be necessary to restrict development pending completion of Master Plan studies and establishing of charge areas. In such instances provision will be made for application by Council of a holding zone to such areas. Additionally, where proposed development agreements would result in a subdivision requiring new infrastructure, approval of such proposals will be subject to Infrastructure Charges. The methodology for determining charge areas will be generally outlined in a Capital Cost Contribution Policy adopted by Council.

Objectives

The following statements generally define the objectives Council wishes to achieve through the imposition of Infrastructure Charges within the Municipality:

- (a) to provide a leadership role in facilitating future growth in the Municipality;
- (b) to recover an infrastructure charge where the subdivision or development presents a requirement for new infrastructure;
- (c) to ensure that the costs of new infrastructure are properly allocated to subdividers and other stakeholders deriving benefit from the infrastructure;
- (d) to limit the Municipality's financial contribution having regard to other budgetary commitments and constraints;
- (e) to provide greater certainty to subdividers and other stakeholders with respect to the costs of development in the Municipality;
- (f) to maintain a consistent approach to recovery of Infrastructure Charges across the Municipality;
- (g) to ensure that recovery of Infrastructure Charges is compatible with good land use planning in the Municipality.

Policy Statements

The following policy statements identify the intentions of Council in adopting municipal planning policy with respect to Infrastructure Charges. These policies will be implemented

through provisions established in the Subdivision and Land Use By-laws and by administrative practices and procedures.

IC-1 Where capital costs have been or are anticipated by reason of the subdivision or future development of land, the Subdivision By-law shall be amended from time to time to identify specific charge areas and related Infrastructure Charges applicable in the Municipality. In amending the Subdivision By-law to establish a charge area, Council shall consider:

- (a) The adequacy of existing infrastructure;
- (b) Transportation requirements, including existing streets;
- (c) Drainage patterns and drainage requirements;
- (d) Water service requirements, including existing and proposed water service districts;
- (e) Storm and sanitary sewer system requirements, including the extension of existing systems and servicing boundaries;
- (f) Land use and existing and future development;
- (g) Financial impacts on the Municipality;
- (h) Soil conditions and topography; and
- (i) Any other matter of relevant planning concern.

IC-2 Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.

IC-3 Infrastructure Charges imposed pursuant to the Subdivision By-law may be set at different levels related to the proposed land use, zoning, density, traffic generation, lot size and number of lots in a subdivision and the anticipated servicing requirements for each infrastructure charge area.

IC-4 The Subdivision By-law shall establish conditions for Subdivision Approval with respect to the payment of Infrastructure Charges including provisions for any agreements with the Municipality as a condition of Subdivision Approval.

IC-5 An Infrastructure Charge Holding Zone shall be established in the Land Use By-law. The Holding Zone may be applied by Council to lands within any designation on the Generalized Future Land Use Map where, in respect of development, Council has determined that: the cost of providing municipal wastewater facilities, stormwater systems or water systems would be prohibitive; or the cost of maintaining municipal streets would be prohibitive.

Development permitted within an Infrastructure Charge Holding Zone shall be restricted to single unit dwellings except in conformity with a development agreement approved by Council in accordance with the MGA.

IC-6 Where an area is zoned as an Infrastructure Charge Holding Zone area, the municipality shall, within one year of the effective date of the zone, commence the procedure to amend the Subdivision By-law to include provision for the payment of Infrastructure Charges, prior to permitting development or the designation(s) and zone(s) in effect immediately prior to the Pending Infrastructure Charges Area zone

comes into effect.

- IC-7 Council shall be guided by the Municipality's Multi-Year Financial Strategy and capital budget process in determining the extent and timing of municipal contributions toward new infrastructure.**
- IC-8 An infrastructure charge may only be used for the purpose for which it is collected. (RC-Jul 2/02;E-Aug 17/02)**

INTERIM GROWTH MANAGEMENT Deleted (RC-Jun 27;E-Aug 26/06)

TRANSPORTATION AND UTILITIES

Map 3 - Transportation identifies existing and proposed transportation systems within the Plan Area. The public road network throughout the Municipality is the responsibility of the provincial Department of Transportation and Communications. Despite the limited jurisdiction of the Municipality in transportation matters, transportation remains a fundamental concern in recognition of the interdependence between transportation, land use and community development.

In the past, the Plan Area's network of arterial, collector and local roads was based on a classification system established by the Department of Transportation and Communications, whereby roads were classified according to their structural design and traffic service capabilities. Emphasis was placed on traffic movement, with little consideration given to the types of land uses associated with or adjacent to the various roadways. In order to establish more specific locational criteria upon which to evaluate developments and to prioritize municipal servicing programs, such as the installation of sidewalk services, it is desirable to establish a road classification system more appropriate to the needs of the Plan Area.

TR-1 It shall be the intention of Council to adopt the road classifications shown on Map 3 - Transportation Plan.

By using the road classification system, Council will be better able to evaluate land use proposals in relation to road type. The road classification system uses a combination of factors to classify roadways; such as primary function, land use service, traffic volume, right-of-way width and road connections.

TR-2 It shall be the intention of Council to utilize the road classification system as a means of evaluating development proposals which require amendments to the schedule of the land use by-law or which must be considered pursuant to the development agreement provisions of the Planning Act.

Traffic patterns are subject to change, either as new developments occur within the Plan Area or as new roads are constructed. Therefore, a change in one factor, may result in a road being reclassified to a higher (or lower) classification, even though the other factors have not changed. In addition, as the Plan Area grows, new roads will be constructed. The road classification system must also provide a framework for classifying new roads. The road classification system will also be applied to developing areas so that new developments occurring in the Plan Area may be evaluated on the basis of their relationship to the transportation network.

TR-3 It shall be the intention of Council to utilize the road classification criteria in Appendix "A", as a basis on which to evaluate and reclassify existing or new roadways in the Plan Area.

Within the area shown on Map UR-1, Council may consider an alternative street hierarchy provided that function and public safety needs are met. (RC-Oct 30/01;E-Dec 8/01)

TR-4 It shall be in the intention of Council to co-operate with the Department of Transportation and Communications in maintaining and revising the road classification system as the

road network changes in the Plan Area.

The road network in the Plan Area was developed in a relatively incremental manner, as the area developed over time. As a result, the road network is comprised mostly of a series of local streets with little recognition given to hierarchical design. To improve movement through the road network, particularly where new subdivisions are being considered, developers should be required to reserve right-of-ways and/or build higher order roadways in order to improve overall efficiency of the road network.

- TR-5 It shall be the intention of Council to encourage the Department of Transportation and Communications to prepare conceptual plans showing the approximate location of future arterial and collector roads within the Plan Area and to establish mechanisms which ensure that the necessary rights-of-way for these higher order roadways are provided for as development occurs.
- TR-6 It shall be the intention of Council to encourage and cooperate with the Department of Transportation and Communications in establishing a road network hierarchy that identifies specific design criteria and procedures for road right-of-ways, in order to be more reflective of the urban context within the Plan Area.

Local Transportation Matters

Transportation planning is of considerable importance to the Plan Area's residents. The designation of a truck route, consideration of collector streets, the potential location of a future interchange to serve the community, speed limits, rationalization of commercial driveways, the provision of sidewalks and development on private roads are concerns of the community.

Heavy truck traffic and demand from the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park and area resulted in the Halifax-Dartmouth Regional Development Plan recommending the widening of Highway No. 3 in Beechville, from the Highway No. 103 interchange to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, to four lanes. Residents find this recommendation unacceptable, fearing the additional truck traffic and the ultimate removal of homes as consequences. Since the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park is the main truck traffic generator, the preferred long-term solution would be some road development within the Industrial Park itself with access to the Bicentennial Highway, Highway No. 103 or to Highway No. 3 near the Highway No. 103 interchange in Beechville. The new intersection serving Bayers Lake Industrial Park makes the former option more viable than it was in 1982. In addition, residents along the entire length of Highway No. 3 are subject to truck traffic, a situation which they wish to see restricted. Only that part of the highway in Beechville up to the **B Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park need be used as a truck route until a long-term solution for truck traffic is implemented.

As the community grows, at least one major collector running parallel to Highway No. 3, between Highways No. 3 and 103, must be provided if the problem of funnelling all the major traffic flow on Highway No. 3 solely is to be avoided. Without an additional collector street this road would be incapable of accommodating major traffic flows in an efficient manner, should significant land development occur. Appropriate planning for a second collector street should be completed before land use development precludes that possibility.

- TR-7 It shall be the intention of Council to request the Department of Transportation and Communications to designate Highway No. 3 in Beechville to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park as a truck route in order to preclude the remaining portion of Highway No. 3 in the Plan Area being used for truck traffic.
- TR-8 It shall be intention of Council to request that the Department of Transportation and Communications, in consultation with local residents, develop a transportation master plan including, but not necessarily limited to, the following:
- (a) A study of truck traffic into the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park relative to existing and potential development, including an evaluation of alternative routes C, D, and E, as shown on Map 3 - Transportation. It is the intention that the identification of any route not consider the widening of Highway No. 3, from its easterly interchange at Highway No. 103 to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park to four lanes. Further, it shall be the intention of Council to request an amendment to the Halifax-Dartmouth Regional Development Plan in regard to the widening of Highway No. 3.
 - (b) A study of an efficient hierarchy of roads within the communities in order to provide an acceptable level of service for private and public transit, given the area's proximity to the city of Halifax, and the installation of services. It is the intent that any study consider new collector streets, including collectors A and B, as shown on Map 3 Transportation.
 - (c) A study of an additional interchange at Highway No. 103.
 - (d) A study of the general transportation system with regard to improvements to the quality and efficiency of roads, access, intersections, circulation, signage and signalization.
- TR-9 In the event of any proposal to construct a new interchange on Highway No. 103, it shall be the intention of Council to review and consider amending this municipal planning strategy.

Highway No. 103 provides a direct route for traffic bypassing the community. Despite the apparent benefits of a provincial arterial highway, there is the potential for land use conflicts with adjoining residential development if proper separation does not occur. Of particular concern are the noise levels generated by volumes of high speed traffic. Safety and aesthetics are also relevant concerns. An extended setback of residential buildings from a provincial arterial highway should ensure proper visual and noise buffering. Residents' choice of house location and enjoyment of their front yard properties will not be restricted if greater overall lot depths are required where new lots are created through subdivision in areas abutting a provincial arterial highway.

- TR-10 It shall be the intention of Council to require an appropriate setback for residential uses located on lots abutting provincial non-access arterial highways.

Many of the commercial uses along Highway No. 3 have poorly defined access points, resulting in difficulties to vehicular and pedestrian circulation. Better identification of access points through curbing and consolidation of driveways to a single entrance and exit is an appropriate solution.

TR-11 Through the review of subdivision and general development proposals, it shall be the intention of Council, to encourage the consolidation of driveways and parking areas, as well as rationalized entrances and exits, for commercial uses along Highway No. 3.

Private Roads

There are more than a dozen private roads with the majority being in Lakeside. The large majority of private roads within the Service Boundary will be receiving municipal water and sewer services. In general, private roads are narrow, poorly surfaced and designed and inadequately maintained. The Department of Transportation is not responsible for snow removal or any other general maintenance or repair.

Various problems arise with respect to development along private roads within the Service Boundary which have received municipal water and sewer services. Under the previous regulations, landowners could not subdivide land on private roads. These landowners however will be paying sewer service charges on a frontage basis and, upon completion of service installation, the subdivision of land and full use of the services should be accommodated. Therefore, there may be opportunity to upgrade and list a number of these private roads.

TR-12 It shall be the intention of Council to permit the subdivision of lands abutting private lanes which have municipal sewer and water services by indexing these roadways in the Subdivision By-law. In addition, Council shall establish a schedule of priorities in coordinating the development of lands with the road improvements necessary to provide a reasonable level of service to existing and future residents and land users.

In certain instances, the subdivision of existing properties has been hampered due to a lack of sufficient road frontage. The Municipal Subdivision By-law contains provisions which permit limited subdivision on the basis of reduced road frontage. The application of these provisions in the Plan Area would support the creation of new lots from larger areas of land which may have limited frontage on the public road network. These provisions are not, however, considered to be appropriate within areas served by central services or for uses of land which generate higher volumes of traffic, such as commercial, industrial or institutional developments.

TR-13 It shall be the intention of Council to permit the application of certain sections of Part 14 of the Subdivision By-law as specified therein except for the reduced lot frontage provisions contained in Section 14.1 which shall not apply in the following circumstances:

- (a) where properties are located within the Service Boundary as shown on Map 2 - Servicing Boundaries Map;
- (b) where properties are zoned for commercial, industrial, or community facility purposes.

TR-14 It shall be the intention of Council that development permits shall not be issued for commercial, industrial, or community facility uses for lots created pursuant to Section 14.1 of the Subdivision By-law.

Transit

Timberlea/Lakeside/Beechville is a suburban area which relies heavily on the cities of Halifax and Dartmouth for employment, shopping and other goods and services. With an expanding population base, the need for improved public transit becomes more apparent and necessary. At present, the Metropolitan Authority operates one bus route in the Plan Area which serves most areas along Highway No. 3.

In 1988, the Metropolitan Authority conducted a review of its Transit Routes. From the review, the Metropolitan Authority indicated that Transit service to Timberlea/Lakeside/Beechville should improve service to the area by reducing the use of loop routes, schedule changes and to use a connector road or a bus gate to link two existing subdivisions in the Greenwood area.

TR-15 It shall be the intention of Council to encourage the Metropolitan Authority to implement all of the transit improvements proposed in the "Metro Transit - Route Review Report (1988)".

TR-16 It shall be the intention of Council to support and encourage the continued provision of public transit services for Timberlea/Lakeside/ Beechville.

Pedestrian Systems

There is a need to develop a more integrated system of sidewalks, walkways and bicycle pathways within the Plan Area, particularly in conjunction with community facilities such as schools and recreation areas, as well as along busy streets such as major collector streets. A small number of short walkways exist in the area, mainly in conjunction with school facilities.

TR-17 It shall be the intention of Council to establish standards for walkways which will ensure public safety and ease of maintenance. Furthermore, it shall be Council's intention to clarify ownership of the existing walkway system and to encourage the development of public walkways in order to ensure public access between community facilities, parks and bus stops.

Sidewalks have generally been cost-shared and constructed by the Department of Transportation and Communications, the Municipality and area residents when a request for such service has been received. However, there are some locations, particularly near schools, where potential dangers exist for pedestrians due to the lack of sidewalks.

TR-18 It shall be the intention of Council in co-operation with the Department of Transportation and Communications and the community to undertake a review of existing sidewalks, crosswalks and street lighting and to produce a priority list of future improvements including overhead walkways.

Utilities

The utilities in the community consist primarily of overhead wiring as well as some cable services. There are also two utility corridors as are shown on Map 3 - Transportation.

The siting of utility corridors should be subject to the Municipality's review due to potential impacts on scenic, recreational and residential areas of the Municipality.

TR-19 It shall be the intention of Council to request all utility companies to submit proposed plans of any utility corridors prior to construction. Furthermore, Council shall discourage the location of utility corridors through designated scenic, recreational and residential areas of the Municipality.

HERITAGE RESOURCES

Under the Provincial Heritage Property Act, the Municipality has enacted a Heritage Property By-law to establish a municipal registry of heritage properties, form a Heritage Advisory Committee, and exercise a certain degree of control over the alteration or demolition of municipal heritage property.

The Plan Area is without a local heritage or historical society, and efforts at identifying, preserving or protecting heritage resources are minimal. However, local residents have identified the Old Coach House, along Highway No. 3 in Timberlea, as one site deserving some attention.

