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Item No. 10.1
Halifax Regional Council
June 3, 2025
June 10, 2025

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: May 16, 2025

SUBJECT: **Regional Plan Review: Phase 4 (Case 22257), including Minimum Planning Requirements**

ORIGIN

See Attachment A-13.

EXECUTIVE SUMMARY

The Municipality has been undertaking a comprehensive review of the Regional Municipal Planning Strategy (Regional Plan) since 2020. This report presents a new Regional Plan, together with a comprehensive package of amendments for implementation.

The proposed Regional Plan included in Attachment B represents a new planning framework to guide growth and development in HRM. Drawing on many of the same principles as the original 2006 Regional Plan and current 2014 Regional Plan, the proposed Regional Plan represents a modern, forward-looking planning framework that will support our goals of building healthy complete communities and a sustainable future. The proposed Regional Plan envisions that over time, the municipality will grow to be a region supporting one million people.

Community engagement was undertaken when the Draft Regional Plan was released for public comment in June 2023. Engagement took place during Summer and Fall 2023, with a What We Heard Report presented to Regional Council in December 2023.

In August 2024, the Province issued a set of new *Minimum Planning Requirement Regulations* related to housing supply. Council directed staff to initiate the process of addressing these new regulations as part of the Regional Plan Review process.

The proposed Regional Plan was developed based on feedback gathered from Council, the public, and internal/external stakeholders on the policy concepts contained in the June 2023 Draft and in response to the provincial Minimum Planning Requirements *Regulations*. This report presents the new Regional Plan with a full implementation package, which includes amendments to Community Plans, Land Use By-Laws, and the Regional Subdivision By-Law required to implement the new Regional Plan policies.

RECOMMENDATION ON PAGE 2-3

This report recommends that Regional Council give first reading and schedule a public hearing to consider:

- Repealing the 2014 Regional Plan and approving the proposed 2025 Regional Municipal Planning Strategy (Attachment B);
- Repealing and re-adopting the by-laws, policies, and provisions of the Secondary Municipal Planning Strategies and Land Use By-Laws (as amended) that were previously adopted to implement the 2014 Regional Plan, (Attachment C); Amendments to the Secondary Municipal Planning Strategies, Land Use By-Laws, and the Regional Subdivision By-Law required to implement the Regional Plan; and (Attachments D, E, F); and Amendments to implement the Minimum Planning Requirements Regulations related to housing supply (Attachment G).

The report further recommends that Council direct staff to generally follow the Phase 5 Work Plan and the approach for site-specific amendments set out in this report (Attachments A-5, A-6, A-8).

In support of these recommendations, this report:

- Highlights key changes to Regional Plan policy and regulations that will impact land use planning and development rights (Attachments A-1, A-2);
- Describes the approach taken to address the Minimum Planning Requirements related to housing supply and feedback from residents during the engagement period on these approaches (Attachments A-3, A-9);
- Describes the approach taken to site-specific requests addressed in the proposed Regional Plan and supporting amendment package (Attachment A-4);
- Responds to motions of Council and Committee that have been considered as part of the Regional Plan Review process;
- Provides an update on the completed Regional Plan Review Phase 4 Work Plan (Attachment A-12), and provides an outline of work expected to be undertaken in Phase 5 (Attachment A-5); and
- Identifies new and outstanding site-specific requests for amendments to the Regional Plan and recommends an approach to proceed based on staff's initial analysis (Attachments A-6, A-8).

There are risks associated with the recommendations in this report as they related to the Supreme Court of Canada (SCC) decision in *Annapolis Group Inc. v. Halifax Regional Municipality* (2022). Additionally, the Municipality is obligated to respond to some of the *Provincial Minimum Planning Requirements* by June 30, 2025.

The financial implications of any policies, programs, or projects established by the proposed Regional Plan policy will be managed during the normal Budget and Business Planning process.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to consider:
 - a. Repeal of the existing 2014 Regional Municipal Planning Strategy, and approval of the proposed 2025 Regional Municipal Planning Strategy, as set out in Attachment B;
 - b. Repeal and re-adoption of the by-laws, policies, and provisions of the Secondary Municipal Planning Strategies and Land Use By-Laws (as amended) that were previously adopted to implement the 2014 Regional Plan as set out in Attachment C;
 - c. Approval of the proposed amendments to the Secondary Municipal Planning Strategies as set out in Attachment D;
 - d. Approval of the proposed amendments to the Land Use By-Laws, as set out in Attachment E;
 - e. Approval of the proposed amendments to the Regional Subdivision By-Law, as set out in Attachment F;

- f. Approval of the proposed amendments to the Secondary Municipal Planning Strategies and Land Use By-Laws, as set out in Attachment G.
- and schedule a public hearing.
2. Repeal the existing 2014 Regional Municipal Planning Strategy and adopt the proposed 2025 Regional Municipal Planning Strategy, as set out in Attachment B.
3. Repeal and re-adopt the by-laws, policies, and provisions of the Secondary Municipal Planning Strategies and Land Use By-Laws (as amended) that were previously adopted to implement the 2014 Regional Plan, as set out in Attachment C.
4. Adopt the amendments to the Secondary Municipal Planning Strategies as set out in Attachment D.
5. Adopt the amendments to the Land Use By-Laws as set out in Attachment E.
6. Adopt the amendments to the Regional Subdivision By-Law as set out in Attachment F.
7. Adopted the amendments to the Secondary Municipal Planning Strategies and Land Use By-laws to meet the Provincial *Minimum Planning Requirements Regulations* related to housing supply as set out in Attachment G.
8. Direct the Chief Administrative Officer to:
 - a) use the Phase 5 Work Plan Framework outlined in Attachment A-5 as a guide for developing a detailed Phase 5 Work Plan;
 - b) follow the recommended approaches to consider site-specific requests during Phase 5 as set out in Attachment A-6 (Phase 5 Site-Specific Requests) and A-8 (Recommended Approach for Margeson Drive Area, Middle Sackville); and
 - (c) return to Council with a Phase 5 public participation program.

BACKGROUND

The Halifax Regional Municipal Planning Strategy (the Regional Plan) sets out a common vision, guiding principles and long-range, region-wide planning policies outlining where, when, and how future settlement, balanced growth, and development should take place. Originally adopted in 2006, the Regional Plan provided the first comprehensive guide for future growth for the entire Municipality following amalgamation. The 2006 Regional Plan established policy for a 25-year horizon, from 2006-2031, with minor reviews expected every 5 years. The first review (RP+5) began in 2011, with readoption in 2014. The 2014 Regional Plan has been guiding the Municipality's growth and settlement pattern since then.

Regional Council directed staff to begin the second five-year review of the Regional Plan in 2020, just a few weeks prior to the beginning of the COVID-19 pandemic. With the onset of the pandemic, as well as HRM's population growth and increased pressure on housing, infrastructure and community services, the project was redesigned to include two additional phases – Phase 3, which focused exclusively on potential housing projects; and Phase 5, which will focus on long-term growth planning.

In May 2021, Regional Council released the deliverables set out in the [Phase 2 Themes & Directions Report](#) and staff led engagement until July that same year. The results of the engagement were presented to Regional Council in a [What We Heard Report](#) in December 2021. Following this, a set of amendments

focused on potential housing projects, [Phase 3 Quick Adjustments for Housing](#) was presented to Council in July 2022, to support the Municipality's response to current housing conditions. In June 2023, the [Phase 4 Draft Regional Plan](#) was released for public engagement, and the results of the engagement were presented in a [What We Heard Report](#) in December 2023. The release of this report, including the proposed Regional Plan and supporting planning document amendments, represents the conclusion of Phase 4 of the Regional Plan Review project.

Regional Plan Review Work Plan

Since 2021, the Themes & Directions document has served as the basis for the Regional Plan Review Work Plan, with each Direction serving as a deliverable. Regular updates to this Work Plan have been provided to and endorsed by Regional Council as the project has progressed, with the last update supporting the release of the Draft Regional Plan in June 2023. Significant progress has been made on all deliverables outlined in the Work Plan during Phase 4. Attachment A-12 provides a final update on this Work Plan and includes references to the relevant policy in the proposed Regional Plan. A work plan framework for Phase 5 is provided in Attachment A-5.

Provincial Minimum Planning Requirements Related to Housing

Under subsection 229(4) of the *HRM Charter*, the Minister may make regulations (a) prescribing matters in respect of which the inclusion of statements of policy in a municipal planning strategy is either mandatory or discretionary, and (b) prescribing requirements that a municipal planning strategy must fulfill. These have been established by the Minister as the *Minimum Planning Requirements Regulations*.

Separate to the Regional Plan Review, on August 21, 2024, the Minister enacted a set of mandatory *Minimum Planning Requirements Regulations* in the Halifax Charter ([Section 4A](#)), which provides mandatory content that a municipal planning strategy must contain as it relates to the supply of housing. The Provincial MPRs require the Municipality to implement the changes by December 30, 2024. Following a request from the Mayor, the Minister of Growth and Development [provided](#) an extension to **June 30, 2025**.

An initiation report, [Response to Provincial Minimum Planning Requirements](#), was brought to Regional Council on October 1, 2024, to consider amendments to all planning documents to ensure compliance with the *Minimum Planning Requirements Regulations* as amended by the Province in August. Staff completed the technical analysis of the required amendments to HRM's Regional Municipal Planning Strategy, all Secondary Municipal Planning Strategies (SMPS) and Land Use By-Laws (LUB), and the Regional Subdivision By-Law and have drafted the necessary amendments, which are being presented as part of this report and package. An engagement period was held to consult residents on the proposed approach to comply with each of the new *Minimum Planning Requirement Regulations*. The feedback received during this engagement period is presented in Attachment A-9 of this report.

Provincial Minimum Planning Requirements Related to Wind Turbine Setback Requirements

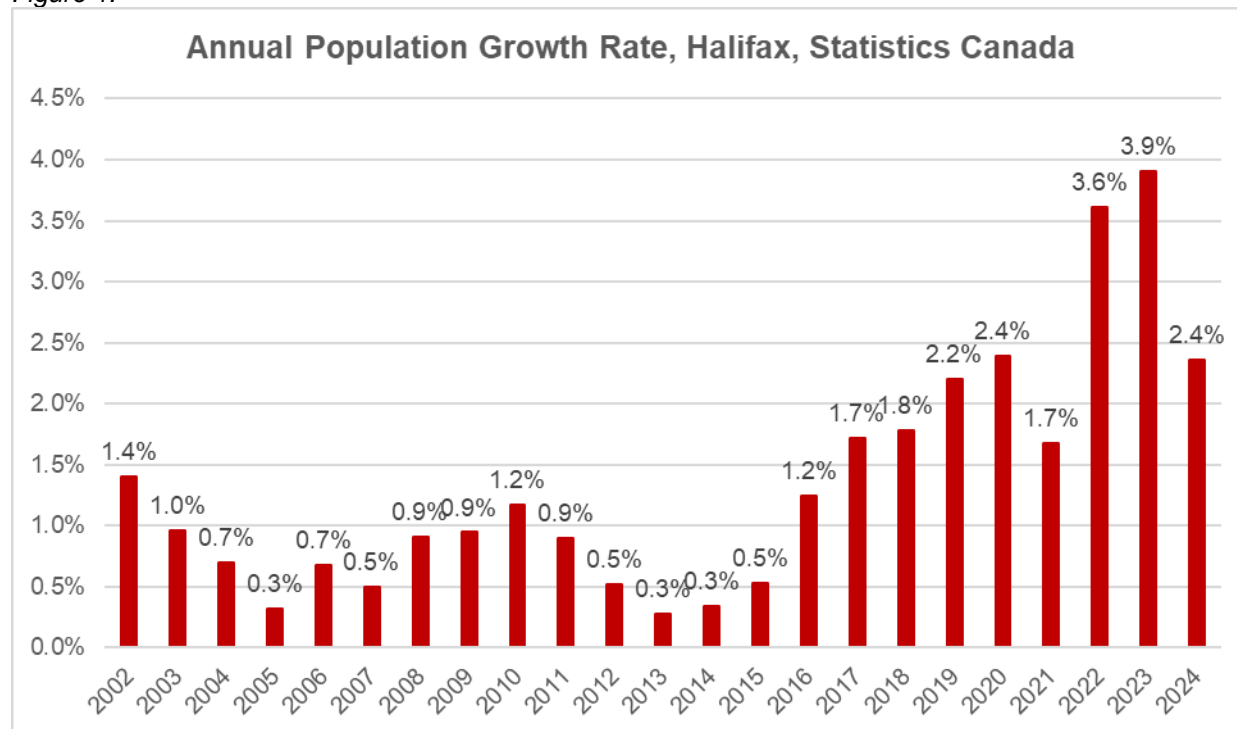
On March 7, 2025, the Minister of Municipal Affairs and Housing initiated further changes to the HRM Charter under Section 229 to address new setback requirements in relation to wind turbines for large scale wind energy developments. The new regulations on [wind turbine setback requirements](#) require that the minimum distance between a commercial wind turbine that generates 2 MW of greater and a residential dwelling cannot be more than either four times the height of the turbine, or the distance needed to keep noise levels below 40 decibels outside the home, and limit shadow flicker to no more than 30 minutes a day, or 30 hours per year. The regulations also direct that Council may not consider the visual impact or aesthetic appearance of a wind turbine development prior to approval of a Project. Attachment A-10 provides a summary of the land use by-law amendments required to address this Minimum Planning Requirement.

Housing and Growth Analysis

As part of the Regional Plan Review process, since 2021, staff have published analysis of the Municipality's population projections, associated housing demand, and regulatory capacity for housing (how many units

may be possible to build, based on current policy direction). Issue Papers were published in [June 2021](#) with the Preliminary Population & Housing Analysis Issue Paper, and updates in [December 2021](#), [May 2022](#), and [May 2023](#). A new update is provided as Attachment A-11.

