

**BERMUDA HOUSING CORPORATION HARBOUR VIEW VILLAGE
(ST. GEORGE'S PARISH) SPECIAL DEVELOPMENT ORDER
2007**

GN 854 / 2007

DEVELOPMENT AND PLANNING ACT 1974

1974 : 51

**BERMUDA HOUSING CORPORATION HARBOUR VIEW
VILLAGE (ST. GEORGE'S PARISH) SPECIAL DEVELOPMENT
ORDER 2007**

In exercise of the powers conferred upon the Minister of the Environment, Telecommunications and E-Commerce by section 15(2)(a) of the Development and Planning Act 1974, the following order is hereby made:

Citation

1 This Order may be cited as the Bermuda Housing Corporation Harbour View Village (St. George's Parish) Special Development Order 2007.

Interpretation

2 (1) In this Order —

"Act" means the Development and Planning Act 1974;

"applicant" means Bermuda Housing Corporation;

"Building Official" has the meaning given in the Building Act 1988;

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"Development" means the Development referred to in the planning application and more particularly described in the First Schedule;

"planning application" means the application for planning permission for the development made by the applicant, and the accompanying drawings numbered Survey Ref. 3116 and A0.01, A0.02, C03.0 C03.1, C03.2, C03.3, L1.0-L1.4, A0.06-A0.09, A1.01-A1.04, A1.40, A1.50, A1.51, A2.01-A2.04, A2.40, A2.50, A2.51, A3.01-A3.04, A3.40, A3.41, A3.50, A3.51, A4.01-A4.04, A4.40, A4.51, A6.01-A6.06, A7.01, prepared by Survey Services Bermuda Housing Corporation Project Management and Entech Ltd. and submitted on behalf of the applicant;

"site" means the land described in the Third Schedule;

"subdivision" means the subdivision of land described in the Second Schedule, the draft plan of subdivision and the accompanying drawings numbers Survey Ref. 3116 and A0.02 prepared by Surveying Services Bermuda Housing Corporation Project Management and submitted on behalf of the applicant.

(2) Subject to subparagraph (1), any expression used in this Order that is also used in the Act has the meaning assigned to it in the Act.

Planning permission

3 (1) Subject to the conditions specified in subparagraph (2), planning permission is granted by this Order for the development of the site.

(2) The conditions referred to in subparagraph (1) are as follows —

(a) an application for a building permit for the development of the site shall be submitted to and shall be approved by the Building Official prior to the commencement of any construction work, on the understanding that the project shall proceed in the following five phases—

(i) site clearance, site preparation and excavation works;

(ii) infrastructure, foundation slabs, civil works and building construction in three phases; and

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(iii) landscaping, planting and the completion of civil works; and

on the understanding that the Building Official will issue occupancy certificates for the dwelling units in each successfully completed phase subject to the relevant provisions of the Bermuda Building Code 1998 and subject to the installation of approved means of separation between the completed phase and the remaining construction activities;

(b) the application for a building permit shall comply with the requirements of the Bermuda Building Code 1998 and with any directions given by the Chief Fire Officer in respect of fire protection and the Chief Environmental Health Officer in respect of public health;

(c) the points of access from the site to Southside Road and St. David's Road shall be designed and bell-mouthed to the satisfaction of the Ministry of Works and Engineering in accordance with the standards specified in paragraph 8.7(1) of the Bermuda Plan 1992 Planning Statement;

(d) all hard-surfaced roadways and the junctions of the access roads with Southside Road and St. David's Road shall be designed and graded to drain, retain and dispose of all storm water run-off within the curtilage of the site, and to avoid any storm water run-off onto Southside Road, St. David's Road or any neighbouring property;

(e) the application for a building permit shall include full design details of the internal road system and all matters relating to road drainage, gradients, sidewalk widths and road markings shall be to the satisfaction of the Principal Highways Engineer in accordance with the relevant provisions of section 8 of the Bermuda Plan 1992 Planning Statement;

(f) applications for any proposed wells or drainage systems shall be submitted to and approved by the Environmental Authority prior to the commencement of construction;

(g) the applicant shall take such measures as are necessary to ensure that no excess or waste water is drained or dumped into St. George's Harbour or on to St. David's Road;

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- (h) the entire site shall be graded, soiled, grassed, planted and landscaped to the satisfaction of the Director of Planning prior to the issuance of a completion certificate in accordance with the Bermuda Building Code 1998 following the fifth and final phase of the Development;
- (i) a continuous pedestrian right of way shall be provided and maintained around the perimeter of the site and along Southside Road and;
- (j) prior to the approval of the application for a building permit, the proposals for the collection, treatment and disposals of sewage, and the collection of rainwater and the distribution of potable water, shall be approved by the Government Hydrogeologist and the Chief Environmental Health Officer, and, if necessary, an application for a construction permit for the proposed plant for the collection, treatment and disposal of sewage shall be approved by the Environmental Authority in accordance with the relevant provisions of the Clean Air Act 1991.

Planning permission to subdivide land

4 (1) Subject to the conditions specified in subparagraph (2), planning permission of the draft plan of subdivision is granted by this Order for the subdivision.

(2) The conditions referred to in subparagraph (1) are as follows—

- (a) an application for planning permission based on a final plan of subdivision shall be submitted for approval of the Development Applications Board prior to the issuance of occupancy certificates for the first completed phase of the Development; and
- (b) all utility services, including television relay cables, shall be placed underground prior to the completion of the Development.

Saving

5 For the avoidance of doubt, it is hereby declared that nothing in this Order grants planning permission for any matters of development for which planning permission is required, apart from any matter for which planning permission has been granted by paragraphs 3 and 4.

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FIRST SCHEDULE (paragraph 2(1))

The Development

1. The development of the Harbour View Village residential community, residential units, utility services facilities/vaults and amenity spaces on land bordered St. David's Road on the north side and Southside Road on the south.
2. The construction of about 106 homes in seven multi-storey buildings not exceeding four storeys in height. The residential units will be held under condominium title in the following configuration—
 - (a) 48 two-bedroom, one-bathroom residential units of approximately 1,000 square feet of floor space with covered balconies or patios of approximately 140 square feet;
 - (b) 44 three-bedroom, two-bathroom residential units of approximately 1,300 square feet of floor space with covered balconies or patios of approximately 130 square feet;
 - (c) 14 four-bedroom, two-bathroom residential units of approximately 1,500 square feet of floor space with covered balconies or patios of approximately 130 square feet.
3. The development of an internal system of access roads, sidewalks, stairs and parking areas, and including improvements to the existing parking area that serves the property neighbouring the site to the east.
4. The development of a linked system of landscaped common open spaces and play areas, and a continuous pedestrian right of way bordering the site and Southside Road.

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SECOND SCHEDULE (paragraph 2(1))

The Subdivision

1. The creation of one additional lot of 4.71 acres.

THIRD SCHEDULE (paragraph 2(1))

The Site

ALL THAT LAND in the Parish of St. George's having an area of 4.71 acres (1.906 hectares) shown outlined in red on drawing number Survey Ref. 3116 and A0.02 accompany the planning application.

Made this 4th day of December, 2007

Minister of the Environment, Telecommunications
and E-Commerce