- H-1 It shall be the intention of Council to further the intent and objectives of heritage conservation through the Municipality's Heritage Property By-law. Furthermore, it shall be the intention of Council to encourage local historic and heritage conservation organizations to identify potential heritage sites and pursue explore philanthropic and government sources of funds.
- H-2 It shall be the intention of Council to investigate the designation of the Old Coach House and Fraser Mill in Timberlea as heritage property.

RECREATION

The development of active recreation areas and facilities has been noticeably absent. Table 1 illustrates the existing park reserves, play areas and recreation facilities. Parks and open spaces include approximately 22 acres of which about 15 acres are undeveloped. The local schools have just over 5 acres of land for active recreation. The Ashley-Cheeseman Memorial Field, adjacent to the Lakeside School, has two tennis courts and a ball field. The Timberlea Junior High School has two tennis courts, a gymnasium and a large outdoor playing field. With the exception of the Glengarry School, the Elementary Schools' sole recreation facility is the small multi-purpose pad. The remaining 2 acres of active recreation land consists of a small tot lot in the Parkdale Estates Subdivision and a 1.9 acre ball field and children's playground in the Greenwood Heights Subdivision.

The Western Common Study identified an area on the north shore of Otter Lake, near the newest interchange with Highway 103 for a park which could serve residents of this plan area, as well as neighboring communities in the region. The study also proposed that “trail head” facilities would be located in the park to allow for easy access to the larger wildness park intended. (RC-Jul 4/00;E-Aug 5/00)

Local residents are also within a short distance of abundant passive recreation lands, either south of Highway No. 103 or north of the chain of waterbodies and watercourses, from Fraser Lake in Timberlea to Governor and Lovett Lakes in Lakeside and Beechville.

The acquisition and development of lands for park and public recreation purposes is a major concern of the community. The Municipality is empowered to acquire land contributions through subdivision, in addition to applying area rates for the provision of local recreation, goods and services. To date, some new development has provided recreational land through dedication, but there is no area rate currently applied for public recreation purposes.

REC-1 It shall be the intention of Council, in conjunction with the community, to review the application of an area rate in order to establish a fund for the acquisition and development of lands desirable for public recreation purposes. In this regard, Council shall give particular consideration to lands abutting waterbodies.

TABLE 1
PARK RESERVES, PLAY AREAS AND EXISTING RECREATION FACILITIES

	SITE	SIZE	DESCRIPTION
1.	Munroe Subdivision Beechville	0.38 acres	three walkways leading into a wooded, interior block park reserve
2.	Beside Beechville Baptist Church	*0.1 acres	multi-purpose pad and basketball court
3.	Ashley-Cheeseman Memorial Field Lakeside School	*2.0 acres	2 tennis courts, ball field
4.	Alderwood School Lakeside	*5.0 acres	multi-purpose pad (0.1 acres), woodlot
5.	Parkdale Estates Subdivision Timberlea	0.0075 acres	small tot lot; access provided by 33 foot right-of-way
6.	St. Andrews Elementary School Timberlea	*0.1 acres	multi-purpose pad
7.	Timberlea Junior High	*2.0 acres	two tennis courts, gymnasium, playing field
8.	Greenwood Heights Subdivision Timberlea	2.07 acres	small woodlot (park reserve); 1.9 acres for ball field and children's playground
9.	Maplewood Subdivision Timberlea	4.3 acres	cleared dirt walkway which leads to wooded and cleared area (park reserve) abutting Half Mile Lake
10.	Glengarry Gardens Timberlea	1.0 acres	park reserve adjacent to Glengarry School and abutting Forestglen Drive
11.	Glengarry School Timberlea	*3.5 acres	two multi-purpose pads and play equipment (1 acre), woodlot
	TOTAL		Approximately 22 acres of which about 7.2 acres available for active recreation activity

NOTE: 1. *Approximate figures only.
 2. The Municipality may not have acquired a deed for each park reserve and play area.

SOURCE: Department of Planning and Development, Halifax County Municipality Parks and

open space are integral aspects of any community. The acquisition and provision of recreational spaces necessary to fulfill broad communities objectives in new and existing development is an important function in the Municipality.

REC-2 It shall be the intention of Council to continue to acquire public lands or cash in lieu of land for public purposes as provided for by the Planning Act. In this regard, Council shall attempt to acquire property which:

- (a) provides open space linkages between community facilities and related land uses;
- (b) affords protection of watercourses and lakes;
- (c) provides a variety of recreational and open space opportunities;
- (d) complements existing public lands and/or facilities;
- (e) has topography and terrain that permit reasonable use by residents or municipal authorities without additional or excessive work/costs;
- (f) does not include unguarded areas of danger such as cliffs, steep slopes, wet bogs, rock falls, etc.;
- (g) is located in a central area of the development allowing activities and play of children to be observed by local residents, and not located on the exterior fringe of lands, protected from sight which would be considered unsafe and entice loitering activities after dusk;
- (h) provides a minimum frontage of 100 feet along a developed roadway; and
- (i) has been clearly identified by the Municipal Department of Parks and Recreation for future use as green area, sports field(s), or playground areas or a mix of each.

REC-2A In order to ensure that adequate parkland is provided in new or extended developments, it is appropriate to require that 10 percent of lands being subdivided be dedicated for public parkland and recreation use pursuant to the Municipal Government Act. This will help offset deficiencies in existing recreation space, and ensure that there is sufficient land area provided within new subdivisions to meet a range of active and passive recreation needs for a community of varied needs and lifestyles. (RC-Oct 30/01;E-Dec 8/01)

REC-3 It shall be the intention of Council to investigate the budgeting of funds for the purchase of public lands beyond those acquired under the provisions of the Planning Act.

REC-4 It shall be the intention of Council to attempt to achieve a standard⁵ of five acres of usable land for active parks and playfields per 1,000 population as well as a standard of five acres per 1,000 population as well as a for passive recreation. In this regard, Council shall seek to acquire such lands by land contribution through subdivision, through purchase with monies collected in lieu of land, by use of funds where established under an area rate for just such a purpose, and by land title clarification and acquisition, where feasible, of lands originally reserved for park or public

⁵This standard has been outlined by the National Recreation and Parks Association (USA) and is used extensively throughout the United States and Canada.

recreation purposes.

The Municipality, in the past, has acquired some lands through subdivision, without proper registration of title. Also, lands have been set out for parkland purposes by the subdivider but never formally acquired by the Municipality. The subdivider, by setting aside land for parkland, has already indicated the intention of allowing the land to remain and be developed for recreational purposes. Much of the land in both situations remains undeveloped for public recreation purposes at present. In order to fully develop these lands for recreation purposes in the future the Municipality should endeavour to obtain title to lands contributed through subdivision or set aside for parkland.

REC-5 Where lands have been contributed through subdivision or set aside for public recreation but never acquired by the Municipality, it shall be the intention of Council to obtain such lands.

Local Recreation, Culture and Leisure

It is very important to note the essential roles in the development of recreation played by local volunteer and community organizations as well as by the Municipal School Board. The Timberlea/Lakeside /Beechville Community Recreation Association is the major community organization, with funding from government grants as well as from its own membership. There is also an amateur soccer organization as well as the Timberlea Amateur Sports Association which supports minor hockey. Much of the active recreation land is supplied through the Municipal School Board and local residents continue to emphasize the importance of developing recreation areas adjacent to school sites.

REC-6 It shall be the intention of Council to encourage and support a liaison among local community recreation organizations, the Municipality, the School Board and other private and public bodies which are involved in various aspects of recreation areas, programmes and facilities.

REC-7 It shall be the intention of Council in considering sites for new major recreation facilities, to give priority to areas adjacent to school sites, including any existing recreation areas and facilities.

The community has identified a number of concerns related to cultural services, chiefly:

- (a) the broader community use of schools; and
- (b) the uncertainty over bookmobile scheduling at elementary schools.

REC-8 It shall be the intention of Council to study and promote the integration of schools and other community services, including library services, public education, handicrafts, arts and cultural activities, museums as well as other community, social and cultural programmes.

REC-9 It shall be the intention of Council to encourage the community use of schools which are declared surplus by the Municipal School Board.

- REC-10 It shall be the intention of Council to encourage the Library Board to periodically review library services in the community with respect to appropriate scheduling of bookmobile services and the future need for a local library branch as warranted by population growth.
- REC-11 It shall be the intention of Council to encourage local organizations and individuals in promoting cultural programmes, projects and services. Further, Council shall explore where appropriate, means of supporting local community organizations and facilities, including the Beechville Church Centre.

Long Range Recreation Planning

A comprehensive and systematic approach to recreation planning would have several benefits. It would help to identify local recreation needs and priorities and identify high potential sites and opportunities before they are lost. It would help to create recreation goals and standards which are specific to the community, and assist in allocating human, physical and financial resources to areas of greatest need. Finally it would outline the scheduling and implementary mechanisms for achieving recreation planning goals.

Through the municipal planning process specific recreation priorities, including potential sites for parks and other recreation facilities have been identified. Local residents have expressed their desire to see provision made for community access to water frontage, particularly on Fraser, Governor and Lovett Lakes. **Similarly, the west end of Governor Lake and the northern end of Otter Lake have been identified as potential areas for a community park where outdoor recreation facilities could be developed. (RC-Jul 4/00;E-Aug 5/00)**

The future concept for recreation facilities and activities combines a number of measures, including recreation master planning, increased municipal participation and acquisition programmes based on a larger population base and level of development, and the continuing support of local efforts.

- REC-12 In terms of long range recreation planning, it shall be the intention of Council to prepare a recreation master plan for the Plan Area which includes consideration of:
- (a) future acquisition and use of parks and open space; (b) priorities for land and programme development;
 - (c) approaches to the resolution of social issues including vandalism;
 - (d) funding strategies based on a five year capital programme; and
 - (e) public participation in policy development.

EDUCATION

Timberlea/Lakeside/Beechville is served by six schools including four Elementary, one Junior High and one Senior High School. The Senior High School, Sir John A. MacDonald, is situated outside the Plan Area at Five Island Lake. In September, 1991, a new elementary school will be opened in Timberlea consolidating the existing elementary schools which will be closed.

Enrolment in Timberlea/Lakeside/Beechville Schools has been declining. This trend appears to be continuing and is identified in Table 1 (below).

TABLE 1: SCHOOL ENROLMENT

LOCATION	GRADES	ENROLMENT BY YEAR			
		1974	1980	1981	1991
Beechville, Lakeside	P to 6	251	140	143	112
Timberlea	P to 6	450	377	361	398
	7 to 9	275	258	253	210
Five Island Lake	10 to 12	766	893	858	884

- NOTE:
1. Sir John A. MacDonald High School at Five Island Lake serves a larger area than simply Beechville/Lakeside/Timberlea.
 2. Some of the figures are estimates only and are therefore subject to further review and possible amendment.
 3. P to 6 is the primary grade to grade 6.

SOURCE: Municipal School Board, 1991.

School Sites

The control and management of schools and programmes in the municipality is the responsibility of the Halifax County-Bedford District School Board. The provincial government cost-shares various items related to the operation of the School Board and is fully responsible for the costs of new school construction. The Halifax County-Bedford District School Board consists of ten members, all of whom are elected.

In the matter of the selection of new school sites, the Halifax County-Bedford District School Board consults with both the Municipality and local school trustees before identifying three potential sites. The provincial Department of Education determines the final site selection. Monitoring of population growth and development trends are conducted jointly by the Halifax County-Bedford District School Board and municipal Planning and Development Department.

- ED-1 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue to consult with the community and the Municipality prior to altering the functions of any school or constructing any new school.

- ED-2 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to closely monitor population and development within the Plan Area. Furthermore, it shall be the intention of Council to make strong representation to the provincial government to provide a planned response to the needs for new schools or expansion of existing schools.
- ED-3 It shall be the intention of Council, when new school sites are being considered, to encourage the provincial government and the Halifax County-Bedford District School Board to locate the schools so that pedestrian and vehicular safety is enhanced. Furthermore, it shall be the intention of Council to encourage the location of new schools adjacent to existing or proposed parks, open space and community facilities.
- ED-4 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue applying standard site criteria, including minimum site requirements, for each type of school.

Community Use of Schools

Although educational facilities are primarily used for the education of school aged children and adolescents, a number of schools within the Municipality are used for community school programmes. In addition to providing a broad range of educational and leisure programmes for all age groups, the programmes help to foster community development by providing a focus for a wide range of community services.

- ED-5 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to support the continued use of school facilities as community schools in order to provide for a range of individual educational needs and to help foster community social and cultural development.
- ED-6 It shall be the intention of Council to request the Department of Education and the Halifax County-Bedford District School Board to investigate ways in which support and additional space can be provided, as part of new school construction and school expansion projects, to provide for after-hours programmes for school aged children.

PROTECTION AND EMERGENCY SERVICES

Protection services are comprised of fire, police and emergency measures organizations. Fire protection is supplied by a volunteer force. Policing is carried out by the RCMP under contract with the Province. Civil emergencies are primarily the responsibility of the federal and provincial Emergency Measures Organizations. However, the Municipality has also adopted an Emergency Measures By-law and has an Emergency Measures Officer in order to deal with civil emergencies and in particular, co-ordinate with the federal and provincial agencies.

- PS-1 It shall be the intention of Council to encourage adequate fire protection in the following ways:
- (a) supporting staffing practices involving the combination of paid and volunteer fire fighters;
 - (b) supporting the continuation and further development of fire prevention measures, such as general education and inspection programmes; and
 - (c) encouraging and supporting cooperation and collaboration between individual fire departments and the Municipality in order to encourage well-balanced and efficient provision of services and to facilitate long-term planning.

Policing is carried out primarily by the RCMP under contract with the provincial government. The police force is a mobile unit operating out of the Oxford Street headquarters in the City of Halifax. At present, sixteen investigative officers and four highway patrolmen are responsible for an area encompassing Electoral Districts 1 through 5 and a portion of 18.

- PS-2 It shall be the intention of Council to encourage adequate police protection in consultation with other levels of government.
- PS-3 If warranted by future population growth, it shall be the intention of Council to encourage the location of a local police detachment in the Plan Area.

The Municipality has both an Emergency Measures By-law and an Emergency Measures Officer in order to deal with civil emergencies. A committee of Council can recommend policy and actions in such instances.

- PS-4 It shall be the intention of Council to continue to encourage and support the activities and planning of the Emergency Measures Organization.

HOUSING SUPPLY AND PROGRAM

The Municipality exercises an indirect control and influence over the supply of land for the development of residential accommodation. It is recognized that residential land use considerably influences the order and location of additional forms of development, and effects the provision of municipal and other services.

HS-1 It shall be the intention of Council to create a liaison between the Municipality, the Nova Scotia Department of Housing and senior levels of government in order to:

- (a) develop long range residential priorities, strategies and programmes;
- (b) optimize public investment in basic infrastructure and services; and
- (c) coordinate planning, promotional and development efforts.

The condition of the housing stock varies throughout the three communities in respect to age, construction and type of dwelling. Some of the wooden frame structures in Beechville are in poor condition, as are some mobile homes in the large mobile home park and other single and multiple unit dwellings throughout the Plan Area.

HS-2 It shall be the intention of Council to participate in any federal or provincial programme leading to the upgrading and rehabilitation of the housing stock, such as the Residential Rehabilitation Programme and the Neighbourhood Improvement Programme, and to encourage the use of any programmes providing assistance in the provision of adequate housing.

Land Titles Clarification

There are properties in Beechville which do not have the benefit of clear title due to historical land settlement patterns. Clear title to the land, among other things, assists any property owner in transferring or conveying property, in securing mortgage funds or in otherwise arranging funding for home improvement or other projects.