Figure 1:



The 2025 update report reveals that HRM has improved its ability to accommodate projected population growth and promote diverse housing options by utilizing zoning adjustments and strategic planning initiatives, such as the Centre Plan and Suburban Rapid Transit Corridors. However, the next 10-year and future scenarios reveal that if HRM grows at the rate indicated in the NS Targeted Migration and High Migration/Economic Boom scenarios, there might be challenges in meeting the demand for housing by 2050, if no further changes to planning policy are contemplated.

Given the dynamic nature of population growth and the planning system, this process should be considered iterative in nature. The Regional Plan Review and the Suburban Plan process will continue to identify additional lands that are capable of accommodating new housing, which will be included in future iterations of this analysis. Adjustments to include or exclude areas in this analysis may continue as the Regional Plan Review evaluates future growth scenarios in Phase 5 and the Suburban Plan becomes more defined.

Furthermore, Planning & Development staff will continue to monitor trends and analyze how changes to the planning framework impacts housing delivery.

Constructive Taking Considerations

Planning & Development staff have worked with Legal Services to understand the implications of the decision of the Supreme Court of Canada in [Annapolis Group Inc. v. Halifax Regional Municipality \(2022\)](#), and subsequent court decisions. The impact of these decisions requires the Municipality to continue being mindful when making planning decisions to ensure there is not a loss of all reasonable uses through the application of planning policy. Accordingly, adjustments have been made to allow the development officer

to relax certain restrictions regarding watercourse, wetland and coastal buffers, as well as allowing Council to consider development agreements to address these circumstances.

COMMUNITY ENGAGEMENT

Engagement Program for the Overall Regional Plan

The Phase 4 Draft Regional Plan was released for public comment in June 2023, and public engagement took place from June 20 to October 27, 2023, consistent with the intent of the Public Engagement Guidebook. The detailed results of the engagement have already been presented to Regional Council in a [What We Heard Report](#) in December 2023. An overview of this engagement is provided in this section.

The Phase 4 Public Participation Program shared the Draft Regional Plan widely and provided opportunities to collect meaningful feedback through broad and inclusive engagement. While previous Regional Plan Review engagement focused on digital tools in response to the COVID-19 pandemic, this phase of engagement brought a renewed focus on in-person engagement options. Event times and locations were selected to be accessible to a range of people. There was a special focus on events in suburban and rural areas as the Draft Plan introduced the Suburban and Rural Community Planning programs.

A total of 23 in-person engagement activities were held, with a total attendance of over 600 people. Several different formats for engagement were used: Pop-ups in public libraries, farmer's markets, and shopping malls; Planner Office Hours; and Public Open Houses. Staff were also available to attend and present at meetings hosted by community groups.

Hard copies of the Draft Plan were made available at all Halifax Public Library locations, while online engagement used the Shape Your City Halifax webpage (www.shapeyourcitycityhalifax.ca/regional-plan) as a central hub. The webpage provided a comment board, information on engagement activities, a dedicated phone line and email contact information for questions and submissions, and access to all documents, such as the draft plan, topic summary sheets, and background. A Suburban Plan Questionnaire was available both online and at in-person events. Live online engagement was held as a Reddit 'Ask me Anything, with staff responding to questions posed by members of the public online. In total, 122 pieces of written and emailed correspondence were received.

Generally, the feedback was supportive of policies and objectives contained within the Draft Regional Plan. There was wide support for the concept of healthy and complete communities as a guiding framework for planning, and for environmentally focused regulations to protect sensitive ecosystems. There was concern expressed for housing supply and affordability, along with the social and physical infrastructure needed to support current and future residents. Written submissions provided a highly detailed review of draft policies, with suggestions for strengthening policy language.

Since the public engagement period, Regional Planning staff have continued to meet with residents, stakeholders, Councillors, and collaborate with other Business Units and use feedback to improve the document. A summary of the adjustments made to the Regional Plan as a result of feedback is included in Attachment A-1.

Engagement Program for the Minimum Planning Requirements

On [October 1, 2024](#), Regional Council directed staff to incorporate amendments to meet the Minimum Planning Requirements as part of the ongoing Regional Plan Review, and approved a public participation program. As the changes being made were mandatory and required by provincial legislation, the public engagement materials focused on information-sharing and making the public aware of the changes. The public was invited to share comments and questions with staff throughout the 30-day engagement period from January 24 to February 24, 2025. The public engagement campaign included several methods of communication:

- The Shape Your City Webpage (<https://www.shapeyourcityhalifax.ca/minimum-planning>) for the

Minimum Planning Requirements was launched on January 24, 2025. The webpage was a central hub for the engagement, as digital and print advertisements directed the public to visit the webpage to learn more;

- The email (regionalplan@halifax.ca) and phone number (902-943-5139) were the primary methods of communication between staff and the public. Staff returned phone calls, logged correspondence, and answered questions. A digital advertising campaign, including paid and unpaid posts, ran over the engagement period on the platforms Facebook, X (Twitter), and Instagram;
- A short video explaining the Minimum Planning Requirement changes and how to learn more was displayed on digital screens in libraries, transit terminals, and recreational centres across the municipality during the engagement period;
- Posters were also distributed to all library branches that included a brief explanation of the changes and where to learn more, including a QR-code linking to the webpage and staff contact information.

In general, feedback received on the Minimum Planning Requirements was mixed. Comments often noted support for a few of the changes and concern about others in the same correspondence. Some residents thought that the Minimum Planning Requirements were being implemented too slowly, and others communicated that the changes were occurring too quickly without time to fully digest the impacts. Comments expressed some frustration about the provincial role in mandating the changes and the length of the public engagement period. Nearly half of residents who submitted feedback misunderstood the scope of the Minimum Planning Requirements and confused these changes with other planning initiatives, notably the *Housing Accelerator Fund Urgent Changes to Planning Documents for Housing* amendments from spring 2024.

Acknowledging these challenges, staff responded to all correspondence directly, clarified the scope of the Minimum Planning Requirements where necessary, and referred residents to colleagues working on relevant projects for follow-up as needed. A complete summary of feedback is included in a 'What We Heard Report' in Attachment A-9.

DISCUSSION

The proposed Regional Plan included in Attachment B represents a new planning framework to guide growth and development in HRM, and Attachments C through G include the amendments required to implement the Plan.

In light of recent population and housing trends that are presented in Attachment A-11 of this report, HRM has improved its ability to accommodate projected population growth and promote diverse housing options. To date, this has been largely done through zoning adjustments and strategic planning initiatives (e.g. adopting the Regional Centre planning framework, through the planning packages related to the Housing Accelerator Fund¹) which have occurred separate to this Phase 4 Regional Plan Review. The next 10-year and future scenarios reveal however, that if the municipality continues to grow at a high rate, there will be challenges in meeting the demand for housing if additional policy changes are not made.

The Phase 4 Regional Plan recognizes the growth pressures that our municipality has experienced and brings forward a planning framework that is responsive to growth. The Plan envisions that over time, the municipality will grow to be a region supporting one million people. The policies of this Plan have been developed with a forward-looking view to supporting this growth in population by strategically directing housing, jobs, and community infrastructure in a way that supports goals for healthy, connected, and inclusive communities. It also draws on many of the same principles as the original 2006 Regional Plan and current 2014 Regional Plan, by proposing a modern, forward-looking planning framework that will support our goals of building healthy complete communities and a sustainable future.

¹ Through two separate HAF reports, HRM has enabled approximately 200,000 new units. See [Urgent changes to Planning Documents for Housing](#), and [Urgent changes to Planning Documents for Housing: Additional sites](#) for more details.

The following sections include:

1. **Overall Policy Framework:** Describes the content of the proposed Regional Plan and its policies, organized by each chapter.
2. **Major Regulatory Amendments:** Describes the key changes to Regional Plan policy and regulations that will impact land use planning and development rights (see also Attachments A-1 and A-2).
3. **Amendments to Address the Minimum Planning Requirements:** Describes the changes to Regional Plan policy, secondary municipal planning strategies and land use by-laws to address the Provincial Minimum Planning Requirements related to housing supply (see also Attachment A-3).
4. **Site-Specific Amendments (Phase 4):** Describes the approach taken to site-specific requests addressed in the proposed Regional Plan and supporting amendment package (see also Attachment A-4).
5. **Responses to Motions of Council and Committees:** Provides responses to motions of Council and Committees (included in the Origin section of this report) that have been considered as part of the Regional Plan Review process.
6. **Minor Housekeeping Amendments and Readoption:** Describes general amendments to clarify language, rectify errors, and keep a policy connection to the 2014 Regional Plan once it has been repealed and replaced by the new Regional Plan. This section also describes minor housekeeping amendments to enable housing in four locations, consistent with existing policy intent.
7. **Next Steps: Phase 5:** Provides an overview of the work to consider future growth which will be undertaken during Phase 5 (see also Attachment A-5).

1. Overall Policy Framework

The Regional Plan is a strategic policy document that sets out the goals, objectives and direction for long-term growth and development in HRM. To ensure planning policy can be responsive to a quickly growing population, the proposed Regional Plan envisions that the municipality will grow to be a region supporting one million people. As the municipality's population grows, most new development will be directed to established centres in urban and rural communities. The municipality's physical geographic constraints, existing and planned water and wastewater infrastructure, impacts of climate change, transit service boundary, and the location of employment and community infrastructure will guide where the most significant growth will occur.

The proposed Regional Plan consists of ten chapters. Key policies in each chapter are summarized in Table 1 below.

Table 1: Regional Plan Summary

Chapter	Summary
1. Introduction	<ul style="list-style-type: none">Introduces the plan and provides historical and planning context.Sets out the Plan's Vision, Guiding Principles, regional planning framework, and identifies the Municipality's response to the Statements of Provincial Interest and the Minimum Planning Requirements.
2. Planning for The Region	<ul style="list-style-type: none">Sets out the Municipality's approach to Regional and Community Planning for a projected population of 1 million people.

<p><i>Maps 1 and 2</i></p>	<ul style="list-style-type: none"> Establish a planning framework organized around four geographic areas: Region-Wide, Regional Centre, Suburban and Rural Areas. The Community Planning program will be established around: <ul style="list-style-type: none"> the Urban Area, which includes the Regional Centre and Suburban Area (lands outside of the Regional Centre, where municipal water and wastewater services and conventional transit are available or planned to be considered); and the Rural Area, which includes all lands outside the Urban Area inside of the municipality's boundary, and includes communities of suburban-rural, semi-rural, and rural character. The policy anticipates that the boundaries of the region's sub-geographies may be adjusted as the Community Planning program progresses. Staff note that boundary adjustments will be considered in coordination with Phase 5 of the Regional Plan Review (see below regarding Next Steps: Phase 5). Provides direction to prioritize safe, sustainable and affordable housing. Establishes a program to regularly monitor population, housing, demographic, and employment scenarios to inform reviews and amendments to the Plan, Community Plans, and supporting planning documents or studies. Establishes a strategic growth target directing at least 75% of new housing growth to the Urban Area. Sets intent to direct future growth strategically and develop a Strategic Growth and Infrastructure Priorities Plan, to provide a framework for future long-range growth and investment in water and wastewater, mobility, community services, and open space. This work will study different scenarios for growth and consider the implications of directing up to 90% of growth to the Urban Area. Establishes the Regional Land Use Structure (Map 1).
<p>3. Building Healthy and Complete Communities</p> <p><i>Map 2, Maps 3 and 4</i></p>	<ul style="list-style-type: none"> Establishes the Community Planning framework and sets direction for the Urban Area (including Regional Centre and Suburban Area) and Rural Area, using a complete communities approach (Map 2). Establishes the Suburban Community Planning program and the intent to adopt a Suburban Plan. Sets a vision and core concepts for the Suburban Area, to be refined as part of the Suburban Plan process. Core concepts include open space and culture, complete communities, human-scale design, pedestrians first, and transit supportive growth. Establishes the Rural Community Planning program and the intent to adopt a Rural Plan, which will support working landscapes, and planning for rural communities at different scales and contexts. Establishes guidelines for transit supportive land use in the Urban Area. Identifies growth areas in the Regional Centre and Suburban Area where significant development will be directed, to develop complete communities aligned with transit and other services (Map 3). Sets out the process and consideration criteria for major new serviced development in Future Serviced Communities. Identifies technical studies required to support planning for Rural Area services and mobility. Provides direction for community-led planning in Rural Areas. Proposes Rural Growth and Rural Local Centres for future development and service provision, to be refined through the Rural Community Planning program (Map 4).
<p>4. Strengthening Community</p>	<ul style="list-style-type: none"> Identifies community infrastructure as essential to building healthy, complete, and sustainable communities.

<p>Infrastructure</p> <p><i>Map 5</i></p>	<ul style="list-style-type: none"> • Provides direction to plan and direct investment in a network of parks and community facilities at neighbourhood, community, and regional scales to meet the needs of diverse communities. • Supports the park planning process for regional wilderness parks including Blue Mountain Birch Cove Lakes (Map 5), Sandy Lake, Shaw Wilderness Park and McIntosh Run. • Sets intent to develop a Parks and Outdoor Facilities Priorities Plan and an Indoor Recreation Facilities Priorities Plan, which will be coordinated with the Strategic Growth and Infrastructure Priorities Plan. • Identifies the need to ensure equitable access to facilities and services across all communities, and coordinate planning with all relevant services providers as part of the Strategic Growth and Infrastructure Priorities Plan. These services include libraries, schools, childcare and health care, emergency services, solid waste, and regional energy and telecommunications infrastructure. • Identifies the importance of household food security and establishes policies to remove barriers in Land Use By-Laws.
<p>5. Fostering Diverse and Affordable Housing</p>	<ul style="list-style-type: none"> • Recognizes that housing affordability and availability are critically important to developing healthy and complete communities, and that the municipality's current housing shortage is an urgent priority that must be addressed with a range of initiatives. • Supports removing barriers to housing and increasing housing supply in Community Plans and Land Use By-Laws by: <ul style="list-style-type: none"> - Allowing more diverse housing types in all residential areas; - Permitting gentle density and missing middle housing; - Enabling adaptive reuse; and - Removing parking requirements. • Supports municipal efforts to increase housing affordability by directing consideration of municipal initiatives including: <ul style="list-style-type: none"> - Inclusionary zoning; - Incentive or bonus zoning; - Consideration of no net loss/rental replacement; - Municipal surplus land and grants for affordable housing; - Regulating short term rentals; and - Partnering with other levels of government, non-profit and private sector housing providers. • The policies established in Chapter 5 support and are consistent with the amendments Regional Council approved in support of the Housing Accelerator Fund in May 2024, and the Minimum Planning Requirements related to housing supply.
<p>6. Protecting the Environment and Acting on Climate</p> <p><i>Map 6</i></p>	<ul style="list-style-type: none"> • Establishes an objective to adopt development practices that sustain and nourish air, land, soil, water, and groundwater resources, and reduce negative impacts to surrounding areas. • Supports the consideration of the Halifax Green Network Plan and HalifACT when preparing the Municipality's business plans and programs. • Allows for the creation of a program to identify opportunities to maintain or improve connectivity through ecological corridors, as recommended by the Green Network Plan. Regional Planning staff have begun this work internally and anticipate engaging third-party consultants to undertake this study in parallel with Phase 5 of the Regional Plan Review. Staff identified this work as part of the 2025/26 budget and business plan. • Recognizes the Municipality's efforts to promote and manage natural assets through naturalization initiatives and an update to the Urban Forest

	<p>Management Plan.</p> <ul style="list-style-type: none"> • Sets direction to protect municipal water resources by: <ul style="list-style-type: none"> - Establishing intent to develop watershed management frameworks; - Setting parameters for watershed studies and lake water quality monitoring; - Protecting municipal source water supplies (Map 6); and - Increasing required buffer distances around watercourses and wetlands. - To ensure there are continued reasonable uses within the watercourse and wetland buffers, a development agreement policy has been added to allow development to proceed where it can be demonstrated that a property cannot otherwise be reasonably developed. • Establishes coastal horizontal and vertical setbacks, with similar relaxations as for watercourses and wetlands, including a development agreement policy. • Directs the Municipality to pursue resilient infrastructure, including stormwater management using green infrastructure and to address flooding and erosion control. • Promotes renewable energy by removing barriers to district energy, commercial solar energy facilities, and electric vehicle infrastructure.
<p>7. Providing Options for Mobility</p> <p><i>Maps 7 and 8</i></p>	<ul style="list-style-type: none"> • Recognizes the integrated nature of transportation and land use planning, supports mobility choices, and directs the Municipality to develop and maintain complete and safe networks for all mobility modes. • Supports the considerations of the Integrated Mobility Plan when preparing business plans and programs. • Establishes mode share targets for the short term (2031) and long term (1 million people), with the intent to increase the number of trips taken by walking/rolling, cycling, and transit over time. • Supports work to improve mobility choice in the Rural Area. • Promotes a Complete Streets approach and identifies Strategic Corridors important for creating a multimodal mobility network in the Urban Area (Map 7). • Promotes a Complete Networks approach and directs further study to identify additional network connections to support anticipated population and employment growth. • Directs the Municipality to identify communities with limited access and egress and work to prioritize these communities for new connections. • Establishes the Urban Transit Service Boundary (Map 8) and directs the Municipality to prioritize implementation of the rapid transit network identified in the Rapid Transit Strategy.
<p>8. Promoting Inclusive Economic Prosperity</p>	<ul style="list-style-type: none"> • Supports the consideration of the <i>People Planet Prosperity, Halifax's Inclusive Economic Strategy 2022-27</i>, and the <i>Road to Economic Prosperity for African Nova Scotian Communities</i> when preparing the Municipality's business plans and programs. • Supports collaboration with institutional partners including post-secondary Institutions, Department of National Defence, Halifax Stanfield International Airport, and the Halifax Port Authority. • Directs Community Planning programs to promote mixed-use to support complete communities. • Establishes region-wide policy to protect industrial employment lands, by: <ul style="list-style-type: none"> - Establishing the Business Industrial Sub-Designation and Halifax Harbour Sub-Designation to lands to be prioritized for industrial use; - Setting a framework for industrial zones to be used when updating

	<p>Community Plans; and</p> <ul style="list-style-type: none"> - Directing that conversion of industrially-designated land, including conversion marine-industrial lands, may only be considered as part of a comprehensive review of planning documents to ensure that the Municipality can maintain a sufficient supply of industrial land over time. • Directs the Municipality to discourage or regulate infilling of pre-Confederation water lots and promotes a collaborative approach to the siting and approval of sulfide-bearing material disposal sites. • Supports the <i>Integrated Tourism Master Plan</i> and rural tourism. • Supports African Nova Scotian Community Action Planning.
9. Celebrating Culture, Arts and Heritage	<ul style="list-style-type: none"> • Recognizes the Municipality's efforts to develop policies, programs, and regulations to protect and enhance diverse cultural, artistic and heritage resources. • Supports the consideration of <i>Sharing Our Stories: The Culture & Heritage Priorities Plan</i> when preparing the Municipality's business plans and programs. • Supports the Municipality's efforts toward reconciliation with Mi'kmaq and Indigenous communities, by establishing Friendship Accords, and increasing opportunities for commemoration and representation. • Supports working with African Nova Scotian communities to recognize ANS culture and heritage, as well as community-led approach to supporting planning efforts for other traditionally under-represented groups. • Directs the Municipality to maintain a Registry of Heritage Properties, and to review and update criteria to identify and evaluate heritage properties and sites to broaden the diversity of communities, cultures, and time periods. • Supports studying and establishing Heritage Conservation Districts across the region, as well as future identification and study of cultural landscapes. • Establishes policy to enable adaptive reuse of municipally-registered heritage properties by development agreement. • Supports the Municipality in considering opportunities to require or promote deconstruction and salvage of building materials to support sustainability goals. • Provides guidance for appropriate development on and near heritage properties.
10. Implementation	<ul style="list-style-type: none"> • Establishes technical policies to support implementation of the Plan. • Establishes a standard for public engagement and engaging with abutting municipalities, providing direction for the Public Participation Administrative Order. • Implements the Plan through a range of planning tools, including secondary municipal planning strategies, land use by-laws, and development agreements. • Establishes policy guiding comprehensive development of opportunities sites. • Establishes development agreement option for sites within the Suburban Plan area that meet certain criteria which can be initiated ahead of the Suburban Planning process. • Implements certain policies through the Regional Subdivision By-Law, including: <ul style="list-style-type: none"> - Setting growth management policies which manage subdivision in the Rural Commuter, Rural Resource, Open Space and Natural Resource and Agricultural Designations; - Establishing special provisions for legacy subdivisions, subdivisions

	<p>within Land Titles Clarifications Areas, and for 10-hectare lots; and</p> <ul style="list-style-type: none">- Setting minimum requirements for parkland dedication through the subdivision process.• Establishes service boundaries for municipal water and wastewater services, and the process for expanding those boundaries.• Establishes the role of the Municipal Design Guidelines to set minimum standards for the design of municipal rights-of-way, and provides guidance for updating the Guidelines over time.• Requires the Plan to be reviewed on a regular basis (every 10 years minimum, per HRM Charter requirements).
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2. Major Regulatory Amendments

Attachment A-2 provides a detailed summary of proposed Regional Plan policy and the related amendments to Community Plans and Land Use By-Laws which will implement the policy, organized by Regional Plan chapter. The following sections briefly describe these changes, organized by topic area, with a focus on regulations that will impact land use planning and development rights.

Amendments to support environmental protection and climate action:

- **Watercourses and Wetlands:** The proposed Regional Plan considered the direction contained in the Green Network Plan to increase the required watercourse buffer from 20 metres (plus additional for steep slopes) to a consistent 30 metre buffer, or 100 metres for primary municipal water supply sources. Development will be prohibited in all wetlands, and wetlands that share a boundary with a watercourse, and Wetlands of Special Significance will require a 30 metre buffer to be applied. (See Section 5 below for additional information on wetland protection and coastal buffers.)

The increased watercourse buffer will be required for new lots. Development on existing lots will be required to provide a buffer consistent with the regulations that were in place when the lot was created. To ensure there are continued reasonable uses within the buffer, a development agreement policy has been added to allow development to proceed where it can be demonstrated that a property cannot be reasonably developed.

- **Electric Vehicle Ready Infrastructure:** To support emissions reductions, electric vehicle ready infrastructure will be required in new residential and non-residential construction where vehicle parking spaces are being provided. EV Ready Parking includes a Level 2 energized outlet that meets the SAE J1772 standard, but excludes the physical charger.
- **Commercial Solar Energy Facilities:** To promote alternative energy sources, large-scale commercial solar energy facilities will be permitted as-of-right in commercial, industrial, and mixed-use zones, in certain designations in the Rural Area. For developments that cannot be approved as-of-right, commercial solar energy facilities, community solar projects, and large-scale solar installations may be considered by development agreement.
- **Limiting Conservation Design Development as a development tool in the Agricultural Designation to established rural centres:** Consistent with the Statement of Provincial Interest Regarding Agricultural Lands, the intent of the Agricultural Designation is to preserve lands for farming and other resource production and minimize conflicts with residential uses. To better implement the intent of this Designation, the Conservation Design Development tool will be enabled only for lands in the Agricultural Designation that are also designated Village under the Musquodoboit Valley/ Dutch Settlement SMPS. The Village Designation is applied to lands in Dutch Settlement, Middle Musquodoboit, Meaghers Grant, and Upper Musquodoboit.

Amendments to support increased housing supply:

- ***Growth Management and Legacy Subdivision Files:*** When the Regional Plan was originally adopted in 2006, approved Concept subdivision files were permitted to retain their development rights, with the restriction that subdivisions could only be developed at a rate of 25 lots/year. As these legacy subdivisions in the Rural Area largely do not meet the objectives of the proposed Regional Plan to direct development to Rural Growth Centres, and some are in challenging locations with regards to subdivision access and egress, the development rights should be phased out over time to ensure that new development meets current Regional Plan policy. The Regional Subdivision By-Law will be amended to add a sunset clause to require that tentative or final subdivision applications for the final phase of subdivision to be filed before April 29, 2031 (25 years from the adoption of the 2006 Regional Plan, which was that length of that plan's horizon). Where a tentative plan was approved within two years prior to April 29, 2031, the final plan of subdivision will be approved in accordance with the HRM Charter. Concept plans that meet the eligibility criteria will be time-limited. In Phase 5, staff will undertake further work to identify all eligible legacy files and their potential lot yield. If it is determined that the 25 lots/year limit will result in a loss of development rights, staff will work with property owners to determine whether amendments to the Regional Plan and/or RSBL are needed, while ensuring any proposed development meets policy intent.
- ***Adaptive Reuse in Rural Areas:*** To permit existing underutilized buildings in Rural Areas to be adapted for residential uses, conversion will be permitted by development agreement. Adaptive reuse in the Urban Area has been enabled by the Regional Centre Plan and will be a focus of the forthcoming Suburban Plan.
- ***Secondary and Backyard Suites in Conservation Design Developments:*** Secondary and backyard suites are permitted region-wide as accessory to residential dwellings. To date, the Conservation Design Development policy, which sets criteria for these developments using the development agreement tool, has been silent on whether these accessory dwellings are permitted within these developments. The proposed policy enables secondary and backyard suites to be permitted in all types of Conservation Design Developments. Within Rural Growth Centres, these accessory dwelling units will not contribute to the maximum permitted density of the development, enabling additional units in these locations. For developments proposed with on-site water service (wells), hydrogeological assessments will need to confirm that there is a sufficient supply of groundwater for all units, including any proposed secondary or backyard suites.

Amendments to support Priorities Plan Implementation and Complete Communities:

- ***Secondary Municipal Planning Strategy Discretionary Application Criteria:*** To support the intent of the Regional Plan and Priorities Plans, the amendment package standardizes the considerations for Policy-Enabled Discretionary Applications (i.e. Development Agreements, Rezoning) across the region. This will ensure consistency in how discretionary applications are reviewed by staff and considered for approval by Council.
- ***Urban Settlement Employment Zone:*** To support the Municipality's efforts to ensure a sufficient supply of industrial land, an Urban Settlement Employment Zone will be created and applied on municipal lands where future serviced industrial land is anticipated within the Burnside Phase 14 lands. This will prevent the premature development of industrial and other employment uses on lands designated Urban Settlement and within the Business/ Industrial Sub-Designation but not yet within the Urban Service Area. Comprehensive planning for these areas will be consistent with the process for Future Serviced Communities.
- ***Land Titles Clarification Initiative:*** To recognize unique needs for subdivision related to African Nova Scotian communities subject to the Land Titles Clarification Act, in support of the Road to Economic Prosperity for African Nova Scotian Communities, the Regional Subdivision By-Law and the Land Use Bylaws will be amended to clarify and update definitions, enable subdivision using lot

frontage and area exemptions, enable subdivision of multiple buildings on one lot, and enable the issuance of permits that have used subdivision by-law exemptions.

3. Amendments to Address the Minimum Planning Requirements

Attachment A-3 provides a detailed summary of proposed amendments to the Regional Plan, Secondary Municipal Planning Strategies and Land Use By-laws to address the “Mandatory content related to housing supply” in the Provincial Minimum Planning Requirements Regulations. The following is a summary of the approaches taken to address each of the requirements.

Minimum Planning Requirements Regulations: In addition to the requirements prescribed in subsection 229(1) of the Charter and Section 4, a municipal planning strategy must do all of the following to address the issue of housing supply:

(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;

- The Regional Plan includes a dedicated Housing chapter which recognizes the current housing shortage crisis. The Plan’s policies encourage and permit a variety of residential forms and uses throughout the region.

(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;

- The proposed Regional Plan responds to this requirement by using the lens of safety, sustainability, and affordability to create an integrated framework for housing and growth throughout the various Chapters. Specific policies in Chapters 2 (Regional Planning), Chapter 3 (Healthy Communities), and Chapter 5 (Housing) state the intent to increase the supply of housing that is safe, sustainable, and affordable. Policy in Chapter 10 (Implementation) states that safe, sustainable, and affordable housing must be considered for every discretionary application (such as rezoning and development agreements).