Under the Land Titles Clarification Act RSNS 1974, where there are necessitous circumstances as a result of lack of property development, and where there appears to be confusion as to the ownership of land, areas may be designated as "land titles clarification areas". The Act requires Council's approval prior to an area of a municipality being designated.

Upon designation, the Province undertakes to identify and investigate all land claims. When this is completed the claimant is issued a Certificate of Title which is filed in the Registry of Deeds.

HS-3 It shall be the intention of Council to encourage, in co-operation with the residents of the Beechville community, land title clarification through the Land Titles Clarification Act.

SECTION III

LAND USE INTENT

Future land use within the Plan Area shall be guided by land use policy and more specifically by the land use designations on Map 1 - Generalized Future Land Use. These designations are as follow:

Urban Residential
Commercial Core
General Commercial
Industrial
Resource
Western Common
Conservation

The Urban Residential Designation recognizes the Plan Area's established communities and constitutes the priority area for continued residential development. The designation is intended to protect established low density residential development which consists primarily of single and two unit dwellings and mobile homes. The designation also permits compatible institutional uses which support a more diverse residential environment. The designation also encourages a mix of housing types and other compatible institutional uses within the undeveloped portions of the designation.

The Commercial Core Designation is intended to reflect a need to develop a commercial and community focus, to conveniently serve the population. This should minimize the potential for the proliferation of general strip commercial development along Highway No. 3. In recognition of the scale and magnitude of the impact of larger shopping centre type development, development agreements will be required for larger scale commercial developments. Development agreements will also be required for **larger scale shared housing uses with special care (RC-Aug 9/22;E-Sep 15/22)** in order to provide for the proper siting and integration of such uses.

The General Commercial Designation is intended to recognize existing small concentrations of commercial development within the three communities. This designation is intended to support existing commercial developments which conveniently serve local residents, providing for a range of retail goods and services while minimizing land use conflicts exemplified by strip commercial development.

The Industrial Designation has been applied to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park and is intended to recognize and encourage the **majority (RC-Jul 11/23;E-Sep 6/23)** of light industrial uses to locate in the Park. The designation also provides support for the identification of vacant lands outside the Park which may be suitable for the development of small-scale local industry.

The Resource Designation has been applied to privately owned lands which are located south of Highway No. 103 and north of Fraser Lake, Governor Run and Governor Lake. These lands are presently undeveloped or very sparsely settled and are considered to have a low development capability due to poor accessibility and environmental constraints such as bedrock and steep slopes. (RC-Jul 4/00;E-Aug 5/00)

The designation recognizes a variety of resource and other uses which are inappropriate in other areas. Low density residential development and parks and open space uses will also be permitted. Nevertheless, a minimum lot requirement exceeding normal provincial requirements for the installation of septic tanks will be required, a product of environmental health and other community concerns.

Provision is made for the development of residential subdivisions on the basis of reduced lot sizes by amendment to the land use by-law, which allows for more complete development disclosure and impact assessment. In recognition of visual, environmental and other land use impacts, the designation also provides for development agreements and increased setback requirements for facilities and bulk storage associated with mineral and aggregate extraction and for minimum separation distances between residential uses or waterbodies and intensive resource uses such as sawmills, salvage yards and livestock operations.

The Western Common Designation has been applied to the vast tracts of land owned by the Municipality on the south side of Highway No. 103. The designation supports a community park along the northern shore of Otter Lake and a wilderness park extending southward to Big Indian Lake. Provision is also made for a comprehensively planned serviced community along the northern portion of the designation, between Otter and Blueberry Lakes. (RC-Jul 4/00;E-Aug 5/00)

The Conservation Designation is intended to restrict development in order to preserve the floodplain on the Nine Mile River between Highways No. 3 and 103.

URBAN RESIDENTIAL DESIGNATION

The rate of residential development in the Plan Area has changed considerably over the past twenty years. Timberlea/Lakeside/Beechville acquired 419 new dwelling units between 1969 and 1979, 95% of which were either single or two unit dwellings. Mobile homes accounted for 4% of new housing, while multiple unit dwellings made up about 2% of the total. Building activity was very modest and exhibited a sharp decline from the beginning to the end of the 1970s. Primarily as a result of the installation of municipal water and sewer services, this trend has been reversed in the last ten years.

In the period between the adoption of an initial planning strategy in 1982, and the first six months of 1990, approximately 260 single unit dwellings were constructed, accounting for just over 32 per cent of total new housing in the Plan Area. Two unit dwellings accounted for just under 46 per cent (368 units) and multi-unit dwellings and townhouses just over 14 per cent (117 units). In addition, a total of 60 mobile dwellings were added to the total housing stock, the majority of which located within mobile home parks. Although all three communities are low density, each community has distinct residential characteristics.

Timberlea is perhaps the newest and certainly the largest of the three Plan Area communities. Several extensive and modern subdivisions have been developed within the community. There is also a small mobile home park in Timberlea as well as several 3-storey apartment buildings. In addition, a few individual and clustered mobile homes are found.

Alderwood mobile home park in Lakeside is the largest mobile home park in the Plan Area, with 167 units. Again, housing stock is predominately single unit and has proceeded on the basis of privately developed subdivisions.

Beechville is the smallest of the three communities and is situated nearest to the City of Halifax. The housing stock is comprised almost entirely of single unit accommodation. Munroe Subdivision is the only Nova Scotia Department of Housing development in the three communities.

Although the predominant housing type within the Plan Area is the single unit dwelling, greater opportunities for housing mix have become available with new municipal services. The Urban Residential Designation is intended to recognize the importance of the low density environment and complementary community uses, while acknowledging the need for an eventual housing mix which meets the housing needs of all Plan Area residents.

Within the Urban Residential Designation, the intention is to maintain the single unit dwelling environment. In providing for a mixture of housing types with emphasis on single unit development, the planning strategy sets out specific criteria and procedures for considering two unit dwellings, mobiles, townhouses and multi-unit dwellings. A ratio of low density (single unit) housing to higher density housing of 70:30 is established as a general target for an overall housing mix in the Plan Area and is intended to provide a framework in considering applications for specific development proposals.

In recognition of the number of business uses associated with individual residences, such home business uses will generally be permitted. Nevertheless, their scale and appearance will be limited

to a manner appropriate to the residential environment.

- UR-1 In recognition of the established residential community and the need to provide for a variety of residential opportunities, it shall be the intention of Council to establish the Urban Residential Designation, as shown on Map 1 - Generalized Future Land Use. The Designation shall constitute the priority area for continuing residential development and for those uses which are supportive of residential environments.
- UR-2 Within the Urban Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which permits single unit dwellings, community facility and open space uses, and provides for business uses and limited day care facilities located in a residence, provided that the scale of the business and its external appearance are compatible with the residential environment. In addition, the zone shall control parking and the number and size of signs, and shall prohibit open storage and outdoor display.

Auxiliary Dwelling Units

There has been a growing trend in the housing market to provide independent apartment units within single unit dwellings, either at the time of construction or through conversion. Many such units are built with family members in mind, but are also used for income purposes by homeowners. This increasing interest in providing independent accommodation to family or non-family members within a conventional single unit dwelling has resulted in the illegal conversion of an unknown number of dwellings in recent years.

Although the impact of an auxiliary unit on adjacent dwellings is generally minimal, there are concerns that the appearance of such units will detract from the surrounding area. Specific concerns relate to the size of such units, provisions for parking spaces and the location of external entrances. There are also concerns that the uncontrolled proliferation of auxiliary dwelling units might change the character of existing neighbourhoods. Research in other jurisdictions indicates that at any one time between ten and twenty percent of single unit dwellings contain an auxiliary dwelling unit. Such a housing mix is considered to be acceptable in this Plan Area.

- UR-3 Notwithstanding Policy UR-2, in support of existing auxiliary dwelling units within the Urban Residential Designation, it shall be the intention of Council to create an auxiliary dwelling unit zone, which permits auxiliary dwelling units in addition to all uses permitted in the R-1 zone. Also, the zone shall control parking, maximum gross floor area of the auxiliary unit, and the number of entrances along the front wall of the dwelling. In considering amendments to the land use by-law to an auxiliary dwelling unit zone, Council shall have regard to the following:
- (a) that the scale and appearance of the dwelling is in keeping with the surrounding area; and
 - (b) the provisions of Policy IM-12.

Two Unit Dwellings

There are significant community concerns associated with the impact of two unit dwellings on

neighbourhoods which consist primarily of single unit dwellings. These concerns exist both in the context of individual lot infill and with regard to subdivisions and portions of subdivisions proposed for two unit development. These concerns are related both to the increases in density resulting from two unit development, and to the visual impact of these generally larger structures on existing single unit neighbourhoods, particularly in regard to the visual impacts of such elements as front yard parking and the doubling up of electrical meters along the front of two unit dwellings.

New two unit dwellings are not considered appropriate either for infill situations or for new subdivisions immediately adjacent to primarily single unit dwelling neighbourhoods. Therefore, in order to provide protection for single unit neighbourhoods, any vacant parcel or existing structure which abuts or is immediately adjacent to a single unit dwelling zone, will not be considered for rezoning to a two unit dwelling zone.

New two unit development may be considered for undeveloped lands, provided that adequate separation and buffering from single unit dwelling neighbourhoods is provided within the proposed development. In addition, increased minimum lot area and yard requirements will reduce the bulkier appearance of such dwelling types, as well as provide more space for parking and other amenities.

UR-4 Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to establish a two unit dwelling zone, which permits single and two unit dwellings, as well as park and open space uses. The zone will also provide for institutional uses, business uses and limited day care facilities located in single unit residences provided that the scale of the business and its external appearance are compatible with the residential environment. In addition, the zone shall control parking and the number and size of signs, the placement of electrical metering and shall prohibit open storage and outdoor display. Provisions shall be established within the land use by-law to allow for reduced front or flankage yards in the case of lots shown on tentative or final subdivision plans which were designed based on the previous zone standards. In considering amendments to the land use by-law to a two unit dwelling zone, Council shall have regard to the following:

- (a) that where land to be rezoned abuts or is immediately adjacent to existing single unit dwelling zones, a buffer of R-1 zoned lots shall be maintained between existing and proposed development, on lands forming part of the area to be rezoned;
- (b) that streets are not considered to constitute part of the buffer and, except for individual lot infill, parkland with an area of less than one acre and a depth of less than one hundred (100) feet shall not constitute part of the buffer;
- (c) that municipal central services are available and capable of supporting the development;
- (d) the effect of the proposed development on the overall housing mixture in the community;
- (e) where new roads are being proposed as part of the development, an evaluation of the proposed road layout and the impacts on traffic circulation in the surrounding area; and
- (f) the provisions of Policy IM-12.

Mobile Homes

The Alderwood mobile home park is located in Lakeside, while Timberlea has a much smaller park. Another small park in Timberlea was closed some years ago due to environmental health problems. There are also scattered single and clustered mobile homes in both communities. The older mobile home parks engender problems with open space, traffic circulation and other concerns. Nevertheless, the Plan Area residents wish to see some expanded opportunities for the mobile home type of accommodation. These include the identification of an area in the Urban Residential Designation around the existing Alderwood mobile home park which would allow for both mobile homes and single unit dwellings as well as the expansion of existing mobile home parks or development of new parks by development agreement. In addition, rezonings for single mobile homes in the Urban Residential Designation will be considered.

UR-5 Notwithstanding Policy UR-2, it shall be the intention of Council, within the Urban Residential Designation, to establish a mobile dwelling zone which permits mobile home subdivisions or mobile dwellings on individual lots, in addition to all uses permitted in the single unit dwelling zone. In considering amendments to the land use by-law to a mobile dwelling zone, Council shall have regard to the provisions of Policy IM-12.

Mobile home developments require encouragement with regard to all planning aspects, including design, construction and maintenance. In response to the need to upgrade standards and licensing procedures to address past experiences with inadequate open space, landscaping, lot sizes and servicing systems within mobile home parks, the Municipality adopted a new Mobile Home Park By-law in October of 1986.

UR-6 Notwithstanding Policy UR-1, within the Urban Residential Designation, Council may consider the establishment or expansion of mobile home parks according to the development agreement provisions of the Planning Act. In considering any such proposal, Council shall have regard to the following:

- (a) the adequacy of existing park services including sewer and water systems, recreation facilities, road and general park maintenance, garbage collection and street lighting;
- (b) the effect which any extension would have upon the level or quality of services in the existing park;
- (c) the ability of education facilities, protection services, and recreation facilities to adequately service the increased demands of the additional development, or to respond with the provision of additional services;
- (d) the provision of landscaping or buffering from adjacent land uses in order to protect the privacy, reasonable use and enjoyment of those properties;
- (e) the provision of landscaping or buffering from the public road to which it has access;
- (f) stormwater planning;
- (g) the impact of the extension on internal and external traffic circulation patterns;
- (h) park layout and design including the design of the internal road network and separation distances from maintenance buildings;
- (i) the provisions of the Mobile Home Park By-law; and
- (j) the provisions of Policy IM-12.

Multiple Unit Dwellings

Over the last few years, a number of new apartment buildings have been built in the Lakeside and Beechville areas which have given rise to concerns by the community, relative to the increased traffic on the St. Margarets Bay Road. In response to these concerns, only existing apartment buildings will be permitted along the Bay Road. New apartments will only be considered as part of a comprehensive development district so that site specific and community based concerns such as appropriate density and scale of development can be adequately addressed.

UR-7 Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to accommodate a number of existing multiple unit dwellings through the application of a multiple unit dwelling zone. It shall not be the intention of Council to permit future rezoning to a multiple unit dwelling zone within the urban residential designation.

Townhouse Dwelling Units

Townhouse development will be accommodated through both the rezoning and development agreement processes. The rezoning process is most appropriate where individual townhouse units have separate frontage and driveway access onto a public street, while the development agreement mechanism provides an opportunity for individual units to have frontage and access onto an internal street located within the area covered by the development agreement.

In considering a proposal for townhouse development, care must be taken to ensure that such units are properly integrated into the community. Characteristics of townhouse developments such as numerous closely spaced driveways, grouped dwelling units, and front yard parking, require that care be taken in siting townhouse development. Controls established in a townhouse zone or through a development agreement will address building and site design details in order to achieve compatibility with adjacent residential development.

UR-8 Notwithstanding Policy UR-2, it shall be the intention of Council, within the Urban Residential Designation, to establish a townhouse dwelling zone which permits townhouse dwellings, where each dwelling unit is located on a separate lot, as well as community uses. Townhouse dwellings will be subject to controls on parking areas, driveways and access locations, as well as controls on the maximum number of units per building. In considering amendments to the schedules of the land use by-law to a townhouse dwelling zone, Council shall have regard to the following:

- (a) that individual dwelling units not gain direct vehicular access from an arterial or major collector street, as defined on Map 3 - Transportation;
- (b) that municipal central services are available and capable of supporting the development;
- (c) the adequacy of separation distances from low density residential developments;
- (d) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;
- (e) preference for a site in close proximity to community facilities such as schools,

- recreation areas and bus routes; and
- (f) the provisions of Policy IM-12.

UR-9 Notwithstanding Policies UR-2 and UR-10, it shall be the intention of Council to consider townhouse developments within the Urban Residential Designation which do not provide direct access from each unit to a public street, in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) that each unit in the townhouse development be located on a separate lot with access to an internal private street;
- (b) that the development includes a minimum area of twenty thousand (20,000) square feet, with access provided to a public street;
- (c) that municipal central services are available and capable of supporting the development;
- (d) the adequacy of separation distances from low density residential development;
- (e) that site design features including landscaping, parking areas and driveways are of an adequate size and design to meet the needs of residents of the development and to address potential impacts on adjacent development;
- (f) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent uses;
- (g) general maintenance of the development;
- (h) preference for a site in close proximity to community facilities such as schools, recreation areas and bus routes; and
- (i) the provisions of Policy IM-12.