(c) permit residential uses in all zones, except for all of the following:

***(i) areas zoned for industrial, military, park, transportation reserve and utility uses,
(ii) zones intended to protect the environment, water supply, floodplains or another similar interest.***

- The Regional Plan includes Policy H-1, which aims to permit residential uses in all zones except those explicitly restricted by regulations. Only 7 commercial zones within the Suburban Area (in Dartmouth, Halifax, Sackville and Bedford) do not currently permit any form of residential uses. Special consideration is needed for areas in Sackville and Bedford near floodplains before appropriate changes are recommended. In advance of comprehensive zoning changes to be considered as part of the Suburban Plan process, the following changes are proposed:
 - An amendment is proposed to the C-3 Zone in Dartmouth to enable residential via the same Development Agreement policy currently permitted in the C-2 Zone;
 - A development agreement policy is proposed that enable suburban development proposals on properties within an 800 metre walkshed of a planned BRT corridor and the Mill Cove Ferry Terminal to move forward by development agreement as the Suburban Planning process proceeds (see additional detail under clause (e) below). This policy will provide opportunity to proceed by development agreement in C-2, Halifax, and provide another option in the C-3 Zone, Dartmouth.

(d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;

- Chapter 2 of the proposed Regional Plan outlines the Municipality's commitment to developing population projections and growth scenarios to guide housing and infrastructure planning. Policies RP-24 and RP-25 ensure this data is shared with stakeholders, including the Province. Additionally, Section 2.5 calls for a Strategic Growth and Infrastructure Plan to guide long-term investment. Throughout the course of this work, staff will engage closely with the Province to ensure alignment of priorities and investments. This work will also be made publicly available.

(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;

- The proposed Regional Plan includes an overview of the Community Planning framework in Chapter 3 (Community Planning), and Policy HC-3 establishes intent to adopt a secondary municipal planning strategy and land use by-law for the Suburban Area, through the Suburban Community Planning process.
- The objective was partially fulfilled through the adoption of Urgent Changes for Housing in 2024, and Urgent Changes for Housing – Additional Sites (March 2025), and an extension was requested from the Province. An updated workplan and community engagement strategy is expected to be presented to Council later this spring.
- To further support housing in the suburban area while the suburban planning process is taking place, Policies IM-25, IM-26 and IM-27 establish an additional development agreement option for “shovel-ready” development projects within the Suburban Area and within Urban Service Boundary which meet certain criteria. Sites must be located within 800 m walkshed of planned Bus Rapid Transit route or Mill Cove Ferry Terminal, be less than 2 hectares in area, must not demolish an existing multi-unit dwelling building, and comply with stipulated timelines for commencement and completion of construction. A complete application for a development agreement will need to be filed with the Municipality on or before the first notice to adopt the Suburban Plan. Land use and built form requirements will be guided by the Housing Accelerator Zone in the Suburban Housing Accelerator Land Use By-Law, with low-rise, mid-rise and tall mid-rise building forms considered. Incentive or bonus zoning provisions will apply, and certain amount of ground floor commercial or institutional uses will be required.
- While the Suburban Plan process is underway, new development in suburban areas will also continue to be permitted under policies established in the existing community plans, such as policies in the Dartmouth, Sackville, and Eastern Passage/ Cow Bay Plan Areas which permit consideration of multi-unit residential buildings by development agreement.

(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;

- The proposed Regional Plan updates the Conservation Design Development policy to allow density to be calculated in a different manner. Projects that have permits issued before April 1, 2027 will have density determined based on gross lot area, rather than net developable area (gross area minus riparian buffers and wetlands, floodplains, and slopes in excess of 30%).

(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;

- The proposed Regional Plan addresses height restrictions in land use by-laws that have unintentionally limited building massing and residential density. Policy H-3(b) introduces flexible

height maximums to support mid and high-density development, including mass timber construction. Amendments were made in Spring 2024 through the Housing Accelerator Fund, with further updates proposed to standardize height measurements in storeys and define 'Storey' and 'Mezzanine' consistently. Low-density zones allowing up to four units remain unchanged, as height is not a limiting factor. Policy H-1(h) also directs consideration of amendments to other built form requirements, like angle controls, through future amendments to secondary municipal planning strategies. As new building forms and construction methods emerge, Staff will continue to work closely with industry to identify potential barriers to maximum height restrictions and explore additional amendments that may be needed. In light of recent industry feedback, there will be close monitoring of mass timber construction as it is an emerging building form and additional amendments may be needed to ensure further flexibility for mass timber projects and other innovative housing forms.

(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;

- Policy H-3(c) of the proposed Regional Plan removes unit mix requirements for multi-unit residential buildings that begin construction before April 1, 2027. To implement this, amendments are proposed to applicable land use by-laws to include a 'notwithstanding' clause waiving unit mix requirements during this period. Policy IM-9(2) further ensures no unit mix is required for discretionary planning applications, with these regulations set to be removed after April 1, 2027. This temporary regulation will be removed after the deadline.

(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;

- Policy H-10 removes parking requirements for residential uses in the Urban Service Area to encourage housing development and efficient land use. Amendments to land use by-laws will enforce this change, though developments that include parking must still follow existing standards for layout, landscaping, and amenities.

(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;

- Policy H-3(d) limits ground-floor commercial space requirements to a maximum of 20% for multi-unit residential buildings starting construction before April 1, 2027. Amendments to planning strategies and land use by-laws will allow ground-floor residential uses while ensuring zones that have a ground floor commercial space requirement is lessened to a minimum of 20% and that it directly abuts the streetline. Policy IM-9(2) further ensures no more than 20% ground-floor commercial space is required for discretionary planning applications. This temporary regulation will be removed after the deadline of April 1, 2027.

(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;

- Policy H-2 aims to remove barriers to housing, including temporary housing in non-permanent structures. Most land use by-laws already permit temporary housing associated with construction projects, and amendments will clarify that temporary structures are allowed near worksites with a valid permit.

(l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.

- Policy H-3(a) updates regulations to allow manufactured housing, including tiny homes and converted shipping containers, as residential uses. While previous amendments during Phase 3 of the Regional Plan Review removed some barriers, further land use by-law changes will clarify that shipping container homes are buildings, not vehicle bodies, and permit them in more zones. These dwellings must still meet Building Code and zoning requirements.

Minimum Planning Requirements for Wind Energy Facilities

Staff completed a technical analysis of the Minimum Planning Requirements regulations related to wind turbine setbacks to determine whether any changes to the Municipality's planning documents are required. Both the existing 2014 Regional Plan and the proposed Regional Plan do not set out specific setback requirements, and do not consider visual impact or aesthetic appearance of wind turbines, and therefore meet the intent of the Minimum Planning Requirements. The required setback for large wind facilities (2 MW or greater) currently established in the land use by-laws must be amended to ensure compliance with the provincial requirement. Attachment C includes proposed amendments to applicable land use by-law to change the required minimum setback for habitable buildings for Large Facilities in the Rural Wind Zone, to reflect the language of the MPR. A summary of staff's technical review and proposed amendments is outlined in Attachment A-10.

4. Site-Specific Amendments (Phase 4)

Throughout the Regional Plan Review, staff have received a number of requests from property owners or their representatives for amendments to the Regional Plan for specific properties or areas of land. This report contains recommendations for seven requests in this report. Phase 5 will consider the remaining forty requests that fall outside the Suburban Area. Details on each site-specific request are available on a dedicated Shape Your City webpage (<https://www.shapeyourcityhalifax.ca/site-specific>) and are open for public comment.

Attachment A-4 describes the site-specific requests that were considered during Phase 4.

Table 2: Phase 4 Site-Specific Requests – Proposed Amendments

Request(s)	Details of the Proposed Amendments
Purcell's Cove Urban Reserve (Case 22257)	<ul style="list-style-type: none"> • Staff initiated request to consider an alternative designation and zoning in the Purcell's Cove Backlands, given HRM acquisition of lands in the area since 2014. • HRM-owned lands including Shaw Wilderness Park as well as privately owned conservation lands, are proposed to be redesignated to the Open Space and Natural Resources designation, and zoned Regional Park or Protected Area; • Remaining privately-owned lands in the Urban Reserve designation will retain the designation and the Urban Reserve Zone and be further considered in Phase 5. Proposed Policy RP-12 establishes that a land suitability analysis shall be undertaken to support applying the Rural Commuter designation to the lands, as well as an appropriate Community Plan designation, zone, development density, site design and built form standards for these lands.
Lands on Purcells Cove Road, Halifax (C025)	<ul style="list-style-type: none"> • Proposed amendments to redesignate and rezone the lands to R-1, to allow low-density residential uses and large lot subdivision with on-site services. • Purcell's Cove Road (Route 253) is a "Schedule K" road that requires lots to have 61m of public road frontage. Given the property's existing frontage, it is anticipated that the proposed amendments will permit subdivision for a maximum of 5 lots. • A watercourse buffer, proposed to be 30 metres under the proposed

	Regional Plan, will apply from Williams Lake (which may be eligible for relaxations).
300 Prince Albert Road at Lake Banook, Dartmouth (C602)	<ul style="list-style-type: none"> Proposed amendments to permit a special area to be established at this site (PID 00209544) through the Regional Centre Plan to allow limited recreational and commercial uses within the riparian buffer, by development agreement. The riparian buffer at this site has been infilled or altered prior to 2006, and the shoreline is supported by an existing rock retaining wall. A development agreement will require Community Council to consider whether the proposal is designed in an environmentally sensitive manner, water quality mitigation measures, and potential impacts on the Lake Banook Canoe Course.
1246 Ketch Harbour Road, Ketch Harbour (C027/ Case 22212)	<ul style="list-style-type: none"> Request to enable a multi-unit residential development and an adaptive reuse of the existing building for commercial and residential uses. The proposed Regional Plan includes policy that would enable adaptive reuse of existing buildings for residential purposes. This would allow a future development agreement for the existing building. There are also opportunities to pursue additional development through existing policy and land use regulations on this site.
Burnside Phase 14, Dartmouth (Case 22008)	<ul style="list-style-type: none"> Redesignate these lands from Rural Commuter to Urban Settlement, apply the Business/ Industrial sub-designation to the lands, and zone the lands Urban Settlement-Employment (US-E). The proposed amendments will enable HRM to initiate study on this area under proposed Policy HC-12, related to Future Serviced Communities, which will require background studies including a watershed study, land suitability analysis (that considers environmental constraints and heritage and cultural assets and constraints), and a baseline infrastructure study (for mobility, water and wastewater services).
Lands North of Frederick Lake, Hubley (C882)	<ul style="list-style-type: none"> Request to rezone PID 40053654 to the Protected Area Zone, consistent with the donor's wishes that the lands remain a wilderness region open for public recreational purposes and undeveloped for residential or commercial purposes.
Twin Brooks Subdivision Phase 4C (C948), Middle Sackville	<ul style="list-style-type: none"> Request to expand the Urban Service Area boundary to include an additional +/- 0.9 ha (2.2 acres) of PID 40140501 to enable the construction of a wastewater main to service the Twin Brooks subdivision, which has been proceeding in phases through an as-of-right subdivision process. Amendments are proposed to the Regional Plan and Regional Subdivision By-Law to adjust the Urban Service Area boundary and redesignate the affected portion of the subject site from Rural Commuter to Urban Settlement. This would enable an estimated 20 additional residential lots. The proposed adjustment to the Urban Service Area boundary is considered minor in nature. The Urban Settlement Designation and Urban Service Area boundary in this portion of Middle Sackville were drawn in a generalized nature to reflect the general location and estimated servicing capacity of the municipal piped water and wastewater systems. Halifax Water has provided written confirmation of their support for this adjustment of the Urban Service Area boundary as it will enable a better wastewater system connection for Halifax Water to operate and maintain compared to the servicing options currently available within the existing boundary. It should be noted that should Regional Council choose not to approve the proposed amendments, the subdivision process can continue to

	proceed through the as-of-right process, without the 20 additional lots.
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5. Responses to Motions of Council and Committees

Over the course of the Regional Plan Review, motions of the Community Planning & Economic Development and Environment & Sustainability Standing Committees, and Regional Council were directed to the Regional Plan Review process. This section provides an overview of Regional Plan policy response to the items. Motions can be found in Attachment A-13 of this report. In some instances, additional policy work will be completed in subsequent planning projects, such as Phase 5 of the Regional Plan or the Suburban or Rural Planning process.

Table 3: Responses to Motions of Council and Committee

Motion Topic	Summary Regional Plan Response
Lands Near Williams Lake/Purcells Cove Backlands Regional Council June 8, 2021	This 2021 motion of Council referenced lands to the west of Shaw Wilderness Park and south of Williams Lake (PIDs 00323139, 00271585 and 00323147) which were at the time privately owned. Since the motion of Council, HRM has purchased these properties. As outlined above, the lands currently designated and zoned Urban Reserve are proposed to be redesignated to the Open Space/ Natural Resource Designation and zoned Regional Park. Lands within the Urban Settlement Designation, zoned RDD under the Halifax Mainland Land Use By-Law, will be considered for appropriate community plan designation and zoning as part of the Suburban Planning process.
Ecological Function of Wetlands in Urban Areas Regional Council August 31, 2021	Chapter 6 contains policy related to wetlands (see Policies EN-39 to EN-45). To support this work, staff participated in an interdepartmental and interjurisdictional working group over 2021 and 2022, with work expected to continue in support of the Halifax Green Network Plan and HalifACT. It should be noted that the Municipality's legislative authority to protect wetlands is limited, as the Provincial Department of Environment & Climate Change is responsible for issuing wetland alteration permits. Future work will involve working with the Province to improve the overall approach to wetland protection, as well as considering additional wetland protection strategies. To respond to this motion, and provide more opportunities to protect the environmental and ecological function of wetlands within the jurisdictional abilities of the Municipality, the following changes have been made: <ul style="list-style-type: none"> • A definition of wetlands has been added to all Land Use By-Laws and the Regional Subdivision By-law; • Development is to be prohibited within all wetlands unless the province issues a wetland alteration approval permit; • A 30 metre buffer applies to Wetlands of Special Significance, and for wetlands that share hydrology and soils with watercourses and coastal areas, including buffers that have been established in the Regional Plan and all supporting Land Use By-Laws; • Where it can be demonstrated that a property cannot be reasonably developed by complying with the requirements, alternative approaches for development may be considered by development agreement. • Outdated wetland maps found within the Land Use By-Laws have been deleted.
Coastal Shorelines Regional Council September 28, 2021	In Chapter 6, the proposed Regional Plan establishes that the Municipality will complete a spatially-based risk and vulnerability analysis of the Municipality's coastal waterfront and shoreline area and may consider adopting a coastal-specific adaptation policy using a PARAEBAs (Protect, Accommodate, Retreat,

	<p>Avoid or Ecosystem Based Adaptation) Framework or other suitable framework for climate change adaptation planning to plan for hazards and increase resilience to those hazards.</p> <p>With the increased risk of coastal hazards from climate change, avoiding hazards is the most effective method to prevent losses of property and lives by not establishing development or infrastructure in hazardous areas. Zoning plays a vital role in ensuring the secure placement of development by keeping development away from coastal dangers through setbacks and easements.</p> <p>Policy and regulations for coastal development proposed in the Regional Plan and amendment package include:</p> <ul style="list-style-type: none"> • <i>Coastal Horizontal Buffers:</i> As the impacts of climate change accelerate and as more coastal flood risk data becomes available, it is expected that regulations along the coast will differ from inland watercourses. The proposed Regional Plan therefore separates the coastal horizontal buffer and inland watercourse buffer, in anticipation of a need to change the approach to coastal buffers over time. The Land Use By-Laws continue to treat inland watercourse buffers and coastal horizontal buffers in the same manner, as the Atlantic Ocean meets the definition of a watercourse. Development on existing lots will be required to provide a buffer consistent with the regulations that were in place when the lot was created. Where it can be demonstrated that a property cannot be reasonably developed by complying with the requirements, the policy provides alternative approaches for development through the development agreement process. • <i>Island Development:</i> Development of islands can be problematic for a variety of reasons, including access and servicing, in addition to recognizing increasing risks of climate change. To remove the risk of coastal hazards and the problems of access issues and emergency evacuation, the ability to subdivide islands by development agreement will be limited through a development agreement option. Property owners may still be eligible for exemptions under the Regional Subdivision By-Law to create a maximum of 2 or 3 lots on an island, depending on the eligibility criteria of individual plan areas. • <i>Coastal Elevations (Vertical):</i> The coastal regulations will be updated from the old standard (CGVD28) to the new standard (CGVD2013). Current regulations for coastal elevation applied only to residential buildings, but changes will apply the coastal elevation to commercial and institutional uses. Relaxation will be permitted where a professional engineer has identified measures to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines. <p>Regarding coastal access, the proposed Regional Plan highlights opportunities for the Municipality to take action to facilitate public access to the coastline in support of rural tourism (Policy EC-35), and through parkland acquisition for recreational use (IM-52, and as already established in the Regional Subdivision By-Law's parkland classification system).</p>
<p>Urban, Suburban and Rural Classifications Community Planning and Economic</p>	<p>Chapters 2 and 3 of the Regional Plan sets out classifications for the current Suburban and Rural Areas of the municipality. As part of Phase 5 of the Regional Plan Review and the Strategic Growth and Infrastructure Priority Plan, further assessment will occur of these boundaries and how they relate to settlement patterns and the delivery of transit, water and wastewater, service</p>

Development November 18, 2021	delivery and taxation.
Parkland Dedication Requirements Community Planning and Economic Development April 21, 2022	<p>Requirements for parkland dedication as a part of subdivision have been adjusted in Chapter 10 of the proposed Regional Plan and the Regional Subdivision By-Law. Currently, the Regional Plan and RSBL require 10% of the area of the land to be subdivided, or cash-in-lieu, to be provided for parkland dedication; however, the policy also allows dedication for the first three lots to be reduced to 5%. This leads to a reduction in parkland dedication as well as difficulty in administering the requirements. The Regional Subdivision By-Law will be amended to standardize the Parkland Dedication to 10% with a few, targeted exemptions, including:</p> <ul style="list-style-type: none"> • A reduction to 5% for a two-lot subdivision; • A reduction to 5% for Classic Conservation Design because these developments already provide open space; • No parkland dedication requirement for subdividing lots containing multiple buildings in Land Title Clarification Areas in African Nova Scotian communities, given no increase in density results.
Size Thresholds for As-of-Right Commercial Uses in the MU-1 Zone Regional Council May 17, 2022	<p>This 2022 motion of Council directed staff to consider amendments to enable larger-scale commercial development as-of-right on properties zoned MU-1 along Hammonds Plains, Lucasville, and Beaver Bank Roads. An intent of this motion was to encourage businesses that offered recreation for children. The existing Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy includes options for larger developments by rezoning and development agreement. A policy review and survey with residents found further analysis of existing road connectivity and capacity is needed to inform whether this area has the supportive infrastructure in place to accommodate denser commercial development and related traffic activity. As part of Phase 5 of the Regional Plan Review and the Strategic Growth and Infrastructure Priority Plan, further assessment will occur of the existing transportation infrastructure and demand to understand whether larger-scale commercial uses should be permitted in the MU-1 Zone as-of-right. It is also noted that a significant portion of the historic African Nova Scotian Community of Lucasville is zoned MU-1. In September 2024, Council directed that staff to undertake a Lucasville Planning Strategy Review and Community Action Plan, which will involve a review of the uses permitted in the zoning applied in this community.</p>
Market Gardens Regional Council September 13, 2022	<p>Chapter 4, Section 4.6 of the proposed Regional Plan identifies measures to remove barriers to support food security at various scales. Amendments include:</p> <ul style="list-style-type: none"> • Removing barriers and enabling the sale of plants and food products produced on-site by the property owner or occupant in residential zones; • Permitting greenhouses and soft landscaping on rooftops and to project through height restrictions. These regulations were modeled after regulations that already exist in the Regional Centre. • Permitting Farmers' Markets in commercial zones, industrial zones, and residential zones (excluding low-density residential areas); • Permitting accessory beekeeping across the region; • Permitting indoor food production as-of-right in industrial zones and in shipping containers in zones that permit agricultural and industrial uses. In commercial and mixed-use zones, indoor agricultural uses may be considered by Development Agreement in some By-Laws.
Short-term Rentals in the Rural Area	Chapter 5, Section 5.5.4 of the proposed Regional Plan has been revised to recognize the unique housing challenges and needs of the tourist industry in the

Regional Council January 24, 2023	<p>Rural Area. In Chapter 8, Section 8.7.1, the proposed Regional Plan identifies measures to support tourism as an economic driver in rural areas, including policy to consider amendments to support increased small-scale commercial opportunities and home-based businesses, such as small-scale short-term accommodations, in rural parts of the Municipality.</p> <p>Amendments are proposed to the Land Use By-Laws of Eastern Shore (West), Eastern Shore (East), Lawrencetown, Musquodoboit Valley & Dutch Settlement, and Planning Districts 8 & 9 to allow up to one dwelling unit per lot to be used as a short-term rental, provided all other requirements of the Land Use By-Law are met. This is already enabled in the plan areas of Planning Districts 1 & 3 (St. Margarets Bay), 4 (Prospect), and 5 (Chebucto Peninsula) and so the amendments will align this approach between more plan areas that share a similar rural context for residential density and tourism.</p> <p>Further analysis and additional engagement will be required for the remaining Rural Area land use by-laws prior to any additional changes to short term rental regulation. A separate report will come to Council at a later date with recommendations for these remaining areas.</p>
Establishing a Park and Open Space Zone for all Municipal Parks Regional Council February 7, 2023	<p>In Chapter 4 of the proposed Regional Plan, new Policy CI-3 states that where Municipal lands are identified for park use, appropriate park and institutional zoning shall be applied through the applicable Secondary Municipal Planning Strategy and Land Use By-Law as part of the Community Planning programs, primarily the Suburban Plan and Rural Planning process.</p>
Advancing the Middle Sackville Master Planning Process Regional Council March 19, 2024 <i>See also Attachment A-8</i>	<p>Chapter 2 of the proposed Regional Plan directs most new serviced development within the Urban Area and directs that the Strategic Growth and Infrastructure Priorities Plan will guide long-term planning. Before designating additional areas for serviced development, this new Priorities Plan will be used to identify and assess different scenarios for locating future housing and employment growth, and the implications for infrastructure investments needed for different settlement patterns (including water and wastewater, transit and mobility, and community infrastructure). This new Priorities Plan will be a key deliverable of Phase 5 of the Regional Plan and will require close coordination with all service and infrastructure providers.</p> <p>Consistent with this approach, all site-specific requests for expanding the Urban Service Area boundary have been directed to Phase 5 of the Regional Plan Review, as outlined in Attachment A-6. A detailed background of the Middle Sackville Master Planning process and the rationale for this recommendation, as well as two alternative approaches are included in Attachment A-8.</p>
Bird-Friendly Design Environment & Sustainability Standing Committee August 1, 2024	<p>Chapter 6 of the proposed Regional Plan includes policy establishing the intent to reduce the risk of bird mortality caused by collisions with buildings. As existing community plans are considered for amendments or new plans are developed, Bird Safe Design measures for mid-rise to high-rise buildings shall be considered to increase bird survival.</p>

6. Minor Housekeeping Amendments and Readoption

In addition to the amendments described in the sections above, Attachments C through F include a range of minor housekeeping amendments to clarify language, update or correct numbering, and correct typos throughout the documents. In addition to minor housekeeping amendments and major amendments, Attachment C includes required amendments to readopt policies and regulations associated with the

Regional Plan. Re-adoption is required to fulfill the requirements of the HRM Charter under Subsection 234(1) to retain a policy connection to the 2014 Regional Plan once it's been repealed and replaced by a new Regional Plan.

Millwood Planned Unit Development

In 1982, an agreement between the Nova Scotia Housing Authority and the Municipality of the County of Halifax was signed for a Planned Unit Development (PUD) in Millwood, Lower Sackville, to outline terms and conditions to develop a land assembly of 434 acres. The agreement originally outlined the residential development type, which evolved over time to include various housing forms. When the Halifax County Charter was adopted, the Municipality could no longer utilize Planned Unit Development; however the practice has been to release the lands from the PUD and apply appropriate zoning as the phases of the PUD were completed and the agreements were discharged. This is enabled through Policies UR-12 and UR-13 of the Sackville Municipal Planning Strategy. In 2025, the Province discharged the PUD in the Millwood area, leaving the area unzoned and resulting in a need to apply zoning to the affected properties. An inventory of the affected properties was conducted, and zoning was assigned to match properties to appropriate zones including park zones, R-1-0, R-1, R-2, R-6, and CDD. This was viewed as a housekeeping measure, to ensure that properties would have a zone, as the agreement has been discharged, no longer applies, and there are no PUD requirements in the Sackville Land Use By-law. The Suburban Plan may review this area in further detail to determine if more significant amendments are required.

Lake Loon Golf Centre CDD

Phase 3 of the Regional Plan Review applied the Comprehensive Development District (CDD) Zone, Dartmouth SMPS and LUB to lands on Main Street, Dartmouth near the Forest Hills Parkway at the Lake Loon Golf Centre. The intent of this amendment was to allow mixed use development including multi-unit residential development at this location. As part of the Urgent Changes to Planning Documents in spring 2024, the policy was further adjusted for the Lake Loon Golf Centre to facilitate a proposed development under this policy. Upon submission of the application, Planning Applications staff determined that Policy H-3A requires that prior to considering any agreement within a CDD, a concept plan for the entire land holding is required. This would require all property owners within the CDD to coordinate and submit a development proposal together so it can be evaluated by staff in a comprehensive manner. Because the proposed development does not include the entire CDD area, this application has been unable to proceed as expected.

The transportation network for this proposal is a major consideration due to the surrounding road network. HRM's Development Engineering group has undertaken a preliminary review of the proposal and indicated that the issues can be managed through a development agreement process without needing a concept plan for the entire CDD area. Transportation studies will still be required through the DA process as described in other policies within the Dartmouth SMPS and the Regional Plan and off-site improvements can be a condition of the agreement. Amendments are proposed (included in Attachment C) to remove the requirement to meet Policy H-3A, so that the development can proceed by development agreement as envisioned. A future proposal would be considered by Community Council, and will include a public engagement process.

Seton Ridge

In 2018, Halifax Regional Council approved amendments to the Bedford Highway Secondary Plan to enable the Seton Ridge development. During the adoption process, required boundary adjustments between the development lands and the adjacent property were inadvertently omitted. These adjustments are now necessary to implement the approved development concept as intended. The proposed boundary modification will not result in any increase to the planned density or number of buildings.

Bedford Mainstreet Commercial

The Bedford Plan Area Mainstreet Commercial designation and zone includes controls that limit the gross floor area for residential dwelling units. These controls predate the Regional Plan and present unique challenges for the conservation and adaptive re-use of heritage properties. A new policy enables Council

to consider modifying select zone requirements for renovations and expansions to existing heritage buildings, in accordance with the Heritage Development Agreement policies of the Regional Plan.

7. Next Steps: Phase 5

Should Regional Council choose to approve the proposed Regional Plan and supporting amendment package, staff will continue the Regional Plan Review project in Phase 5 which will consider future development potential outside of the Urban Service Boundary including opportunities for water and sewer service extension. This phase will draw on the policy direction established in the proposed Regional Plan, with a focus on long-term future growth and infrastructure planning and updating the planning framework to reflect this work. Attachment A-5 includes a high-level work plan for Phase 5, which staff will use as a framework to develop a detailed work plan and a public participation program for Council's consideration. The main components of Phase 5 are outlined in Table 4 below.