Shared Housing with Special Care (RC-Aug 9/22;E-Sep 15/22)

The need for **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** will increase as the general population of the community grows older. This need will be particularly acute for those persons living in inadequate housing and/or paying a relatively high percentage of their total income for housing. The federal, provincial and municipal governments, in cooperation with local housing authorities, have been actively involved in trying to meet this need throughout Halifax County. **Additionally, the amenities offered by residential neighbourhoods and the services offered by centralized commercial development may be beneficial to users of residential care facilities. (RC-Aug 9/22;E-Sep 15/22)**

The Municipality strongly supports the provision of **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** and it is the intention of this strategy to provide for the development of **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** throughout the Plan Area. However, it is also recognized that there are certain locational and design concerns which must be addressed if this housing is to be properly integrated within the community. Therefore, such development will be considered within the Urban Residential and Commercial Core Designations by specific development agreements as provided for under the Planning Act.

UR-10 Deleted (RC-Aug 9/22;E-Sep 15/22)

UR-10A Council supports the development of complete communities with housing

resources that are appropriate and adequate for current and future residents. Developing shared housing with special care projects will support diversity and inclusion, aging in place or community and housing choice. Notwithstanding Policies UR-2 and CC-2, within the Urban Residential and Commercial Designations, where central municipal water and sewerage services are available, it shall be the intention of Council to consider, by development agreement, permitting shared housing with special care at larger scale than would be permitted in the underlying zone. In considering a development agreement, Council shall have regard for the following:

- (a) the provisions to mitigate the land use impacts on adjacent land uses, in terms of setbacks, building scale and design, and buffering;
- (b) the location of off-street parking and loading facilities, driveway accesses, walkways or other means of pedestrian access, landscaping, planting or retention of trees, outdoor lighting, storage of solid waste, and signs;
- (c) grading, sedimentation and erosion control, and stormwater management;
- (d) that open space, outdoor amenities and parking areas incorporate design features which provides accessibility for all abilities, such as wide walkways or the use of non-slip surfaces;
- (e) proximity of the site to commercial and community facilities, where such facilities are available in the immediate area, or consideration of the provision of such services on the site of the development;
- (f) proximity of the site to public transit, where the service is provided;
- (g) that there is sufficient indoor and outdoor common amenity space for residents;
- (h) the general maintenance of the development;
- (i) the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;
- (j) the adequacy of wastewater facilities and water systems;
- (k) the housing needs of the local community;
- (l) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses and wetlands and susceptibility to flooding; and
- (m) the provisions of Policy IM-12.

(RC-Aug 9/22;E-Sep 15/22)

UR-10B In addition to Policy UR-10A, where a shared housing with special care use is to be provided in multiple buildings on one lot:

- (a) the development must be designed in a campus-style form and provide indoor common shared space for residents; and
- (b) a minimum of 10 shared housing bedrooms must be provided in each building.

(RC-Aug 9/22;E-Sep 15/22)

Comprehensive Development Districts

The Planning Act contains provisions for comprehensive development districts, which allow

consideration of development on a comprehensive basis and control through specific agreements. Residential development on larger tracts of land may be planned and evaluated with regard to detailed consideration of the lay of the land, housing mix including any innovative housing forms, the scheduling of development, provision for public land dedication, road layout, sidewalks, the location of schools and other community facilities, provisions for storm drainage as well as the general effects of the development on the environment and adjacent uses. In return for the greater degree of control afforded by comprehensive development districts, it is appropriate to allow for consideration of a decreased proportion of fifty percent low density (single unit) housing to be established as a general housing mix target when considering specific development agreements.

The development of an approximately 500 acre parcel of land situated between Highway No. 3 and Highway No. 103 in the central portion of the plan area, adjacent to the Commercial Designation, will very significantly affect the nature of the community in terms of the transportation network as well as the mixture of housing. Comprehensive planning for the development of this area will both remove considerable uncertainty as to how the area will be developed as well as ensure its most effective integration within the community.

The use of comprehensive development districts for major residential projects has been specifically limited to prohibit general commercial and industrial development within the Urban Residential Designation. However, where a comprehensive development district is proposed for more than one hundred acres and includes a major collector road in its development, there is opportunity to consider general commercial developments in accordance with the intent of this strategy. By including both commercial and residential development under a single development agreement it is possible to afford flexibility in considering commercial uses provided these uses are compatible with existing and future residential uses.

UR-11 It shall be the intention of Council to establish a comprehensive development district within the land use by-law which permits any residential use and the development of local commercial and community facility uses when in association with residential uses. Industrial uses shall specifically be prohibited.

When considering an amendment to the schedules of the land use by-law to establish a comprehensive development district, Council shall have regard for the following:

- (a) that the proposal is within the Urban Residential Designation;
- (b) that the development is capable of utilizing existing municipal sewer and water services;
- (c) that the development includes a minimum land area of five (5) acres to be so zoned;
- (d) that the development provides for a mix of housing types in keeping with the general target for housing mixture and does not detract from the general residential character of the community;
- (e) that adequate and useable lands for community facilities are provided;
- (f) that the development has a minimum of two (2) separate accesses to the public road network;
- (g) consideration of the impact on traffic circulation and in particular traffic on the St. Margarets Bay Road;
- (h) that the development is consistent with the general policies of this planning strategy and furthers its intent; and

- (i) the provisions of Policy IM-12.

UR-12 With reference to Policy UR-11, and as provided for by the development agreement sections of the Planning Act, the development of any district shall only be considered by Council through a development agreement or agreements which shall specify;

- (a) the types of land uses to be included in the development;
- (b) the general phasing of the development relative to the distribution of specific housing types or other uses;
- (c) the distribution and function of proposed public lands;
- (d) any specific land use elements which characterize the development;
- (e) that new multiple unit dwellings have direct access to a major collector road as identified subject to the provisions of Policy TR-3.
- (f) that industrial and general commercial uses be excluded;
- (g) matters relating to the provisions of central sewer and water services to the development;
- (h) provisions made for the proper handling of storm water and general drainage within and from the development; and
- (i) any other matter relating to the development's impact upon surrounding uses or upon the general community, as contained in Policy IM-12.

UR-13 Notwithstanding Policy UR-12, and as provided for by the development agreement provisions of the Planning Act, where any comprehensive development district is proposed to include a general commercial component, the development of the district shall only be considered by Council through a development agreement or agreements which shall specify:

- (a) that the total development have a minimum of one hundred (100) acres;
- (b) that the nature, scale and design of any general commercial component are in keeping with the general residential character of the surrounding community and that the component is primarily intended to provide services to the local community;
- (c) that the commercial portion of the development have direct access to a major collector road as identified subject to the provisions of Policy TR-3; and
- (d) that the appropriate provisions of Policy UR-12 shall apply.

UR-14 It shall be the intention of Council that portions of any agreement may be discharged upon completion of such phases. Upon discharging part of the agreement, Council may zone the lands to reflect the intent of the agreement.

Beechville Comprehensive Development District (RC-Jul 11/23;E-Sep 6/23)

In September 2020, Halifax Regional Council approved a Beechville Planning Strategy Review and the Beechville Community Benefit Action Plan. Both these initiatives include direction to consider amendments to applicable planning documents, with a focus on addressing the assets and opportunities identified by the Beechville African Nova Scotian community. Community priorities include more housing developed according to community vision, green space for community use, and protection of cultural and heritage assets

Regional Council is working with Beechville community residents and property owners to establish the type of housing, assets and community design they would like to see in the area. While this community planning work is underway, this Plan establishes the Beechville Comprehensive Development District (BCDD) Zone. This Zone will apply to large, undeveloped properties in Beechville located between the Munroe Subdivision and Beechville Estates, identified on Map UR- 2: Beechville CDD Area, and will require a comprehensive neighbourhood design plan for any development. Without a development agreement, the zone will permit existing uses and land uses permitted under the R-1 zone on existing public streets. These properties are not eligible to apply for the existing CDD zone or any other zone.

The Beechville CDD policies will require site-specific criteria to be created and then addressed in a development agreement. These criteria will be established through a public engagement process, and ensure that new projects are coordinated with the Beechville community benefits action plan and informed by community goals and objectives.

BCDD 1: It shall be the intention of Council to establish the Beechville Comprehensive Development District (BCDD) Zone, to be applied to undeveloped sites at least 4 hectares in size and located generally between the Munroe Subdivision and Beechville Estates, as identified on Map UR-2.

BCDD 2: In the BCDD zone, developments permitted without a development agreement shall be limited to existing uses and land uses permitted in the R-1 Zone on existing public streets. Properties zoned BCDD shall not be eligible to apply for the CDD zone or any other zone.

BCDD 3: It shall be the intention of Council to establish a comprehensive neighbourhood planning program to prepare Site-Specific CDD Development Agreement Requirements for lands zoned BCDD, as identified on Map UR-2. Development agreements shall be developed in consultation with Beechville community residents and property owners, while ensuring that the African Nova Scotian community is involved.**BCDD 4:** Council shall consider the following matters when adopting or amending Site-Specific CDD Development Agreement Requirements for land zoned BCDD, through neighbourhood planning exercises:

- (a) The Beechville Community Benefit Action Plan priorities;
- (b) a land suitability assessment that identifies vulnerable landforms, sensitive ecological features and climate hazards, including but not limited to, any wetlands, watercourses, flood prone areas, steep slopes, forest cover, contaminated sites, and wildlife habitats and corridors;
- (c) a culture and heritage assessment that identifies and evaluates culture and heritage resources located on, or adjacent to, the lands zoned BCDD, and seeks to preserve culture and heritage assets;
- (d) a baseline infrastructure study that assesses existing transportation, waste water and water services infrastructure capacity and constraints;
- (e) the overall development densities and building massing;
- (f) the classes of land uses permitted;
- (g) phasing of development;

- (h) the adequacy of public parks, open spaces and community recreation facilities;
- (i) applicable direction contained in the Regional Plan and Council approved Priority Plans;
- (j) opportunities for community benefits and partnerships; and
- (k) incentive or bonus zoning, inclusionary zoning and affordable housing;

BCDD 5: Council may only consider development agreement applications for sites zoned BCDD when Site-Specific CDD policies have been adopted in this Plan.

BCDD 4: It shall be the intention of Council to not consider amendments to BCDD policies or zoning until the community planning review is finished. (RC-July 11/23;E-Sept 6/23)

Community Facility Uses

It is common for many types of community facility uses to locate in residential neighbourhoods in order to facilitate the social and physical integration of the people served by the facilities as well as to provide direct community access to special facilities. Within the residential areas, such facilities can be designed, located and of a size which will aid this integration. Therefore, most community uses are permitted within the single unit dwelling zone by right with the exception of larger day cares, medical clinics, **larger scale shared housing with special care uses (RC-Aug 9/22;E-Sep 15/22)**, and fraternal centres and halls. Additional considerations may be required in these cases and, therefore, they will be subject to controls available through the development agreement and rezoning processes.

UR-15 Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to establish a community facility zone which permits a variety of community facility related uses such as **larger scale shared housing with special care, (RC-Aug 9/22;E-Sep 15/22)** schools, churches, hospitals, government offices, fraternal and community centres, recreation uses, and fire and police stations. In considering amendments to the land use by-law to a community facility zone, Council shall have regard to the provisions of Policy IM-12.

Medical clinics and day care facilities can be appropriately located within the Urban Residential Designation, in close proximity to the residents they are intended to serve. However, such uses have the potential to generate compatibility concerns. Therefore, locational and site-specific controls are required in order to ensure that these facilities are properly integrated into residential neighbourhoods. Particular attention must be given to limiting the potential for traffic generation on local streets, as well as to parking and access considerations. In addition, site design details such as landscaping and buffering, and the scale and appearance of the proposed structures in relation to adjacent residential neighbourhoods must be considered. Such locational and site-specific controls are best achieved through the development agreement process, which will also ensure that the site is developed for the intended use.

UR-16 Notwithstanding Policy UR-2, within the Urban Residential Designation, Council may consider medical clinics and larger day care facilities which are too extensive to be considered as a small business within a dwelling, according to the development

agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;
- (b) that site design features, including landscaping, outdoor play space where required, parking areas and driveways, are of an adequate size and design to provide for the needs of users of the facility, as well as to address potential impacts on adjacent development;
- (c) controls on signage;
- (d) close proximity to a minor or major collector as defined in Map 3 - Transportation;
- (e) the impact on traffic circulation and, in particular, the suitability of access to and from the site;
- (f) the guidelines of the provincial licensing agency;
- (g) general maintenance of the development; and
- (h) the provisions of Policy IM-12.

UR-17 Deleted (RC-Aug 9/22;E-Sep 15/22)

UR-18 Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to establish an open space zone which permits a variety of open space related uses such as parks, playgrounds, recreation uses, cemeteries, and historic sites. The zone shall be applied to existing open space uses. In considering amendments to the land use by-law to an open space zone, Council shall have regard to the provisions of Policy IM-12.

Local Commercial Uses

Although general commercial development is not permitted in the Urban Residential Designation, neighbourhood commercial services such as corner stores and personal service shops can conveniently serve the public from locations in the general residential area. However, as with medical clinics and larger day care facilities, such uses have the potential to create compatibility concerns with adjacent residential development. Care must be taken to protect neighbouring residential properties. Therefore, in order to provide an appropriate level of control over local commercial uses, such uses will be considered by rezoning to a local business zone. Although preference will be given to sites which have direct access to the major street systems, this zone will also be applied to existing local business uses, including the Harmony School of Music, located on Fraser Road.

UR-19 Notwithstanding Policy UR-2, it shall be the intention of Council to establish a local business zone to be applied to existing local business uses. This zone will permit single unit dwellings, variety and food stores, as well as service and personal service shops. In addition, the zone shall control parking, commercial floor area, the screening of refuse containers and prohibit outdoor display and storage. In considering amendments to the land use by-law to a local business zone, Council shall have regard to the following:

- (a) that the proposed development does not exceed a maximum gross floor area of two thousand (2,000) square feet exclusive of any area devoted to an accessory dwelling unit, and is primarily intended to serve the local neighbourhood;
- (b) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;
- (c) that no open storage or outdoor display shall be permitted;
- (d) direct access to a minor or major collector as identified on Map 3 - Transportation, with preference given to commercial sites which are located at the intersection of major and minor collectors;
- (e) the impact on traffic circulation and, in particular, the suitability of access to and from the site; and
- (f) the provisions of Policy IM-12.

Existing Commercial and Industrial Uses

The intent of this strategy is to minimize and, where possible, resolve some of the most serious land use conflicts and to designate areas which are appropriate for development. There remain however, a number of existing commercial and industrial uses located in residential areas, which do not involve serious land use conflicts. The road pattern and the absence of zoning controls until 1982 have produced a mixture of residential, commercial and industrial uses along Highway No. 3. Some of this mix is incongruous with respect to traffic, noise, aesthetics, and suitable separation distances.

These uses are reasonable, however, in terms of the services they provide, their acceptance to the community and their suitability to the immediate area in terms of scale and size.

Other commercial and industrial uses include retail stores, small manufacturing operations, a number of autobody shops and equipment sales and rental shops. In the main, residents have accepted these as part of the community, notwithstanding their residential locations. In order to accommodate these commercial and industrial land uses, zoning and development agreement provisions will be established, which are intended to recognize the existing uses and provide specific control over of any potential expansion. It shall not be the intention to apply these remedies to new uses but only to recognize existing uses.