Table 4: Regional Plan Phase 5 Work Plan Framework (see Attachments A-5 and A-8)

Component	Overview
Develop Future Growth Scenarios and the Strategic Growth and Infrastructure Priorities Plan	<ul style="list-style-type: none"> Developing population, housing, and employment projections and modelling scenarios for future growth Identifying important natural and cultural places, climate hazards and critical infrastructure, and directing development away from vulnerable places Identifying potential future new areas for serviced development, which will require assessing Urban Reserve Areas and other site-specific requests (Refer to Attachments A-6, A-7, A-8) <ul style="list-style-type: none"> Throughout the Regional Plan Review process, staff have accepted requests from property owners for adjustments to the Urban Service Area boundary. To date, 53 separate requests have been submitted and are located on properties throughout the region. 13 requests on 46 existing lots are within the Middle Sackville community, including requests related to the Margeson Drive area. Additional detail on the recommended approach for the Margeson Drive lands is included in Attachment A-8. Council has previously directed staff to review submitted requests as part of Phase 5. Urban Service Area Boundary expansions are significant municipal projects that must be considered carefully in relation to the Regional Plan's strategic growth objectives and consider long-term infrastructure. It requires a holistic approach to identify where, when and how future infrastructure and services will take place to accommodate population and employment growth across the region. This process ensures that the Municipality and all service providers, including Halifax Water, can review all requests in a fair and comprehensive manner. This work will be aligned with Halifax Water's Integrated Resource Plan process, which will develop a "big picture" understanding of the overall infrastructure demands from potential development already enabled within the Urban Service Area, from lands identified as Future Serviced Communities, and any potential new expansion areas. Assessing Urban Areas and Rural Centres to confirm expected population and employment densities Assessing locations for water and wastewater infrastructure, which will involve collaboration with Halifax Water Assessing mobility needs, which will involve considering the Joint Regional Transportation Agency's Regional Transportation Plan

	<ul style="list-style-type: none">• Assessing community infrastructure, including parks, outdoor and indoor recreation, libraries, school, and emergency services• Consider financial tools to support investment in infrastructure
Update the Planning Framework	<ul style="list-style-type: none">• Review the Regional Land Use Structure• Coordinate with the Suburban Planning process as it progresses and consider adjustments to the boundary between the Urban Area and Rural Area, and how it relates to the planning framework• Review the location and boundaries of Rural Centres, and consider appropriate forms of development outside of Centres• Update the Regional Subdivision By-Law and supporting development regulations to clarify and improve Regional Plan policy implementation

Conclusion

This report presents a new Regional Plan framework to guide growth and development in HRM. Should Regional Council choose to approve the proposed Regional Plan and the associated package of amendments, this will represent the conclusion of Phase 4 of the Regional Plan Review project.

Phase 5 will be focused on future growth and infrastructure planning and will begin immediately following approval of this report. It is expected that further amendments to the Regional Plan will be required to reflect the outcome of Phase 5, particularly once areas for future growth are identified and the proposed Strategic Growth and Infrastructure Priorities Plan has been completed. Further amendments to the Regional Plan may also be needed to support the Suburban and Rural Community Planning processes, as they progress.

FINANCIAL IMPLICATIONS

The costs associated with the recommendations of this report can be accommodated within the approved 2025-2026 operating budget.

Any projects resulting from the adoption of the policies set out in the proposed Regional Plan will have alignment with Regional Council's 2025-2029 Strategic Priorities Plan and prioritized accordingly in the Capital plan and Business Plans. Financial implications will be developed and incorporated in future Capital and Operating Budgets.

RISK CONSIDERATION

This report involves adoption of a new Regional Plan and amendments to the Regional Subdivision By-law, all secondary municipal planning strategies and land use by-laws. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Amendments to planning documents are subject to review by the Province under Section 223 of the *HRM Charter*.

Risks related to failure to implement the Minimum Planning Requirements

Under the HRM Charter, a municipal planning strategy must fulfill the Minimum Planning Requirements. Subsection 4A(3) requires the Municipality to implement the requirements by December 30, 2024. The Minister of Growth and Development provided an extension to the Municipality to June 30, 2025. Should Regional Council choose not to approve the amendments in support of the MPRs, the HRM Charter states:

Failure to meet minimum planning requirements

229A (1) Where a municipal planning strategy does not fulfill the minimum planning requirements,

the Minister may request that the Council, within the time prescribed by the Minister, amend the municipal planning strategy to fulfill, or adopt a new municipal planning strategy that fulfills, the minimum planning requirements.

(2) Where the Council does not comply with a request pursuant to subsection (1), the Minister may, by order, establish an interim planning area for an area prescribed by the Minister.

Constructive Taking

The Regional Plan introduces flexibility to allow the development officer to relax certain restrictions regarding watercourse, wetland and coastal buffers, as well as allowing Council to consider development agreements to address these circumstances.

ENVIRONMENTAL IMPLICATIONS

The Regional Plan includes a range of policies that deal both directly and indirectly with the natural environment. The environmental implications of the proposed amendments are outlined in the Discussion section of this report, Attachment A-2 summarizing the amendment package, as well as Attachments A-4 and A-6 regarding site-specific development requests. The direction contained in the Halifax Green Network Plan and HalifACT have been considered when preparing the proposed Regional Plan for Council's consideration.

ALTERNATIVES

Regarding Recommendations #1 to 6 of this report, Regional Council may:

1. Modify the proposed amendments as set out in Attachments B, C, D, E, F and G of this report. If this alternative is chosen, specific direction regarding the requested modifications is required, and may require a supplementary report from staff. Substantive amendments may require another public hearing to be held before approval is granted.
2. Refuse the proposed amendments as set out in Attachments B, C, D, E, F and G of this report. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the HRM Charter; however, as identified in the Risk Considerations section above, the HRM Charter requires the Municipality to comply with the Minimum Planning Requirements.

Regarding Recommendation #8 of this report, Regional Council may:

3. Initiate the consideration of a policy review process that would differ from that outlined in Attachments A-5, A-6, and A-8 of this report. This may require a supplementary report from staff.

LEGISLATIVE AUTHORITY

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

An Act to Amend Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Housing, S.N.S. 2022, c. 13, ss. 13-14, as follows:

13 (1) Notwithstanding the *Halifax Regional Municipality Charter*, an applicable municipal planning strategy or any by-law, policy or practice of the Halifax Regional Municipality, where the Halifax Regional Municipality Council is considering adopting or amending a planning document, the Council may not refer the matter to a community council for a recommendation prior to the council's decision on the matter.

(2) Subsection (1) ceases to have on and after November 25, 2026.

14 (1) Notwithstanding the *Halifax Regional Municipality Charter*, an applicable municipal planning strategy or any by-law, policy or practice of the Halifax Regional Municipality, where the Halifax Regional Municipality Council is considering any planning decision under Part VIII of the Act or a community council is considering any planning decision it is empowered to make under the policy establishing the community council, the Council or community council may not refer the matter to a planning advisory committee or any other advisory committee of the Council for a recommendation prior to the Council's or the community council's decision on the matter.

(2) Subsection (1) ceases to have effect on and after November 25, 2026.

Regional Municipal Planning Strategy, Chapter 9, Policies G-13 and G-14

ATTACHMENTS

Attachment A-1:	Summary of Adjustments Responding to Public/Internal Feedback
Attachment A-2:	Amendment Package Summary Table
Attachment A-3:	Minimum Planning Requirements Summary Table
Attachment A-4:	Phase 4 Site-Specific Requests
Attachment A-5:	Phase 5 Regional Plan Review Work Plan Framework
Attachment A-6:	Phase 5 Site-Specific Requests
Attachment A-7:	New Site-Specific Request Letters
Attachment A-8:	Recommended Approach for Margeson Drive Area, Middle Sackville
Attachment A-9:	What We Heard: Minimum Planning Requirements Engagement
Attachment A-10:	Proposed Approach to Address Wind Energy Minimum Planning Requirements
Attachment A-11:	Update to Population & Housing Issue Paper
Attachment A-12:	Regional Plan Review Completed Work Plan
Attachment A-13:	Regional Plan Review Origin Motions
Attachment B:	Proposed Regional Municipal Planning Strategy (Regional Plan)
Attachment C:	By-Laws to Amend the Municipal Planning Strategies and Land Use By-Laws of the Halifax Regional Municipality to Implement the Regional Municipal Planning Strategy
Attachment D:	Proposed Amendments to Secondary Municipal Planning Strategies
Attachment E:	Proposed Amendments to Land Use By-Laws
Attachment F:	Proposed Amendments to the Halifax Regional Subdivision By-Law
Attachment G:	Proposed Amendments to the Land Use By-Laws and Municipal Planning Strategies for Minimum Planning Standards

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

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Attachment A-1: Summary of Adjustments Responding to Public/Internal Feedback

Chapter	Anticipated and identified adjustments (from WWH Report, December 2023)	Changes included in Proposed Regional Plan
General comments/ 1. Introduction	<ul style="list-style-type: none"> Review wording throughout the document to improve readability, strengthen policy language, and provide a consistent voice throughout the document. Chapters 1 and 2 may be combined as both are introductory in nature. Review land acknowledgment statements. Strengthen provisions related to accessibility, in support of the Municipality's Accessibility Strategy. 	<ul style="list-style-type: none"> The Plan has been edited to improve readability, clarify policy language, and provide a consistent voice throughout the document. Content from Chapters 1 and 2 have been adjusted to remove duplication and clarify content and flow. An updated acknowledgement is included in Chapter 1, Section 1.2. Accessibility is identified as a key consideration for complete communities, parks, and mobility, with the Accessibility Strategy specifically referenced in Policy M-17. The Plan has also been updated to comply with the Provincial Minimum Planning Requirements related to housing. (Refer to Attachment A-3)
2. Planning for the Region	<ul style="list-style-type: none"> Strategic Infrastructure Planning: Public and internal feedback has highlighted the need to move quickly on planning for infrastructure and services as the municipality continues to grow at a high rate. There was feedback on the funding, timing, prioritization, and sustainability of infrastructure investments to accommodate the existing population as well as the needs of growth. The Regional Plan will be revised to further emphasize the importance of a Strategic Growth and Infrastructure Priority Plan, which will guide the Municipality's work on investing in services and infrastructure including water, wastewater and stormwater services, transit and mobility network infrastructure, emergency services, community and parkland facilities, among others. Staff will explore options for collaboration and options to invest in infrastructure (including through other orders of government). 	<ul style="list-style-type: none"> Section 2.5 and Policies RP-27 and RP-28 outline planned Strategic Growth and Infrastructure Planning, including the intent to undertake a Strategic Growth and Infrastructure Priorities Plan.
3. Building Healthy and Complete Communities	<ul style="list-style-type: none"> Plan Area Boundaries: There was some confusion over terms for different plan area geographies ("Urban Area" vs. "Urban Service Area", "Suburban Area", 	<ul style="list-style-type: none"> Plan Area Boundaries: Terminology has been clarified throughout. Policy RP-7 and Map 2 identify and define the subregional geographies (Urban Area,

Chapter	Anticipated and identified adjustments (from <u>WWH Report, December 2023</u>)	Changes included in Proposed Regional Plan
	<p>“Rural Area”). Revisions will be made to the Plan to clarify these terms.</p> <ul style="list-style-type: none"> • Suburban Planning: The feedback included requests to update the existing Suburban-Area planning documents. The feedback will inform changes to this chapter and the Suburban Community Planning program. • Rural Planning: The feedback included support for community-led planning in rural communities. Feedback will inform the next steps of the Rural Community Planning program. • Future Serviced Communities: Additional clarity is needed in policy regarding Future Serviced Communities, so that the steps in the planning process are clear and directive for staff, developers, residents, and Council. Although there were several comments requesting the Regional Plan remove some areas currently identified as Future Serviced Communities from the Plan (such as Sandy Lake), these areas are currently being studied and such a decision is not recommended until background studies have been completed. 	<p>Suburban Area, Rural Area). Policy RP-8 identifies that these subregional geographies will be refined as community planning proceeds, while considering watershed boundaries, including potable water sources, existing and future planned municipal services, local context, community input, and any other relevant technical studies. “Urban Service Area” refers specifically to areas served with water and wastewater services, with related policies outlined in Chapter 10, Section 10.6.1.</p> <ul style="list-style-type: none"> • Future Serviced Communities: Chapter 3, Section 3.4.3 sets out specific policy direction for Future Serviced Communities. Other policies of the Plan that direct secondary municipal planning strategy amendments will also apply to these areas. • Of the Future Serviced Communities identified in Section 3.4.3, the studies required under Policy HC-12 are complete for Sandy Lake and the Highway 102 West Corridor Lands. As these areas are designated Provincial Special Planning Areas, the Province has initiated secondary planning for these areas, consistent with Policies HC-13, and comprehensive planning will follow the approach set out in Policy HC-14. The results of the studies for the Morris Lake Expansion Lands, and for Akoma Westphal (consistent with Policy RP-13), are expected in Summer 2025, with a recommendation for next steps expected in Fall 2025.
4. Strengthening Community Infrastructure	<ul style="list-style-type: none"> • Park Planning: Revisions will clarify the scope and intent of future strategic park planning. The identified Regional Park Priority Plan would not focus solely on parks classified as “Regional” but rather be an HRM-wide Park Plan (i.e. Parks Priority Plan). Planning & Development is working with Parks & Recreation to further refine this section. • Emergency Services: There was feedback which called for an increased focus on community safety and emergency planning, particularly in light of the wildfires. 	<ul style="list-style-type: none"> • Park Planning: Chapter 4, Sections 4.3 and 4.4 have been updated in collaboration with Parks & Recreation. This chapter sets intent to undertake a Parks and Outdoor Facilities Priorities Plan, as well as an Indoor Recreation Facilities Priorities Plan, consistent with P&R’s 2025/26 Budget and Business Plan. These future plans will be coordinated with the Strategic Growth and Infrastructure Priorities Plan. • Emergency Services: The Plan has been revised to highlight the importance of planning for emergency

Chapter	Anticipated and identified adjustments (from <u>WWH Report, December 2023</u>)	Changes included in Proposed Regional Plan
	<p>Staff will revise the plan to further emphasize emergency planning, including emergency egress and FireSmart practices. Planning & Development will work with Community Safety and Halifax Regional Fire & Emergency on these revisions.</p>	<p>services as part of planning complete communities, considering especially wildfire and flooding risks. Work in Phase 5 will further consider emergency services planning and climate hazards, incorporating findings from the ongoing Hazard Risk and Vulnerability Assessment project, as well as studies on community connectors and egress. Policy M-16 establishes intent for the Municipality to undertake region-wide subdivision egress review study to identify areas that may be vulnerable in emergency or hazardous situations and develop an implementation strategy based on its findings; this work was directed by Council in March 2025. Policy EN-61 identifies that the Municipality may support climate resilient building design, including FireSmart or other wildfire protection measures.</p>
5. Fostering Diverse and Affordable Housing	<ul style="list-style-type: none"> • Housing Accelerator Fund: There was feedback received regarding the need for increased housing options, particularly in the gentle density and missing middle form. On September 26, 2023, Regional Council directed staff to expedite amendments to planning documents in support of the Housing Accelerator Fund program, to enable a range of housing options. As the Draft Regional Plan had proposed many of the initiatives, Council directed that the feedback received through Regional Plan public engagement program be used to support these amendments. This package is expected to come forward in advance of the broader Regional Plan amendment package. More detail will be available in a separate staff report. 	<ul style="list-style-type: none"> • Council approved amendments in supporting of the Housing Accelerator Fund on May 23, 2024. The proposed Regional Plan supports the amendments that were adopted, and supports additional future work including additional housing options in rural areas, consideration of additional housing forms such as cluster housing, and municipal initiative to support affordable housing such as inclusionary zoning, municipal surplus land, and no net loss policies.
6. Protecting the Environment and Acting on Climate	<ul style="list-style-type: none"> • Halifax Green Network Plan Program (HGNP): Feedback included a desire to see the HGNP fully implemented and environmental considerations incorporated into all aspects of the Municipality's operations. Recognizing that there is a desire for strong policy language that demonstrates a commitment to 	<ul style="list-style-type: none"> • HGNP: Chapter 6 has been revised to provide direction on policies related to the HGNP and HalifACT. The Plan's Guiding Principles include protecting and enhancing ecosystem health as well as promoting action to mitigate and adapt to climate change. • Ecological Corridors: Chapter 6, Section 6.4.1 has

Chapter	Anticipated and identified adjustments (from <u>WWH Report, December 2023</u>)	Changes included in Proposed Regional Plan
	<p>the HGNP, staff will review and revise the Regional Plan to ensure the intent of all policies and their implementation is clear. Staff note that many of the HGNP actions are directions for ongoing work which are being used regularly by Parks & Recreation, and Environment & Climate Change supports related work under the HalifACT program. The Regional Plan Review is implementing HGNP actions related to land use planning through amendments to planning policy and associated land use by-law regulations (for example, an increase to the watercourse buffer from 20 metres to 30 metres, region-wide). The Draft Regional Plan also establishes policy intent for future community planning work.</p> <ul style="list-style-type: none"> • Ecological Corridors: The Halifax Green Network Plan identified a series of Essential and Important Corridors for the movement of wildlife throughout the municipality's green network. The Draft Regional Plan included a preliminary draft approach for implementation of this corridor program. Both public and internal feedback clearly identified that the draft policy needs revision. It is expected that multiple tools for regulating development will be required, as well as ongoing programs to explore opportunities for restoration. This is expected to require ongoing work as part of the Halifax Green Network Plan program. • Wetland Protection: Feedback included requests for better protection for wetlands. The Municipality's authority is limited, as the Provincial Department of Environment & Climate Change is responsible for issuing wetland alteration permits. Regional Plan policy will be adjusted to more clearly identify the need to gather additional wetland data and support future wetland protection measures. The policy was also adjusted to allow a relaxation for buffers for Wetlands of Special Significance for existing lots. • Floodplains: Feedback included requests for further work to map and regulate development in floodplains. 	<p>been revised to set out an approach to considering ecological corridors across the region. The proposed policy sets intent to establish a program to further study and consider identifying these corridors and consider the best ways to maintain or improve ecological connectivity across the region. Regional Planning staff have begun this work internally and anticipate engaging third-party consultants to undertake this study in parallel with Phase 5 of the Regional Plan Review. Staff identified this work as part of the 2025/26 budget and business plan.</p> <ul style="list-style-type: none"> • Wetland Protection: As was noted, the Municipality's jurisdictional ability for wetland protection is limited. To ensure continued reasonable uses, the Plan allows a relaxation of buffer requirements for undersized properties with Wetlands of Special Significance that cannot meet the 30-metre buffer (Policy EN-41). Where it can be demonstrated that a property cannot be reasonably developed by complying with the requirements for buffers for inland watercourses and wetlands, alternative approaches to development may be considered by development agreement (Policy EN-43). • Floodplains: Section 6.5.4 and Policies EN-29 to EN-31 have been revised to identify there is ongoing work to undertake region-wide flood mapping, with future amendments expected in support of findings. Additionally, Section 6.5.7 Coastal Protection also sets intent to further study coastal risk and adjust development regulations where necessary. • Island Development and Undersized Coastal Lots: To ensure continued reasonable uses, Section 6.5.7, Policies EN-47 to EN-53 allow relaxations of the buffer requirements for existing undersized lots, and allow consideration of development of coastal properties, including islands, that cannot meet the applicable required coastal horizontal buffers through a development agreement option.

Chapter	Anticipated and identified adjustments (from WWH Report, December 2023)	Changes included in Proposed Regional Plan
	<p>The Draft Regional Plan policy will be revised to more clearly describe the future work that is required to respond to flood risk.</p> <ul style="list-style-type: none"> • Island Development and Undersized Coastal Lots: Feedback was received to enable development for lots that cannot meet the applicable required coastal horizontal buffers through a development agreement option. • Solar Energy: Feedback included requests to consider options for solar within the urban serviced area. The Draft Regional Plan policy will be revised to have a development agreement option for solar projects. 	<ul style="list-style-type: none"> • Solar Energy: Section 6.7.1, Policies EN-66 to EN-68 address solar energy facilities and solar community projects. Policy EN-68 allows for consideration of solar installations not otherwise permitting in the applicable zone to be considered through a development agreement option, in all designations except Urban Reserve.
7. Transforming How We Move in Our Region	<ul style="list-style-type: none"> • Investing in Mobility Infrastructure: Public feedback included requests for better transit and active transportation infrastructure. There is a need to clearly identify that the Municipality will invest in mobility infrastructure as the region grows. The Regional Plan will be revised to identify that mobility infrastructure will be a significant component of the Strategic Growth and Infrastructure Priority Plan. • Updated Mobility Plans: Other Business Units including Halifax Transit, Public Works (including Active Transportation, Road Safety and Parking Services) have identified intent to undertake new strategies. The intent and scope of this work will be identified in the Regional Plan. 	<ul style="list-style-type: none"> • Chapter 7 has been revised to clarify intent and outline the Municipality's approach to mobility. • Policy M-3 identifies that the Strategic Growth and Infrastructure Priorities Plan will be a consideration when updating mobility-related plans.
8. Supporting Economic Prosperity	<ul style="list-style-type: none"> • Industrial Land Policies: There is a need to further clarify how the policies of the Regional Plan relate to industrial land planning at the community level. Minor adjustments to this chapter will provide clarity and direction for future work. 	<ul style="list-style-type: none"> • Chapter 8, Section 8.5 has been revised for clarity, and will provide direction for community planning programs.
9. Celebrating Culture and Heritage	<ul style="list-style-type: none"> • Sharing Our Stories: When the Draft Regional Plan was published in June 2023, Sharing our Stories: HRM's Culture and Heritage Priorities Plan had not yet been presented to the Heritage Advisory Committee or Regional Council. Minor amendments are expected to 	<ul style="list-style-type: none"> • Chapter 9 has been revised to reflect the approved Sharing Our Stories Plan.

Chapter	Anticipated and identified adjustments (from <u>WWH Report, December 2023</u>)	Changes included in Proposed Regional Plan
	the Regional Plan to recognize Sharing Our Stories as adopted.	
10. Implementation	<ul style="list-style-type: none"> • Discretionary Application Policy: The Regional Plan will establish one consistent policy for discretionary applications, replacing all existing general implementation policies as contained within each secondary plan. Minor adjustments are expected to this section. • Indicators: Many key performance indicators are already monitored through Corporate Strategic Planning, Halifax Partnership's Halifax Index, the Integrated Mobility Dashboard, etc. The Regional Plan indicators will therefore identify the components of the Growth Monitoring Program, outlined in Section 2.6.1 of the Draft Regional Plan. 	<ul style="list-style-type: none"> • Discretionary Application Policy: Policy IM-9 standardizes the considerations for Policy-Enabled Discretionary Applications (i.e. Development Agreements and Land Use By-Law Amendments) across the region, using updated language that reflects Regional Plan policy and the intent of Priorities Plans. This will ensure consistency in how discretionary applications are reviewed by staff and considered for approval by Council. All Secondary Municipal Planning Strategies will be amended to direct to this policy. • Indicators: Chapter 2, Section 2.5.1 regarding Population Growth and Monitoring has been revised. Planning & Development intend to develop a dashboard to track ongoing population and development trends in support of this policy, as well as provide regular updates to the Population & Housing Projections (Refer to Attachment A-11).

Attachment A-2: Amendment Package Summary Table

This document provides details of the proposed Regional Plan policy and associated amendments to Secondary Municipal Planning Strategies, Land Use By-Laws, and the Regional Subdivision By-law required to implement the policy.

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
CHAPTER 4: STRENGTHENING COMMUNITY INFRASTRUCTURE		
Market Gardens (Farmers' markets, residential produce sale, and accessory beekeeping) Policies CI-25 and CI-26	All Land Use By-laws <i>except Regional Centre</i>	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Support food security by allowing a range of local food production, processing and sales across the region at a scale appropriate to the surrounding context. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Simplify and consolidate regulations, and ensure consistency with the Regional Centre LUB; Remove barriers and enable the sale of plants and food products produced on-site by the property owner or occupant in residential zones; Permit Farmers' Markets in commercial zones, industrial zones, and residential zones (excluding low-density residential areas); Permit accessory beekeeping across the region. <p><u>Implications:</u></p> <ul style="list-style-type: none"> A wider range of food production and sales will be permitted across the region, including in residential zones.
Rooftop Landscaping and Greenhouses Policy CI-27	All Land Use By-laws, as applicable, <i>except Regional Centre</i>	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Support food security, reduce urban heat island effect, and reduce energy needs of buildings by allowing space for greenhouses and soft landscaping on rooftops throughout the region. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Create new definitions for Greenhouse and clarify related definitions as applicable (Amenity Area/Space and Gross Floor Area); Remove barriers to height limits to encourage rooftop greenhouses and landscaping. <p><u>Implications:</u></p> <ul style="list-style-type: none"> There will be opportunities for food production on rooftops.

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
Indoor Farming Policies CI-28 to CI-30	All Land Use By-laws <i>except</i> Regional Centre, Cole Harbour / Westphal, and Sackville Drive	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Support food security by enabling indoor farming. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Clarifying and adding definitions to clarify use of shipping containers for indoor agricultural uses; Permitting indoor production of food and accessory retail in industrial zones as-of-right; Enabling indoor agriculture to be considered by DA in commercial and mixed-use zones. <p><u>Implications:</u></p> <ul style="list-style-type: none"> More communities across the region will permit indoor food production.
CHAPTER 5: FOSTERING DIVERSE AND AFFORDABLE HOUSING		
Adaptive Reuse in Rural Areas Policy H-9; IM-18	Rural Land Use By-laws	<p><u>Intent:</u></p> <ul style="list-style-type: none"> In the Rural Area, provide greater flexibility and opportunities to add new housing units by permitting internal conversion of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential units that are not otherwise permitted in the Land Use By-law. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Include policy to allow these uses to be considered by development agreement in the Rural Area. <p><u>Implications:</u></p> <ul style="list-style-type: none"> Existing underutilized buildings in rural areas will have an additional mechanism to redevelop and provide housing.
Short-term Rentals in the Rural Area Policy H-27; EC-33	Rural Land Use By-Laws	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Support tourism as a major economic driver in the Rural Area by recognizing the need for tourist accommodation. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Allow one dwelling unit per lot to be used as a short-term rental in five rural plan areas [Eastern Shore (West), Eastern Shore (East), Lawrencetown, Musquodoboit Valley & Dutch Settlement, and Planning

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<p>Districts 8 & 9], aligning the approach with plan areas where Tourist Accommodation use is already permitted [Planning Districts 1 & 3 (St. Margarets Bay), 4 (Prospect), and 5 (Chebucto Peninsula)]</p> <p><u>Implications:</u></p> <ul style="list-style-type: none"> • More properties in the Rural Area will permit short-term rental uses.
CHAPTER 6: PROTECTING THE ENVIRONMENT AND ACTING ON CLIMATE		
<p>Watercourse Buffers</p> <p>Policies EN-34 to EN-35 and EN 37 to EN-38, EN-43</p>	<p>All Land Use By-Laws (LUBs)</p>	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Increase the effectiveness of watercourse buffers to support environmental objectives, including watercourses in water supply areas. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Increase watercourse buffer from 20 metres (plus additional for steep slopes) to a consistent 30 metre buffer; • Increase the watercourse buffer to 100 metre for primary municipal water supply sources. • Maintain more stringent watercourse buffer requirements where they currently exist in some LUBs. • Allow lots that existed before 2006 to reduce to the greatest possible distance if a 30 m buffer can't be met. • Allow lots created between 2006 and the proposed Regional Plan adoption to develop with a buffer as shown on the approved subdivision plan. • Where it can be demonstrated that a property cannot be reasonably developed by complying with the buffer requirements, provide an option for alternative approaches through the development agreement process. • Update and clarify watercourse buffer regulations. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • Development on new lots will be required to provide a 30 metre buffer from watercourses. Development on existing lots will be required to provide a buffer consistent with the regulations that were in place when the lot was created. • Should property owners demonstrate that a property cannot be reasonably developed by complying with the buffer requirements,

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		alternative development approaches may be considered through a development agreement process as identified in EN-43.
Banook Boardwalk Request #C602 Policy EN-36	Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law	<p><u>Background/ Intent:</u></p> <ul style="list-style-type: none"> • This responded to a motion of Regional Council for a site-specific request to permit a commercial use within the required watercourse buffer of Lake Banook for 300 Prince Albert Road (PID 00209544). • This will allow limited recreational and commercial uses within the watercourse buffer in certain areas, provided the development can be achieved in an environmental responsible manner. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Create new policy and land use by-law regulation in the Regional Centre to permit commercial use in the buffer by development agreement. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • A development agreement may be considered for this proposal. • Regional Plan Policy EN-40 is sufficiently broad that this exemption could be applied to other locations in the Regional Centre, but a land use by-law amendment to the Regional Centre LUB would be required first.
Wetlands Policy EN-39 to EN-43	All Land Use By-Laws (LUBs) except Regional Centre and the Regional Subdivision By-Law (RSBL)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Provide additional opportunities within municipal jurisdiction to protect the environmental and ecological functions of wetlands. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Add a definition of wetland in the LUBs; • Add general provisions for wetlands in the LUBs, prohibiting development within all wetlands, unless an approval that permits the alteration or infilling of a wetland has been granted by the Province; • Establish a 30 metre buffer for Wetlands of Special Significance; • Allow lots that existed before adoption of this regulation to reduce the wetland buffer to the greatest possible distance if a 30 m buffer can't be met; • Where it can be demonstrated that a property cannot be reasonably developed by complying with the buffer requirements, provide an option for alternative approaches through the development agreement process.