UR-20 Notwithstanding Policy UR-1, within the Urban Residential Designation, it shall be the intention of Council to provide for the continued use of commercial and industrial properties through the application of a service business zone which permits service commercial uses of up to five thousand (5,000) square feet in floor area. This zone shall also specifically permit existing uses, including existing buildings which presently exceed the maximum permitted floor area, but shall not permit the establishment of such uses in the future. To offer protection for adjacent uses, open storage, outdoor display, and parking areas shall be regulated. It shall not be the intention of Council to permit future rezoning to a service business zone within the Urban Residential Designation. Further, any proposed expansion of permitted service commercial uses beyond the five thousand (5,000) square foot maximum floor area permitted in the zone, may be considered according to the development agreement provisions of the Planning Act, subject to the criteria outlined in Policy UR-22.

In addition, for the properties known as 2892 and 2894 St. Margaret's Bay Road (Land Registration Information Service PID Numbers 40054538 and 40305369), Council may permit:

- i) an expansion of self-storage operations to accommodate a new vehicle storage area within that portion of the lot area as shown on "Schedule UR-20" of the MPS as the area proposed for self-storage expansion; and,**
- ii) buildings of the existing self-storage facility to an overall maximum gross floor area of 41,500 square feet.**

(RC-Apr 15/14;E-Jun 14/14)

UR-21 Notwithstanding Policy UR-1, within the Urban Residential Designation, it shall be the intention of Council to accommodate a number of existing commercial operations with direct access to Highway No. 3 through the application of a general business zone (Policy CC-2). It shall not be the intention of Council to permit future rezoning to a general business zone within the Urban Residential Designation.

Although it is appropriate to provide for the continued development of some existing uses in the designation through application of service business and general commercial zoning, a number of these uses are situated in areas where commercial zoning is not appropriate by reason of inadequate access, small lot sizes or location on local streets. In order to provide some expansion rights while ensuring protection of any neighbourhood in which they are located, development agreements will be used.

UR-22 Notwithstanding Policy UR-1, within the Urban Residential Designation, it shall be the intention of Council to provide for the continued use of commercial and industrial properties identified in Appendix "B" of the land use by-law. Further, Council shall consider any proposed expansion or change of such uses according to the development agreement provisions of the Planning Act. In considering any expansion proposal or change of use, Council shall have regard to the following:

- (a) that site design details, including landscaping, buffering, outdoor storage areas, parking areas and driveways are of an adequate size and design to address potential impacts on adjacent residential development, and to provide for the needs of users of the development;
- (b) that the appearance of all buildings and structures related to the use shall be compatible with the surrounding area in terms of scale, exterior appearance and signage;
- (c) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;
- (d) that municipal central services or, in unserved areas, on-site services, are capable of supporting the development;
- (e) an assessment of the environmental concerns related to the development, including potential effects on watercourses, based on a report from the appropriate Federal or Provincial government authority;
- (f) hours of operation;
- (g) that the maximum gross floor area of the proposed development, exclusive of any area devoted to an accessory dwelling unit, shall not exceed six**

thousand five hundred (6,500) square feet. In addition, for the properties known as 2892 and 2894 St. Margaret's Bay Road (Land Registration Information Service (PID Numbers 40054538 and 40305369), the Municipality may permit:

- i) an expansion of self-storage operations by permitting an outdoor commercial vehicle storage area within the area as shown on "Schedule UR-20" of the MPS; and,**
- ii) buildings of the existing self-storage facility to an overall maximum gross floor area of 41,500 square feet.**

(RC-Apr 15/14;E-Jun 14/14)

- (h) maintenance of the development; and**
- (i) the provisions of Policy IM-12.**

UR-22(A) For the properties known as 1248 St Margarets Bay Road (PID 40049512), Council may permit continued boat building operations and an expansion of those same boat building operations, subject to I-1 zone standards, without requiring a development agreement. (RC-July 11/23;E-Sept 6/23)

UR-23 Notwithstanding Policy UR-1, within the Urban Residential Designation, it shall be the intention of Council to provide for the continued use of autobody shops identified in Appendix "D" of the land use by-law.

With the establishment of the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park there has been the accompanying development of truck terminals and warehousing. These facilities have located in Beechville and have spread eastward along Highway No. 3 from the entrance to the Park. These industrial uses have raised concerns among local residents regarding attendant problems with traffic, noise, pedestrian safety and adequate separation and buffering as well as the potential for ~~With the establishment of the Lakeside Industrial Park, there has been the accompanying development of truck terminals and warehousing. These facilities have located in Beechville and have spread eastward along Highway No. 3 from the entrance to the Park. These industrial uses have raised concerns among local residents regarding attendant problems with traffic, noise, pedestrian safety and adequate separation and buffering as well as the potential for future expansion of these industries.~~

Highway No. 3 in Beechville is used as a truck route to the Lakeside Industrial Park. Much of the road is only two lanes and there are no sidewalks despite its frequent use by school children and other pedestrians.

The Halifax Sufferance Warehouse has also raised resident concern. This warehouse abuts one side of the Munroe Subdivision as well as other residential properties on the south side of Highway No. 3. Several private residences are further encompassed on two or more sides by industrial uses. Noise, truck traffic and inadequate separation distances and buffering are prevalent complaints from local residents. Further, there is the potential for expansion on vacant lands in an easterly direction towards a residential area and abutting crown lands to the south which may at one time, have been reserved for the black community. In any event, the growth of industrial uses along Highway No. 3 in Beechville is an impediment to future residential development.

No doubt industrial use on the south side of Highway No. 3 and adjacent to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park is not in an inappropriate location. However, area residents

wish to see the present conflict between residential and industrial land use controlled and eventually resolved. Limits will be placed on the expansion of industrial uses on the south side of Highway No. 3 and outside of the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park.

UR-24 Deleted (RC-Jul 11/23;E-Sep 6/23)

UR-25 Deleted (RC-Jul 11/23;E-Sep 6/23)

The control of communications facilities is not within municipal jurisdiction. Generally speaking, these facilities attempt to avoid built up areas and are not particularly intensive land uses. The Canadian Broadcasting Corporation has transmission facilities in the Plan Area.

UR-26 Notwithstanding Policies UR-1 and IND-1, it shall be the intention of Council to provide for the existing radio and television transmission facilities through the application of a specific industrial zone which permits these facilities. Dwelling units provided for the purposes of security or maintenance shall also be permitted.

Within the existing service boundary, a large contiguous undeveloped area of approximately 600 acres presents a major urban infill opportunity within the region. With the site's proximity to existing urban development, and major government investments locally in road, sewer and water infrastructure, development of this site is critical to encouraging cost-effective, rational urban growth in the region.

These lands were rezoned from R-1 to CDD in 1992 to enable broad planning for the whole site, and a conceptual master plan for a mixed use community of up to 10,000 residents was prepared for this area in 1994. A first phase of approximately 240 units was given approval through the development agreement process, however, development did not proceed. A new landowner is now proposing a different master plan, which would provide for a mixed use community of up to 3200 homes with up to 8000 residents, in association with an 18-hole golf course, a town centre, and a commercial area. The proposal represents an innovative and efficient community design, with benefits to both the municipality and area residents. Given the unique nature and large size of the proposal, a set of site-specific policies to guide Council in considering detailed development proposals for this site is appropriate. Where there is disagreement between these site specific policies and other policies of this plan, the site specific policies shall prevail.

Given the size of the site and the length of time to reach buildout, it is reasonable to assume that any development agreement should allow flexibility, as market conditions and phasing are subject to change. Aspects of the development may require further detailed analysis prior to development proceeding. Conceptual approval can be given to certain land use components (such as the town centre, commercial areas, and multiple unit dwellings) of the project through an initial development agreement. Council would then have the ability to consider detailed site and building plans as non-substantial amendments to the initial agreement.

UR-27 Within the area as shown on Map UR-1, Council may consider permitting a mixed use development, with a range of land uses including a golf course, low density residential, townhousing, multiple unit dwellings, shared housing, (RC-Aug 9/22;E-Sep 15/22) a town centre, various commercial development, and an

office campus. Such development may only be considered through the development agreement process, and pursuant to the policies outlined specific to this site, and having regard to the provisions of Policy IM-12.

Under the mixed use community scenario, up to 45% of the land may be taken up by the golf course use. In order to provide for an economic density, and to ensure that existing municipal infrastructure is adequately utilized, it is appropriate to provide for a greater proportion of higher density uses on the site. It is important, however, that a range of housing types be provided for to accommodate a range of household needs.

UR-28 Within the area shown on Map UR-1, a range of housing types to a maximum of 3200 dwelling units shall be provided for, subject to the following:

- (a) That a substantial number of single unit dwellings be provided, especially adjacent to existing low density neighbourhoods;
- (b) alternative forms of single units such as clustered units, retirement cottages and live-work units may be considered as a small proportion of the total number of single units;
- (c) Auxiliary dwellings, two unit dwellings and townhousing shall be permitted subject to appropriate criteria on building and site design;
- (d) Medium density housing may be permitted, subject to appropriate limits on density, and with appropriate requirements for landscaping and tree retention, architectural design features to ensure a high quality appearance of buildings, variety in scale, massing and height, and provision of sufficient amenity space;
- (e) That where single unit dwellings abut the Westgate site, only single unit dwellings or open space uses may be considered,
- (f) That a range of adequate recreation facilities is provided, pursuant to current municipal parkland planning guidelines.

The development of a golf course can provide for substantial retention of existing grades and forested areas. Diversion of storm water from developed areas to the golf course for irrigation and creation of water features is also of benefit, by reductions in peak flows leaving the site when compared to more typical developments, and providing a level of storm water treatment, provided that adequate easements are given to the municipality. However, concerns do exist with regard to the potential for erosion and sedimentation to occur during construction, and to ensure that nearby watercourses are not detrimentally affected. The potential for stray golf balls impacting on non-golf course uses is also to be addressed, as is the potential for providing for regulated, public use in designated portions of the course in winter, in a manner that balances the public benefits with the need for course operators to protect the course from vandalism and unintentional damage to greens, tees, and other sensitive areas.

UR-29 Within the area shown on Map UR-1, development of a golf course and associated uses shall only be permitted through the development agreement process, to address the following:

- (a) potential environmental impacts of the golf course on waterbodies (namely Nine Mile River, and streams and piped systems leading into Otter Lake

- and Governor's Lake) during and after construction;
- (b) provision of adequate separation of golf holes from existing and new housing according to current accepted standards;
- (c) provisions of municipal easements for stormwater drainage from streets and residential properties onto the golf course;
- (d) conditions for any use of treatment plant effluent in irrigation;
- (e) regulated public use of designated portions of the course for pond skating and sledding in a manner which does not encourage damage of the golf course.
- (f) The use of alternative street and access standards, grading, and private streets, can assist with tree preservation, and create a more country like character for a development, even within an urban area. However, past experience has shown that there is very often a demand from residents to upgrade to a higher street standard, and any development agreement must therefore address this to ensure that costs for such upgrading are not borne by the public. In addition, it is important that an adequate mechanism is put in place to deal with snow and ice clearing and surface maintenance of any private roads and lanes.

UR-30 The use of private roads which function as minor local streets within the development may be considered by Council. Private lanes for lot access for up to 6 dwelling units may further be considered. In considering such developments, Council shall have regard to the following:

- (a) That the width of the traveled way meets applicable requirements for emergency vehicle access;
- (b) That the roads are capable of being upgraded to a public street standard, provided that any such upgrading shall be wholly at the cost of the developer and/or abutting property owners; and
- (c) That an adequate mechanism through a body such as the developer, a condominium corporation or homeowners' association is set up to administer regular road maintenance and repairs in the long term.

A major component of the community proposal is the concept of recreating a traditional town centre. This would consist of buildings placed at the street line with minimal sideyards to encourage pedestrian use, on street parking, wide sidewalks, greater lot coverages and densities, with a goal of replicating those features and characteristics of successful town centres. The ultimate population of the development, and of Timberlea/Lakeside as a whole, will be of a size which can support such a concept. Attention to detail and careful consideration of all aspects of land use, architecture and urban design is needed, if the goal of creating a mixed use core with an attractive, traditional town character is to be properly achieved. Land uses in the town centre should cover a broad range of categories, and may be directed at the local, neighbourhood or regional market. The volatility of the office and retail market dictates that there be flexibility, however, no uses which are unacceptable by reason of noise, dust, odour or the need for outdoor working or storage areas should be considered.

UR-31 Within the area as shown on Map UR-1, it shall be the intention of Council to permit the development of a mixed use town centre, inclusive of medium to high

density residential development, retail, hotel, commercial, office and personal service uses, and community and open space uses. Such an area must be carefully designed in order to function as intended, and to be aesthetically pleasing, therefore any development agreement for the site shall require a design study prior to issuance of development permits which will address:

- (a) streetscape appearance and furniture;
- (b) landscaping,
- (c) architecture,
- (d) parking,
- (e) traffic circulation and transit,
- (f) pedestrian use,
- (g) open space provision.

The size of the community as a whole dictates that provision be made for larger commercial developments to provide groceries, retail, service, and office uses. Under the current scenario, lands adjacent to Exit 3 are targeted for major commercial development, to include a grocery store, strip mall, offices and personal service uses, food service, gas station and similar uses. As the community grows, an expansion of this commercial area may be warranted to serve the community and larger market areas, subject to appropriate design and servicing considerations. Particular concerns relate to landscaping and means of storm water collection and treatment.

UR-32 It shall be the intention of Council to consider an expansion of the commercial area adjacent to Exit 3 off Highway 103 subject to the provisions of Policy IM-12.

The development of employment nodes in key areas can help reduce traffic congestion, by creating jobs closer to employees' homes. Within this area, there is potential for creation of a small office park adjacent to Exit 3, between Highway 103 and the planned Timberlea East Collector road.

UR-33 It shall be the intention of Council to consider development of an office campus, between the proposed Timberlea East Collector and Highway 103, adjacent to Exit 3 through the development agreement process and subject to the following criteria:

- (a) landscaping,
- (b) signage design;
- (c) provision of adequate internal roads, parking, and service areas.

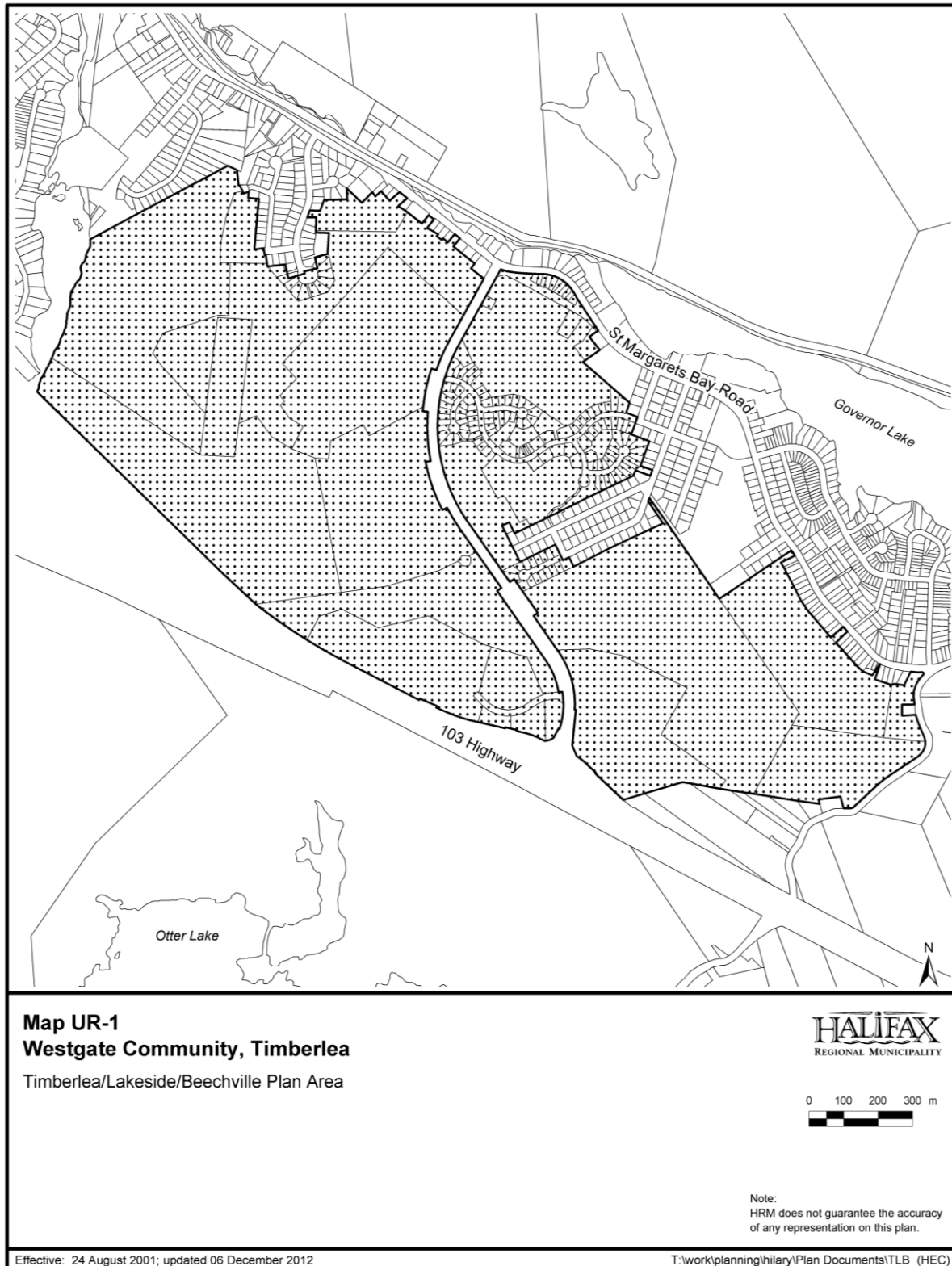
Timberlea Village Drive was constructed by the Municipality to help alleviate traffic volumes on Highway 3, and serve as a major access point for the larger community to Highway 103. Construction of this road at public expense has been of substantial benefit to the abutting lands, by providing ease of access to four pre-approved intersection locations. Although the road is currently below its design capacity, development of this site will likely trigger the need for upgrading. Additional municipal expenditures on this road which would support development on this site or any other are not acceptable, as such costs should be borne by the cost causer. Council should require developers to pay for any portion of future

upgrading costs which are attributable to their development.

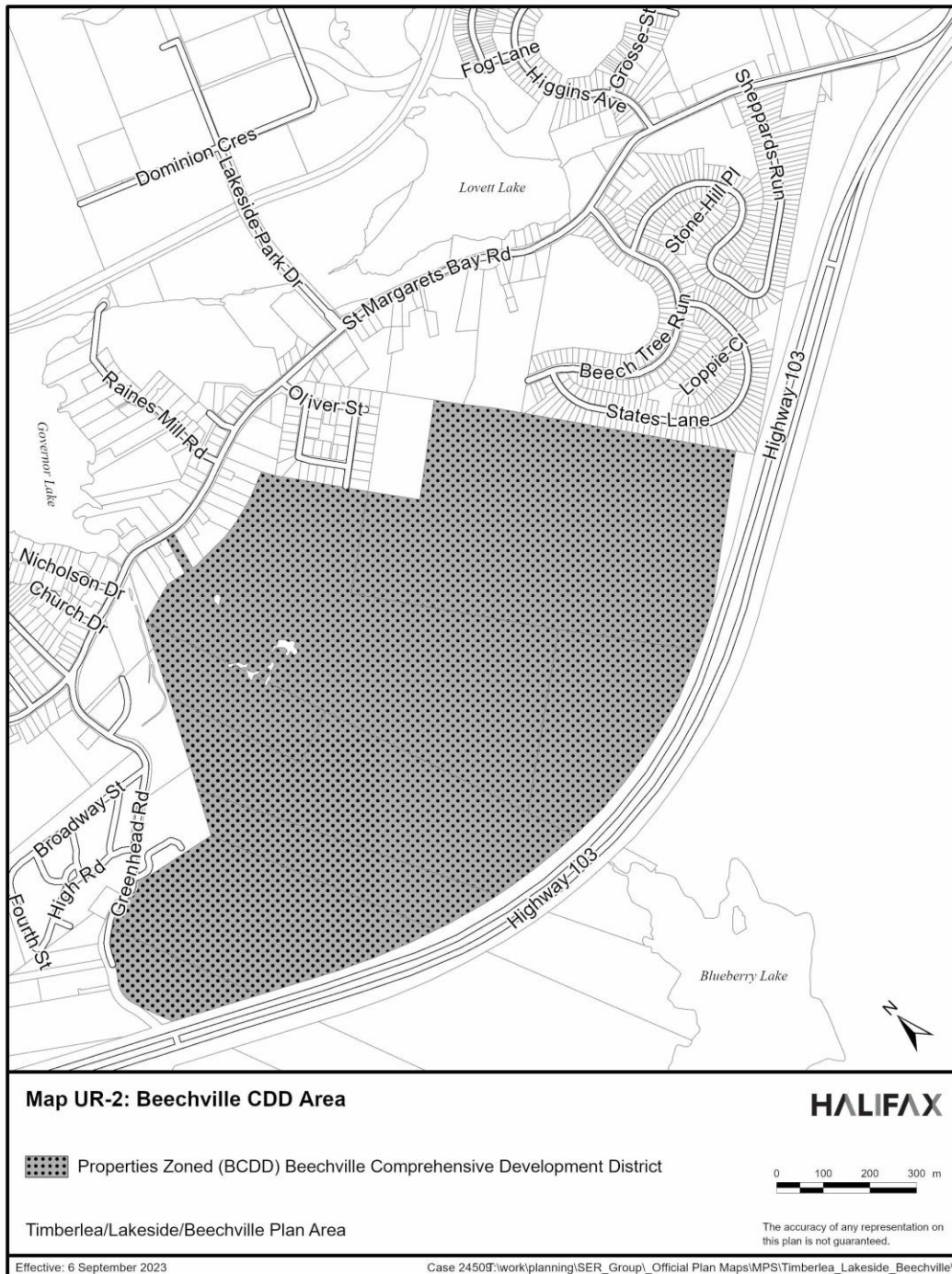
UR-34 It shall be the intention of Council to require the developer of the lands as shown on Map UR-1 to contribute toward the future upgrading of Timberlea Village Drive which bisects the site. The amount of such contribution shall be determined based on the findings of a transportation study, to be undertaken at the developer's expense, which shall determine the proportion of costs attributable to the development.

(RC-Oct 31/01;E-Dec 8/01)

MAP UR-1: WESTGATE COMMUNITY, TIMBERLEA



MAP UR-2: BEECHVILLE CDD AREA (RC-Jul 11/23;E-Sep 6/23)



COMMERCIAL CORE DESIGNATION

Commercial land use in Timberlea/Lakeside/Beechville is illustrative of an early stage of suburban commercial development. Commercial uses are predominately dispersed along Highway No. 3 and include autobody shops, neighbourhood convenience outlets, highway commercial uses such as gas stations, and business uses found within dwellings. There is also a small shopping centre in Timberlea which contains a grocery store and a pharmacy. Other commercial uses in the general vicinity include a tavern, a doctor's office and a motel.

The previous section on residential land use, particularly Policies UR-20, UR-21 and UR-22, dealt with various commercial activities outside the Commercial Designation.

The location of the commercial core has been chosen primarily on its ability to accept growth with minimum adverse impact on the residential environment. It is sufficiently large to sustain a functional mixture of community facility, recreational, commercial, mixed use commercial/residential developments, cultural, retail and entertainment uses and is located so as to take advantage of existing, as well as potential transportation investment in collector roads, interchanges and public transit.

- CC-1 It shall be the intention of Council to establish the Commercial Core Designation, as shown on Map 1 - Generalized Future Land Use. Lands within the designation are intended to provide a commercial and service focus for the Plan Area.
- CC-2 Within the Commercial Core Designation, it shall be the intention of Council to establish a general business zone which permits general commercial uses not exceeding fifty thousand (50,000) square feet of gross floor area, and also permits special trade contracting services and shops not exceeding two thousand (2,000) square feet in gross floor area along with community uses and existing dwellings. This zone shall also permit up to two (2) dwelling units to be used on conjunction with permitted commercial uses, as well as **shared housing uses (RC-Aug 9/22;E-Sep 25/22)**. The zone shall be applied to existing commercial uses in the Residential Designation, subject to the conditions established in Policy UR-21, and within the General Commercial Designation subject to Policy CG-2.

Given location of the commercial core has been chosen to minimize negative impacts on residential areas, appropriate screening and landscaping requirements shall also be established in the Land Use By-law. (RC-Sept 19/17;E-Nov 4/17)

- CC-2A **Within the Commercial Core Designation, it shall be the intention of Council to require commercial parking in the general business zone located next to a property used or zoned for residential or community uses to incorporate a visual screen, as described in the Land Use By-law. In addition, the general business zone shall include a requirement for a landscaped area in the front yard. (RC-Sept 19/17;E-Nov 4/17)**

The primary function of the Commercial Core Designation is to provide a commercial focus for the Plan Area. There is, however, the potential to provide for limited multiple unit residential development, in conjunction with commercial uses, provided it does not detract from the primary

intention of the designation. To preserve valuable commercial floor area, and to promote the economic attractiveness of the commercial centre, the ground floor should be reserved for commercial development, with residential development locating on subsequent floors.

CC-3 Notwithstanding Policy CC-2, within the Commercial Core Designation, it shall be the intention of Council to consider permitting more than two dwelling units in conjunction with commercial uses according to the development agreement provisions of the Planning Act. In considering any such agreement, Council shall have regard to the following:

- (a) that the commercial and residential uses are contained within the same structure;
- (b) the impact on traffic circulation and, in particular, the adequacy of sighting distances and entrances and exits to the site;
- (c) that municipal services are available and capable of supporting the development;
- (d) that the external appearance and scale of any building is compatible with adjacent land uses;
- (e) that residential dwelling units are not located on the ground floor;
- (f) that site design features, such as landscaping, amenity areas, parking areas and driveways are of an adequate size and design to address potential impacts on adjacent development and to provide for the needs of users of the development;
- (g) maintenance of the development; and
- (h) the provisions of Policy IM-12.

A small neighbourhood shopping centre is presently situated in the Commercial Core Designation. This centre also has the only major surface parking and there are a number of other smaller commercial enterprises in the vicinity.

With the expectations of new development there arises the possibility of a shopping centre locating within the commercial core area. Because of the size and magnitude of impact of the larger shopping centres, they should be viewed separately from other commercial land uses.

CC-4 Notwithstanding Policy CC-2, within the Commercial Core Designation, Council may consider permitting shopping plazas and malls in excess of 50,000 square feet of floor area, according to the development agreement provisions of the Planning Act. In considering any such proposal, Council shall have regard to the following:

- (a) the design and landscaping of the building and parking areas abutting residential areas;
- (b) the position of outside lighting and ventilation;
- (c) the location of access points for vehicular traffic; and
- (d) the provisions of Policy IM-12.

Entertainment uses such as taverns and amusement arcades, can benefit from locations in larger shopping centres where access and parking are readily controlled, and effects upon residential areas caused by these uses' extended hours of operation.

CC-5 Notwithstanding Policy CC-2, it shall be the intention of Council to permit taverns

and other commercial entertainment uses, including adult entertainment uses, only in commercial structures having greater than fifty thousand square feet, according to the development agreement provisions of the Planning Act. In considering such developments, Council shall have regard to the following:

- (a) separations from residential uses;
- (b) vehicular access and egress;
- (c) the location and extent of open storage and/or display;
- (d) the location of parking and loading areas;
- (e) drainage both on and off the site;
- (f) any landscaping of such uses; and
- (g) provisions of Policy IM-12.

GENERAL COMMERCIAL DESIGNATION

It is the intent of this strategy to designate minor general commercial areas in each of the three communities to conveniently serve local residents, provide a range of retail goods and services and minimize land use conflicts exemplified by strip commercial development. Four of these centres have been identified and a General Commercial Designation has been applied to each. One centre is located in Beechville, one in Timberlea and two are in the community of Lakeside.

These areas are differentiated from the major commercial core area in that they do not permit shopping centres in excess of 50,000 square feet of floor area, nor will they permit mixed use commercial/residential developments.

- CG-1 It shall be the intention of Council to establish a General Commercial Designations, as shown on Map 1 - Generalized Future Land Use. Lands within this designation are intended to serve local community needs, while minimizing the potential for strip development.

- CG-2 Within the General Commercial Designation, it shall be the intention of Council to apply the general business zone (Policy CC-2) to existing commercial uses and to consider new commercial uses by amendment to the land use by-law, with regard to the provisions of Policy IM-12.

INDUSTRIAL DESIGNATION

The impact of industrial uses may vary considerably from the small scale industrial plant which is well maintained and well separated from adjacent residential properties to industrial enterprises which encroach upon residential neighbourhoods to the extent of almost enclosing some residential properties. Within the Residential Designation, Policies UR-25 and UR-26 represent an effort to accommodate, as far as possible, the concerns of local residents living in close proximity to industrial uses.

Through the Halifax County Industrial Commission, the Municipality has attempted to concentrate industrial activity within the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, established in 1964. The Park accommodates a majority of industrial development within the Plan Area, on about 77 acres out of the total park acreage of approximately 233. The Municipality has submitted a proposal to the provincial government for cost-sharing on the new development of 65 acres. The Park is served by the main CNR line to Bridgewater, is within a mile of Highway 103, and is served by the Port of Halifax year-round. Also with the openings of the two City of Halifax Industrial Parks, the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park has become part of a much larger industrial area.

The **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park is essentially a light industrial park. Major activities include wholesale and distribution, meat preparation, electrical distribution and some small scale manufacturing and assembling. Also, in close proximity to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park but on the other side of Highway No.3 are a group of service industrial concerns, including the Halifax Sufferance Warehouse and an Esso Sales Agency.

Through the Industrial Designation, it is the intent of the strategy to continue to support the major concentration of industrial land use in the area of the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park. This intent supports the Halifax-Dartmouth Regional Development Plan as well as a proposal by the Municipality for expansion of the Industrial Park. Industrial development outside the Park is restricted generally to existing small scale operations. The Municipality may endeavour to find vacant lands outside the Industrial Park which are suitable for small scale and local industry. Since commercial uses and light industry are generally compatible, both will be permitted in the Park, except for shopping centres, which are more appropriately located in the major commercial core area. Also within the Industrial Designation, there are lands owned by the Public Service Commission of Halifax, which are being reserved for watershed purposes.

- IND-1 It shall be the intention of Council to recognize and encourage the majority of light industrial uses to locate in the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park by establishing an Industrial Designation as shown on Map 1 Generalized Future Land Use.
- IND-2 Within the Industrial Designation, it shall be the intention of Council to establish a light industrial zone which permits general industrial, commercial and open space uses. Separation requirements from residential zones shall be established to address compatibility concerns with surrounding developments. The zone shall also be applied to industrial uses in the Urban Residential Designation, subject to the conditions established in Policy UR-24.

Policy TR-8 refers to establishing a transportation master plan. Part of this plan would include evaluating alternate routes into the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park, one of which would connect to the Timberlea/Lakeside/Beechville Municipal Planning Strategy Page 73 Bicentennial Highway. With the recent completion of an intersection on the Bicentennial Highway entering the Bayers Lake Industrial Park, the feasibility of a link to the Highway No. 102 has been increased.

IND-3 It shall be the intention of Council to request the Department of Transportation and Communications to evaluate Route D, as shown on Map 3 - Transportation, as a possible link to the **Beechville (RC-Jul 11/23;E-Sep 6/23)** Industrial Park through the Bayers Lake Industrial Park from Highway 102.

RESOURCE DESIGNATION

Outside the Development Boundary, there are lands with minimal existing or potential development capability. This assessment applies to two areas.

The first area lies south of Highway No. 103, a limited access provincial arterial highway. The vast majority of land holdings are public and there is no existing development.

The second area lies north of the waterbodies defined by Fraser Lake, Governor Run and Governor Lake. Present access is by a small number of private roads and private railway crossings. There are approximately a dozen homes, situated on Governor Run and Fraser Lake. There is also a small gravel pit operation in the area as well as a salvage yard. The CNR line and a utility corridor traverse the north shore of Governor Lake. Private land holdings occupy portions of the north shore, however the majority of land holdings are under public ownership. Attempts have been made in the past to develop the north side of Fraser Lake for residential purposes.

The potential for development in both areas is further reduced by bedrock and steep slopes, as shown on Map 7 - Natural Features.

Given the significant constraints which affect these areas, it is the intent of the Plan to accommodate a wide range of uses including residential, industrial, open space, forestry and extractive operations.

RE-1 It shall be the intention of Council to establish a Resource Designation, as shown on Map 1 - the Generalized Future Land Use which will support a variety of uses, including low density residential, open space, primary resource and general industrial uses.

RE-2 Within the Resource Designation, it shall be the intention of Council to establish a mixed resource zone which permits residential, resource, industrial uses including salvage yards and open space uses on lots having a minimum lot area of eighty thousand (80,000) square feet.

Furthermore, the zone shall provide separation requirements from water supplies, watercourses and dwellings be established for resource uses and salvage yards.

There is a concern with development on septic tanks and wells, particularly adjacent to Fraser Lake, Governor Run and Governor Lake. Environmental health and other concerns resulting in a lot requirement exceeding the present Department of Health requirements have been elaborated in the section on environmental health services. The Resource Designation provides for lot sizes in excess of provincial requirements for septic tank installation. However, where it can be established that residential development on smaller lot sizes will not result in environmental problems or be incompatible with resource-based land uses, consideration may be given to the development of residential subdivisions on smaller lot sizes.

RE-3 Notwithstanding Policy RE-1, it shall be the intention of Council to consider permitting residential development within the Resource Designation on lots which have an area less than eighty thousand (80,000) square feet, by amendment to the land

use by-law (Policy UR-2). In considering such an amendment to the land use by-law, Council shall give regard to the following:

- (a) the effects of the development upon on-site sewer and water facilities of neighbouring lands;
- (b) provisions made to ensure a potable water supply to uses within the development;
- (c) the potential for expansion of the development in terms of total acreage and its location and characteristics relative to the development and to neighbouring lands;
- (d) any additional information relating to (a) through (c) above; and
- (e) the provisions of Policy IM-12.

Some primary resource industries, because of their scale and intensity of operation, require specific development controls. There is a concern over the potential visual and noise impacts upon the community arising out of the operations of any extractive and bulk storage facilities located on the southern exposure of the slope facing the serviced community on the south side of Fraser Lake, Governor Run and Governor Lake.

RE-4 Notwithstanding Policy RE-2, within the Resource Designation, it shall be the intention of Council to consider permitting extractive facilities and the bulk storage of aggregates or minerals according to the development agreement provisions of the Planning Act. In considering such uses, Council shall have regard for the following:

- (a) the provisions of the Provincial Department of the Environment's Guidelines for Pits and Quarries where applicable;
- (b) the maintenance of adequate separation distances from other non-industrial land uses;
- (c) the effect of the proposed use on surrounding traffic patterns and general public safety;
- (d) hours of operation;
- (e) provisions for limiting public access to the site;
- (f) provisions for the ongoing rehabilitation and ultimate reuse of the lands;
- (g) the location of structures and storage areas on the site;
- (h) the effects of the use on the natural environment as contained in a report from the appropriate provincial or federal government authority; and
- (i) the provisions of Policy IM-12.

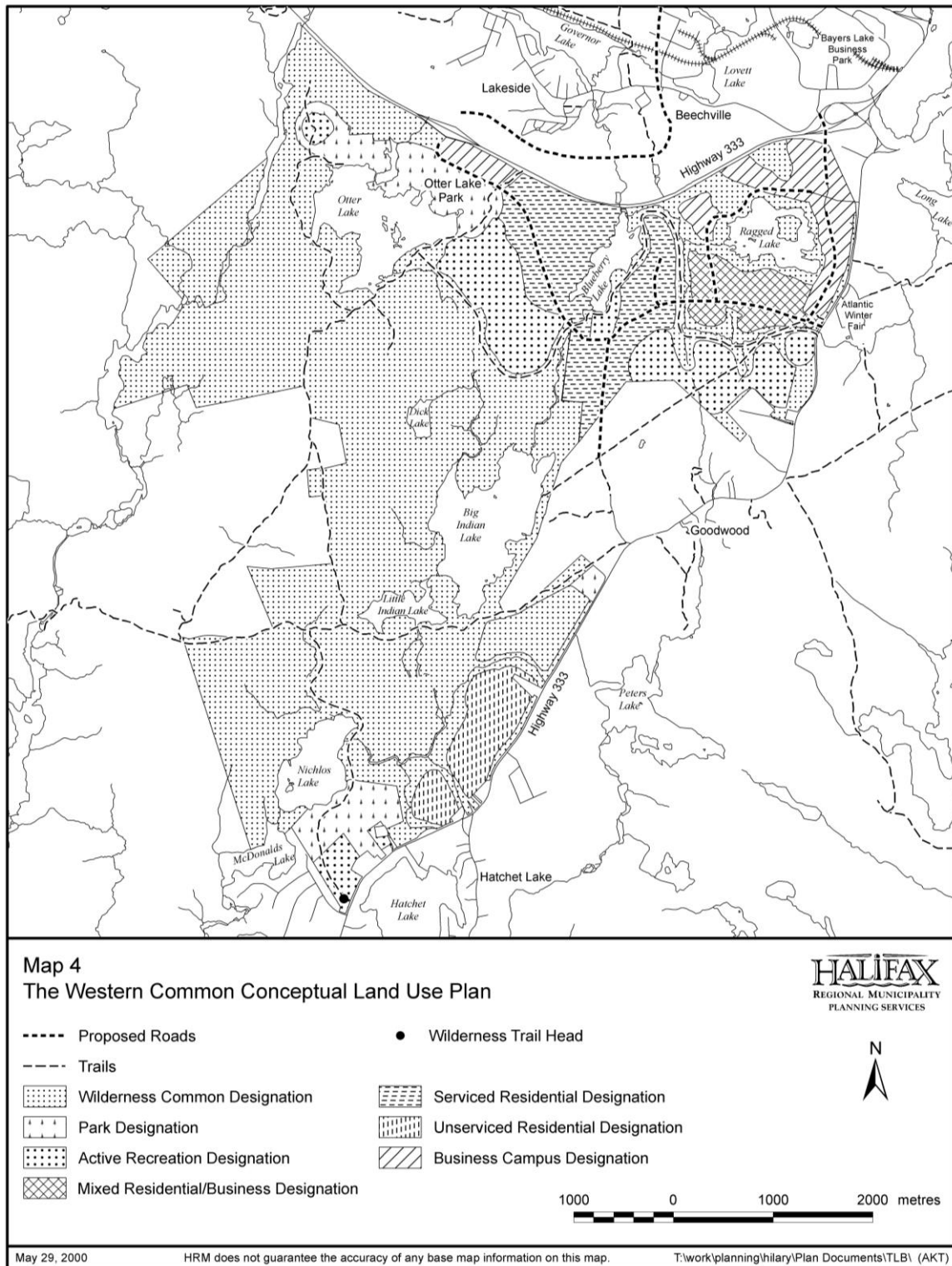
WESTERN COMMON DESIGNATION (RC-Jul 4/00;E-Aug 5/00)

The Western Common Designation encompasses significant lands acquired by the Municipality on the south side of Highway No. 103 which extend beyond this plan area and into the abutting plan areas of Halifax and Planning District 4 (Prospect). A planning study undertaken by the Municipality forms the basis for planning decisions within this designation.

- WC-1** The Western Common Conceptual Land Use Plan, presented as Map 4, shall be adopted by Council as the framework for planning and regulatory decisions within the Western Common Designation.
- WC-2** The Western Common Zone shall be established under the Land Use By-law and initially applied to all lands within the Western Common Designation. The Zone shall permit the following uses: conservation related uses, trails, picnic areas, wilderness campsites, public and private parks and playgrounds, historic sites and monuments, recreation uses (excepting golf courses), cemeteries and churches. Related uses may be considered by an amendment to the zone provisions but no provisions shall be made to consider a rezoning or development agreement application in areas designated as Wilderness Common or Park on Map 4.
- WC-3** No provision shall be made for development within the Active Recreation, Business Campus, Mixed Residential/Business and Serviced Residential Designations shown on Map 4 until a community planning study is undertaken in accordance with the objectives presented as Appendix “B”. In undertaking the study, the Municipality shall consult with the surrounding community and interest groups. Upon satisfactory completion of the study and adoption by Council, the Municipality may zone the lands to a comprehensive development district zone whereby any subsequent development of the land can only be considered by development agreement. Any development agreement application shall conform with the recommendations contained in the approved community planning study.

MAP 4: The Western Common Conceptual Land Use Plan

Schedule TLB-A1



CONSERVATION DESIGNATION

Natural features such as bedrock, significant slopes, areas of poor natural drainage and other features may adversely influence the capability of land development in the Plan Area. Of specific importance to development control is the regulation of construction within areas identified as floodplains and those which constitute water supply areas.

There is one area which warrants some special attention in regards to conservation purposes as it is an area prone to flooding on the Nine Mile River in Timberlea,⁶ between Highways No. 3 and 103. Within this area, the land should remain structurally undeveloped, wherever possible.

- CON-1 It shall be the intention of Council to establish a Conservation Designation as shown on Map 1 - Generalized Future Land Use, which identifies the floodplain of a portion of the Nine Mile River. It shall be Council's intention that these lands remain structurally undeveloped.
- CON-2 Within the Conservation Designation, it shall be the intention of Council to establish a conservation zone which permits conservation uses, parks, playgrounds, historic sites and monuments.
- CON-3 Notwithstanding Policy CON-2 and in recognition of existing residential uses and lots within the Conservation Designation, it shall be the intention of Council to make provision in the land use by-law for limited residential development on properties identified on Appendix "C" of the land use by-law.

⁶CBCL Ltd., Project 78530, *Report on Preliminary engineering Design: Trunk Water and Sanitary Sewerage Systems: Lakeside and timberlea Area*, March, 1978.

SECTION IV

IMPLEMENTATION

In accordance with the provisions of the Planning Act, the adoption of this municipal planning strategy does not commit Council to undertake any of the projects or actions contained, however, Council cannot take any action which would, in any manner, be inconsistent with the Plan or at variance with it.

The measures which Council may investigate to implement the Plan are not restricted to those which are specified. In addition to specific by-laws and regulations, Council may encourage certain administrative procedures in response to implementation of this strategy, and the Plan Area in relation to the Municipality as a whole. Specifically, Council may investigate the cost and administration of the signs section of the land use by-law, given its introduction as a new control within the urban areas of the Municipality, and may consider a schedule of permit fees for commercial signage.

The following policies include the basic requirements for proper implementation based on the policies of the strategy and the adoption of regulations under the Subdivision By-law, and the full and consistent enforcement of general by-laws and regulations of the Municipality.

- IM-1 This municipal planning strategy shall be implemented by means of powers conferred upon Council by the Planning Act, the Municipal Act and such other provincial statutes as may be applicable.
- IM-2 In addition to employing specific implementation measures, it shall be the intention of Council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.
- IM-3 With reference to Policy TR-8 it shall be the intention of Council to request an amendment to the Halifax-Dartmouth Regional Development Plan in regard to the widening of Highway No. 3.
- IM-4 It shall be the intention of Council to require amendments to the policies and maps in this municipal planning strategy under the following circumstances:
 - (a) where any policy is to be changed;
 - (b) where a request to amend the land use by-law for a use which is not permitted is made and subsequent studies show that the policies of the strategy should be amended;
 - (c) where the boundaries of the Plan Area are altered to coincide with boundaries of future plan areas; or
 - (d) where policies of future plan areas conflict with policies of this strategy.
- IM-5 More specifically, Council shall consider amending the municipal planning strategy in the following instances:
 - (a) when a full interchange on Highway No. 103 is developed which permits access to the lands south of Highway No. 103.

- IM-6 In accordance with the provisions of the Planning Act, this planning strategy may be reviewed when the Minister of Municipal Affairs or Council deems it necessary but in any case not later than five years from the date its coming into force or from the date of the last review.
- IM-7 Providing that the intention of all other policies are satisfied, Council may, for the purpose of providing for the development of similar uses on properties which abut one another, consider the following development agreements and amendments to the land use by-law, for lands which are located where any land use designations abut one another as shown on Map 1 - Generalized Future Land Use:
- (a) amendments within a designation to provide for the development of uses which are uses permitted within the abutting designation;
 - (b) amendments within a designation to provide for the development of uses which are uses permitted by the zone on the abutting property within the abutting designation;
 - (c) development agreements within a designation which are extensions of development agreements in effect on the abutting property within the abutting designation.
- IM-8 Notwithstanding Policy IM-7, no light industrial zone shall be considered by amendment to the land use by-law except within the Industrial Designation or the Resource Designation, or except in accordance with Policy UR-25.
- IM-9 It is not intended that all land shall be rezoned for specific uses. Rather, in order to give Council a greater degree of control, the strategy provides that certain land uses shall be processed as amendments to the land use by-law or in certain instances by development agreements. Such amendments and agreements shall be granted only if they meet the policies of this strategy.

The following uses shall only be considered by amendment to the land use by-law.

- (a) Within the Urban Residential Designation:
 - (i) auxiliary dwelling units according to Policy UR-3;
 - (ii) two unit dwellings according to Policy UR-4;
 - (iii) mobile home subdivisions and mobile home dwellings according to Policy UR-5;
 - (iv) townhouse dwellings according to Policy UR-8;
 - (v) comprehensive developments according to Policy UR-11;
 - (vi) community facilities according to Policy UR-15;
 - (vii) open space uses according to Policy UR-18;
 - (viii) local business uses according to Policy UR-19; and
 - (ix) extensions to the light industry zone, in Beechville, on residential properties largely encompassed within the area of the Halifax Sufferance Warehouse and situated on the south side of Highway No. 3 and east of the Munroe Subdivision according to Policy UR-25.
- (b) Within the Commercial Core Designation:
 - (i) general business uses according to Policy CC-2;
- (c) Within the General Commercial Designation:

- (i) general commercial uses according to Policy CG-2.
- (d) Within the Industrial Designation:
 - (i) general industrial and commercial uses, according to Policy IND-2.
- (e) Within the Resource Designation:
 - (i) single and two unit dwellings on lots having areas less than 80,000 square feet according to Policy RE-3.
- (f) **Within the Western Common Designation:**
 - (i) **a comprehensive development district in accordance with policy WC-3. (RC-Jul 4/00;E-Aug 5/00)**

IM-10 The following uses shall only be considered subject to the entering into of a development agreement.

- (a) Within the Urban Residential Designation:
 - (i) new mobile home parks or expansion of any existing mobile home park according to Policy UR-6;
 - (ii) townhouse developments according to Policy UR-9;
 - (iii) **shared housing with special care at a larger scale than permitted in the underlying zone (RC-Aug 9/22;E-Sep 15/22) according to Policies UR-10A and UR-10B (RC-Aug 9/22;E-Sep 15/22);**
 - (iv) medical clinics and day care facilities according to Policy UR-16;
 - ~~(v) deleted (RC-Aug 9/22;E-Sep 15/22);~~
 - (vi) expansion of service commercial uses, according to Policy UR-20; and
 - (vii) any expansion of or change of use of existing commercial and industrial properties, according to Policy UR-22.
 - (viii) expansion of the Halifax Sufferance Warehouse according to Policy UR-24.
- (b) Within the Commercial Core Designation:
 - (i) **shared housing with special care at a larger scale than permitted in the underlying zone (RC-Aug 9/22;E-Sep 15/22) according to Policies UR-10A and UR-10B (RC-Aug 9/22;E-Sep 15/22);**
 - ~~(ii) deleted (RC-Aug 9/22;E-Sep 15/22);~~
 - (iii) dwelling units in conjunction with commercial uses, according to Policy CC-3; and
 - (iv) shopping centres with a gross floor area in excess of 50,000 square feet, according to Policy CC-4; and
 - (v) taverns and other commercial entertainment uses according to Policy CC-5.
- (c) Within the Resource Designation:
 - (i) extractive and/or bulk storage facilities associated with aggregate and mineral operations according to Policy RE-4.

IM-11 Within the Urban Residential Designation, according to Policies UR-12 and UR-13, Comprehensive Development Districts for mixed residential, local commercial, general commercial and community facility uses shall only be considered subject to the entering into of a development agreement or agreements, according to the Planning Act.

IM-11A Within the Western Common Designation, Commercial Recreation, Business,

Commercial, Institutional Residential Uses may be considered under a development agreement, in accordance with policy WC-3. (RC-Jul 4/00;E-Aug 5/00)

IM-11B Within the Beechville Comprehensive Development District, permitted development shall be limited to existing uses and land uses permitted in the R-1 Zone on existing public streets. All other development shall be by development agreement and shall only be considered after a neighbourhood planning program and consultation with Beechville community residents and property owners has been completed in accordance with policy BCDD-3. (RC-Jul 11/23;E-Sep 6/23)

IM-12 In considering amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this strategy, Council shall have appropriate regard to the following:

- (a) that the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal by-laws and regulations.
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of sewer and water services;
 - (iii) the adequacy or proximity to school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to, or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
 - (vi) **the proposed means of handling storm water and general drainage within and from the development. (RC-Oct 30/01;E-Dec 8/01)**
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage and outdoor display;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding.
- (e) **Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy IC-6”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)**

IM-13 Repealed (RC-Jun 20/23;E-Oct 13/23)

- IM-14 Where uses exist which would become non-conforming with respect to the Planning Act, and which are unlikely to become conforming, and further where such uses do not interfere with adjacent uses, such uses may be zoned to permit the existing use of the property.
- IM-15 It shall be the intention of Council, through the Subdivision By-law, to provide specifications for determining the availability of central sewer and water services within the Service Boundary.
- IM-16 It shall be the intention of Council to permit development to take place on lots which have less than the minimum frontage or area required by the land use by-law when such lots are created for the purpose of infilling and where municipal central services are available.
- IM-17 It shall be the intention of Council to provide further controls over development within the Plan Area by fully enforcing the following By-laws:
- (a) the Building By-law;
 - (b) the Unsightly Premises By-law;
 - (c) the Topsoil By-law;
 - (d) the Excavation By-law;
 - (e) the Blasting and Dangerous Materials By-law;
 - (f) the Mobile Home Park By-law;
 - (g) the Sewer Connection By-law;
 - (h) the Occupancy By-law; and
 - (i) the Subdivision By-law.
- IM-18 In accordance the Planning Act, the Development Officer appointed by Council shall administer the land use by-law, the subdivision by-law, and grant development permits.
- IM-19 It shall be the intention of Council to provide for the temporary use of land or structures which is accessory to and necessary for the construction of a development for which a development permit has been issued.

Temporary Signage

In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.

- IM-20 **The land use by-law shall contain sign provisions for those signs not regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs). (RC-Sep 26/06;E-Nov 18/06)**

- IM-21** Where there is enabling policy to consider the development, by development agreement, of multiple unit dwellings or the expansion of existing multiple unit dwellings, such policy may be used to consider the development of shared housing uses at a larger scale than what is permitted by the Land Use By-law. (RC-Aug 9/22;E-Sep 15/22)
- IM-22** Notwithstanding Policies UR-10A and UR-10B, applications for non-substantive amendments to approved development agreements that now meet the definition of shared housing with special care in the land use by-law shall be considered under the policies in effect at the time the development agreement was approved provided that the proposed amendments were identified in the agreement as non-substantive. (RC-Aug 9/22;E-Sep 15/22)
- IM-23** In addition to Policy IM-22, complete applications for development agreements on file with the Municipality located in this plan area, which were received on or before July 12, 2022, shall continue to be considered under the policies in effect on immediately prior to that date. Where any such application is withdrawn, significantly altered, or refused by Council, any new development applications shall be subject to all applicable requirements of this Plan and the Land Use By-law. Applications that have not proceeded to public hearing within 36 months of July 12, 2022, shall be subject to all applicable requirements of this Plan and the Land Use By-Law. (RC-Aug 9/22;E-Sep 15/22)

APPENDIX "A": URBAN ROAD CLASSIFICATION SYSTEM

ARTERIAL ROADS

Primary Function:	To move traffic on an interregional scale. (Traffic Service)
Land Use Service:	Does not generally provide access to either commercial or residential lots.
Traffic Volume:	Greater than 20,000 vehicles per day.
Right of Way:	100 to 125 feet.
Connections:	Connects to freeways, other arterial and major collectors

MAJOR COLLECTOR ROADS

Primary function:	To move traffic between communities and to provide access to commercial services. (Traffic Service)
Land Use Service:	Tends to provide access to commercial lots primarily, but residential lots do have access.
Traffic Volume:	Between 12,000 and 20,000 vehicles per day. ⁷
Right of Way:	66 feet.
Connections:	Connects to arterials and other major collectors, and minor collectors.

MINOR COLLECTOR ROADS

Primary Function:	To provide access and to move traffic from neighbourhoods onto major collectors.
Land Use Service:	Tends to provide access to residential lots and community related non-residential services.
Traffic Volume:	Between 3000 and 12,000 vehicles per day.
Right of Way:	66 feet.
Connections:	Connects to major collectors, other minor collectors and local roads.

⁷ 1. Traffic volume benchmarks were taken from the City of Halifax Subdivision By-law

LOCAL ROADS

Primary Function:	To provide access to residential lots.
Land Use Service:	Tends to provide access to residential lots only.
Traffic Volume:	Up to 3000 vehicles per day.
Right of Way:	66 feet. ⁸
Connections:	Connects to minor collectors and other local roads

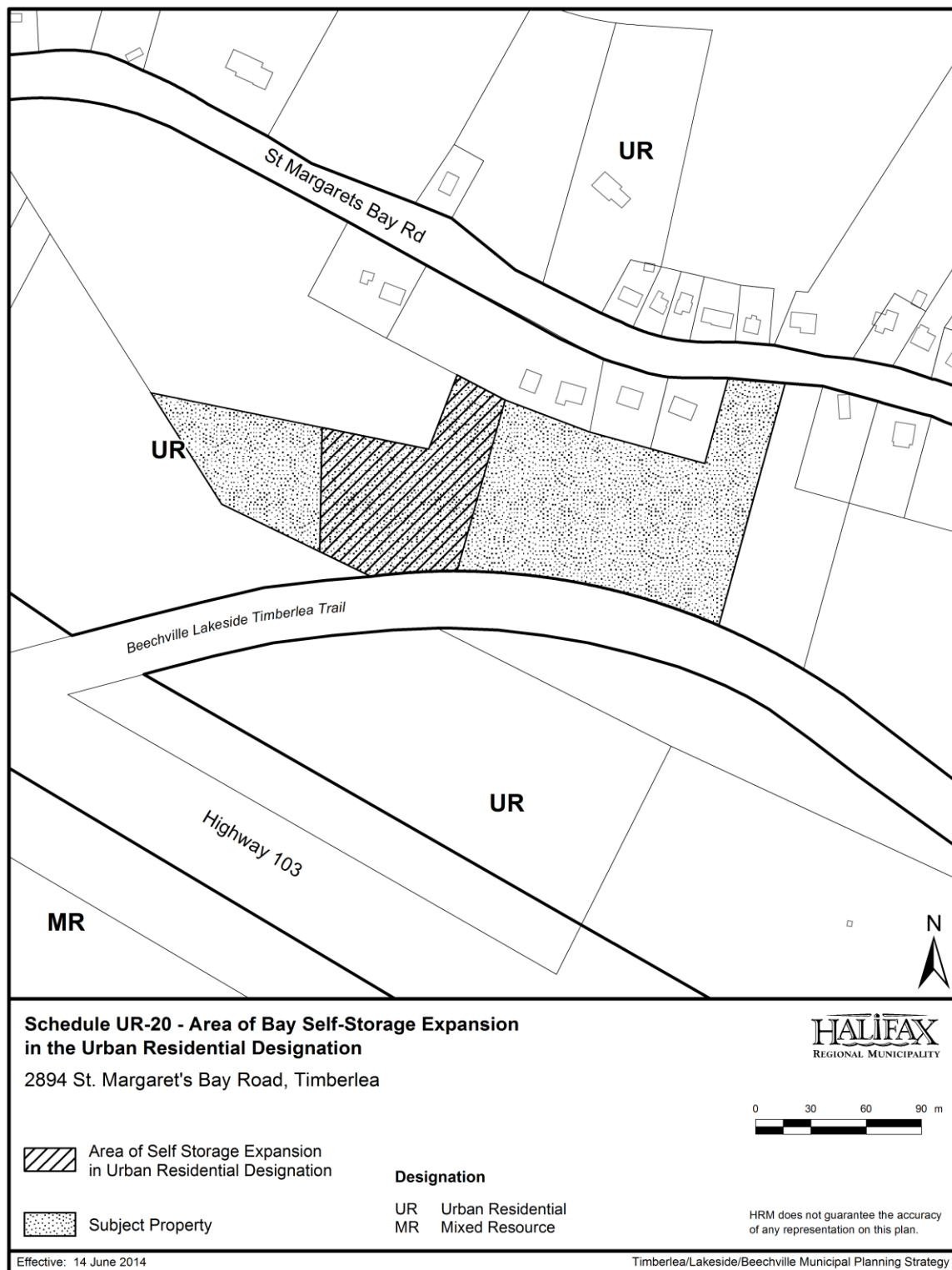
⁸ 1. Right-of-way width may be reduced to 50 feet in the case of a cul-de-sac which does not have the potential to be extended.

APPENDIX B: COMMUNITY PLANNING STUDY (RC-Jul 4/00;E-Aug 5/00)

Objectives: to prepare a conceptual community plan which

- anticipates future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- integrates design with established neighboring communities in terms of the natural and man-made environment;
- reduces travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- preserves sensitive environmental areas and unique cultural features and responds to the opportunities and constraints imposed by the environment;
- maintains adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- allows for design flexibility in recognition of future changes to external circumstances/market conditions
- minimizes future demands on the Municipality's fiscal resources (capital and operating budgets) and provides fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing;
- provides policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality).

SCHEDULE UR-20: Area of Self Storage Expansion in Urban Residential Designation (RC-Apr 15/14;E-Jun 14/14)



MUNICIPAL PLANNING STRATEGY AMENDMENTS IN CHRONOLOGICAL ORDER OF MINISTERIAL APPROVAL

<u>Amendment Number</u>	<u>Policies/Maps</u>	<u>Subject</u>	<u>Council Adoption</u>	<u>Effective Date</u>
1.	Section I - Regional Context (amended) Section II - addition of policy E-2A, Recreation (amended: Long Range Recreation Planning (amended): Section III - Addition of Western Common Designation: Section IV - addition of Policy IM-9 Clause(f) and IM-11A, Addition of Map 4; Addition of Appendix B Generalized Future Land Use map amended	Western Common Master Plan (Project 00112)	Jul 4/00	Aug 5/00
2.	Section II - Policy TR-3 (appended): Section II - Policy REC-2A (addition): Section III - Urban Residential UR-27 - UR-34 (appended): Section IV - Policy IM-12(b) (vi) (added): Map UR-1 (addition)	Westgate (Case 00265)	Oct 30/01	Dec 8/01
3.	Section II - Infrastructure Charges (addition); Section IV - Policy IM-12 (amended)	Capital Cost Contribution (Case 00423)	July 2, 2002	Aug 17, 2002
4.	Table of Contents - Addition Section II - Construction & Demolition Waste Management Strategy (addition)	Construction & Demolition (Project 00082)	Sept 10, 2002	Nov 9, 2002
5.	Section II - Interim Growth Management (Addition); Map 5 - Interim Growth Management	Interim Growth (Case 00664)	Apr 13, 2004	Apr 22, 2004
6.	Section III - UR-20 (addition); Section III - UR-22 (g) (addition)	Urban Residential (Case 00589)	Aug 9, 2005	Sept 3, 2005
7.	Delete the section on Interim Growth Management including Map 5	Regional Plan	June 27, 2006	Aug 26, 2006
8.	Add IM-20 regarding Temporary Signage	Project 00327	Sept 26/06	Nov 18/06
9.	Amended GFLUM boundary; Regional Context Map	Case No. 01121	Jan 20/09	Mar 28/09
10.	Amend the Regional Context Map as shown on Schedule C; Amend GFLUM - Map 1A and re: The Plan Area Boundary to include some areas in Bayers Lake Business Park	Case No. 01332	Jan 12/10	Apr 17/10
11.	Replace Policy UR-20; Replace Policy UR-22(g); Add Schedule UR-20 (area designated for self-Storage expansion in Residential Designation	Case No. 17491	Apr 15/14	June 14/14
12.	Amended Map 1; Added Policy CC-2A and preamble	Case No. 19535	Sept 19/17	Nov 4/17
13.	Amended Section II, Commercial Core Designation; Section III, Urban Residential Designation (Senior Citizen Housing), Community Facility Uses, Policy UR-15, UR-27; Commercial Core Designation, Policy CC-2; Section IV, Implementation, Policy IM-10 Deleted Section III, Urban Residential Designation, Policy UR-10, UR-17 Added Section III, Urban Residential Designation, Policy UR-10A, UR-10B; Section IV, Implementation, Policy IM-21, IM-22, IM-23.	Case No. RP16-16 (Shared Housing)	Aug 9/22	Sep 15/22
14.	Amended Section 1 Commercial and Industrial Growth; Section 1 Existing Land Use; Section 1 Industrial Development; Section 2 Environmental Health services, Municipal Water and Sewer Services, Local Transportation Matters, Section 3			

	Land Use Intent, Urban Residential Designation, Industrial Designation			
	Added Section 1: Community Profile; Community Planning Project; Beechville Comprehensive, Section 3 UR-22(A), Section 4 IN-11B Development District, Map UR-2	Zoning Changes Beechville	Jul 11/23	Sep 6/23
	Deleted Section 3 UR-24 and UR -25	Case 24509		
15.	Repealed Section IV, Policy IM-13	Case 2023-002 (Public Participation)	Jun 20/23	Oct 13/23