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> • Delete outdated wetland mapping; • Clarify in the LUBs and RSBL that wetlands sharing hydrology and soils with watercourses require buffers. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • This will clarify how wetlands are treated as part of development processes. • Should property owners demonstrate that a property cannot be reasonably developed by complying with the buffer requirements, alternative development approaches may be considered through a development agreement process as identified in EN-43. • The Province holds jurisdiction for wetland alterations, which will not change as a result of the proposed regulations.
Coastal Protection Policies EN-47 to EN-53	All Land Use By-Laws (LUBs)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Update coastal regulations to recognize the increased risk of coastal hazards as a result of climate change • Allow limited opportunities for development of islands and undersized coastal lots to reduce the risk of coastal hazards <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Require 30 metre horizontal buffers from the coastline in the same manner as for watercourses described above. • Maintain more stringent buffer requirements where they currently exist in some LUBs. • For properties that cannot meet the horizontal buffer distance, including on islands, development may be considered by development agreement. • Require vertical elevation of 3.2m CGVD (Canadian Geodetic Vertical Datum) for residential as well as commercial and institutional uses, and update definitions and general requirements for vertical coastal regulations. Permit relaxations where a professional engineer has identified measures to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines. <p><u>Implications:</u></p>

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> • Development on new lots will be required to provide a 30 metre buffer from the coastline. Development on existing lots will be required to provide a buffer consistent with the regulations that were in place when the lot was created. • Should property owners demonstrate that a property cannot be reasonably developed by complying with the buffer requirements, alternative development approaches may be considered through a development agreement process as identified in EN-53. • Commercial and institutional developments will need to meet a vertical setback requirement, when previously this applied only to residential uses.
Commercial Solar Energy Facilities Policy EN-66 to EN-68	All Land Use By-Laws (LUBs), except Regional Centre, Sackville, Sackville Drive, Halifax, Bedford and Dartmouth which will have DA options available	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Remove barriers for commercial solar energy facilities that support renewable energy and the use of alternative energy sources. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Create definition of commercial solar energy facility; • Create general provisions to regulate commercial solar energy facilities. • Allow commercial solar energy facilities in mixed use, commercial and industrial designations and zones, primarily in the Rural Area; • Do not enable solar energy facilities in areas for growth and housing, as well as areas to be prioritized for more intensive industrial uses (e.g. Urban Settlement designation/serviced areas) as-of-right; • Commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations that cannot be approved as-of-right may be considered through a development agreement process as identified in EN-68. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • Commercial solar energy will be permitted in more areas of the region, which will serve to support efforts to increase renewable energy generation.
Electric Vehicle Ready Infrastructure Policy EN-70	All Land Use By-Laws (LUBs)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Support the reduction of emissions by requiring electric vehicle parking in new construction, where developments choose to provide parking. <p><u>Approach:</u></p>

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> • Add new definitions to support Electric Vehicle Ready Parking Requirements; • Create general provisions to require parking spaces for new residential and non-residential construction to be “electric vehicle ready”. EV Ready Parking includes a Level 2 energized outlet that meets the SAE J1772 standard, excluding the physical charger. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • Where new construction chooses to provide on-site parking, developments will be required to provide more access to electric vehicle charging infrastructure.
CHAPTER 10: IMPLEMENTATION		
Secondary Municipal Planning Strategy Discretionary Application Criteria Policy IM-9	All Secondary Municipal Planning Strategies (SMPs)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Standardize the considerations for Policy-Enabled Discretionary Applications (i.e. Development Agreements, Rezoning) across the region, using updated language that reflects Regional Plan policy and the intent of Priorities Plans. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Delete development agreement criteria in individual SMPs and reference one common set of criteria within the Regional Plan. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • This will ensure consistency in how discretionary applications are reviewed by staff and considered for approval by Council.
Conservation Design Developments Policy IM-10 to IM-17	Regional Plan and associated development agreements	<p><u>Background/ Intent:</u></p> <ul style="list-style-type: none"> • The Regional Plan enables Conservation Design Development as a tool for residential development in the Rural Area. Two changes are proposed: enabling secondary and backyard suites as a use, and limiting the use of this tool in the Agricultural designation to rural centres. (See also Attachment A-3 regarding time-limited amendments to this policy to meet the Minimum Planning Requirements.) • Secondary and backyard suites are permitted region-wide as accessory to residential dwellings. To date, the Conservation Design Development policy, which sets criteria for these developments using the development agreement tool, has been silent on whether these accessory dwellings are permitted within these developments.

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> Lower Density Conservation Design Development has been permitted throughout the Agricultural Designation. However, the Statement of Provincial Interest Regarding Agricultural Land calls for the Municipality's planning documents to address the protection of agricultural lands through measures such as giving priority to agricultural uses over other uses, minimizing potential conflicts and limiting the number of lots. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Limit the eligibility for Conservation Design Developments in the Agricultural Designation to lands that are also designated Village in the Musquodoboit Valley/ Dutch Settlement Secondary Municipal Planning Strategy (applied to lands in Dutch Settlement, Middle Musquodoboit, Meaghers Grant, and Upper Musquodoboit). For secondary and backyard suites, enable secondary and backyard suites to be permitted in all types of Conservation Design Developments. Within Rural Growth Centres, secondary and backyard suites units will not contribute to the maximum permitted density of the development. <p><u>Implications:</u></p> <ul style="list-style-type: none"> Some lands in the Agricultural Designation will no longer permit Conservation Design Developments. This will improve consistency with the direction contained in the Statement of Provincial Interest Regarding Agricultural Land. Conservation Design Developments may include secondary and backyard suites as a use, which may result in additional residential development in rural areas.
Growth Management and Legacy Subdivision Files Policy IM-30 to IM-43	Regional Subdivision By-Law (RSBL)	<p><u>Background/ Intent:</u></p> <ul style="list-style-type: none"> When the Regional Plan was originally adopted in 2006, approved Concept subdivision files were permitted to retain their development rights, with the restriction that subdivisions could only be developed at a rate of 25 lots/year. As these legacy subdivisions in the Rural Area largely do not meet the objectives of the proposed Regional Plan to direct development to Rural Growth Centres, and some are in challenging locations with regards to subdivision access and egress, the development rights

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<p>should be phased out over time to ensure that new development meets current Regional Plan policy.</p> <p><u>Approach:</u></p> <ul style="list-style-type: none"> Amend the RSBL to add a sunset clause to require tentative or final subdivision applications for the final phase of subdivision to be filed before April 29, 2031. This date is 25 years from the adoption of the 2006 Regional Plan, which was that length of that plan's horizon. <p><u>Implications:</u></p> <ul style="list-style-type: none"> Concept files that meet the eligibility criteria will be time-limited: if an application for the final phase of subdivision has not been made before April 29, 2031, the rights will be forfeited. Staff have undertaken a preliminary inventory of the legacy files. There are approximately 41 eligible files, of which at least 11 have not seen any development activity since initially approved. Staff have estimated that these files could result in the creation of approximately 2261 additional lots should all developments with these rights proceed. This estimate may be high, as the circumstances related to some files have changed (for example, alternative developments have been pursued, or there have been changes in ownership). In Phase 5, staff will undertake further work to identify all eligible legacy files and the potential lot yield. Staff will work with property owners to determine whether amendments to the Regional Plan and/or RSBL are needed, while ensuring any proposed development meets policy intent.
<p>Land Titles Clarification Initiative</p> <p>Policies IM-44 and IM-45</p>	<p>Applicable Land Use By-Laws (LUBs) that contain Land Titles Clarification Areas and the Regional Subdivision By-Law (RSBL)</p>	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Recognize unique needs for subdivision related to African Nova Scotian communities subject to the <i>Land Titles Clarification Act</i>, in support of the <i>Road to Economic Prosperity for African Nova Scotian Communities</i>. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Clarify and update definitions related to Land Titles Clarification Areas; Enable Land Titles Clarification Areas to subdivide using lot frontage and area exemptions through the subdivision by-law; Enable Land Titles Clarification Areas to subdivide lands containing multiple buildings on one lot and exempt these lots from Parkland Dedication requirements;

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> • Enable the issuance of permits on Land Titles Clarification Areas that have used subdivision by-law exemptions. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • These amendments will support ongoing efforts to establish land titles in African Nova Scotian communities as part of the provincial Land Titles Clarification Initiative.
Parkland Dedication Policies IM-49 to IM-52	Regional Subdivision By-Law (RSBL)	<p><u>Background/ Intent:</u></p> <ul style="list-style-type: none"> • Currently, the Regional Plan and RSBL require 10% of the area of the land to be subdivided, or cash-in-lieu, to be provided for parkland dedication; however, the policy also allows dedication for first three lots to be reduced to 5%. This leads to a reduction in potential parkland dedication and adds complexity in administering the requirements. The Regional Subdivision By-law will be amended to standardize the Parkland Dedication to 10% with a few targeted exemptions. <p><u>Approach:</u></p> <ul style="list-style-type: none"> • Amend the RSBL to consistently apply a 10% parkland dedication requirement, with exemptions including: <ul style="list-style-type: none"> - A reduction to 5% for a two-lot subdivision; - A reduction to 5% for Classic Conservation Design because the design of these developments already maintains open space; - No parkland dedication requirement for subdividing lots containing multiple buildings in Land Title Clarification Areas given these subdivisions do not result in increased density. <p><u>Implications:</u></p> <ul style="list-style-type: none"> • The required parkland dedication for subdivision will increase for subdivisions resulting in more than 2 lots. This will increase the cost to subdivide for those developments. • This will result in increased parkland acquisition and cash-in-lieu for the Municipality to support the needs of the growing region.
Park Classification Policy IM-52	Regional Subdivision By-Law (RSBL)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> • Adjust Parks Classification system to sufficiently address the recreation needs of a neighbourhood park. <p><u>Approach:</u></p>

Regional Plan Policy	Planning Documents Affected (in addition to the Regional Plan)	Amendment Summary
		<ul style="list-style-type: none"> Update the RSBL to add a minimum size range in Neighbourhood parks in urban and suburban areas. <p><u>Implications:</u></p> <ul style="list-style-type: none"> Limited. This change provides clarity to the existing parkland dedication process.
Urban Settlement Employment (US-E) Zone Policy IM-58	Land Use By-Laws where Burnside Phase 14 is located (Dartmouth, PD 14 & 17)	<p><u>Intent:</u></p> <ul style="list-style-type: none"> Prevent the premature development of industrial and other employment uses on lands designated Urban Settlement and within the Business/ Industrial Sub-Designation but not yet within the Urban Service Area, to ensure that areas for industrial expansion on HRM-owned lands follow the same process as for other Future Serviced Communities. <p><u>Approach:</u></p> <ul style="list-style-type: none"> Amend Land Use By-Laws to include the Urban Settlement Employment (US-E) Zone enabled where future serviced industrial land is anticipated on HRM-owned lands identified for industrial use. Apply the US-E Zone to Burnside Phase 14. <p><u>Implications:</u></p> <ul style="list-style-type: none"> The zoning will limit inappropriate development so that expansion of Burnside can proceed according to Policies HC-11 to HC-14, related to Future Serviced Communities.

Attachment A-3 Minimum Planning Requirements Summary Table:
Mandatory Content Related to Housing Supply

Per the Minimum Planning Requirements Regulations made under subsection 229(4) of the *Halifax Regional Municipality Charter*

Mandatory content related to housing supply

4A (2) In addition to the requirements prescribed in subsection 229(1) of the Charter and Section 4, a municipal planning strategy must do all of the following to address the issue of housing supply:

Minimum Planning Requirement	Summary of Proposed Approach and Amendments
4A(2)(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;	Include statement of policy in the Regional Plan <ul style="list-style-type: none">The proposed Regional Plan includes a dedicated chapter to Housing and the plan’s policies will encourage and permit a variety of residential forms and uses through the region.Section 5.4 and Policy H-2 specifically reflects the language of (a).
4A(2)(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;	Include statement of policy in the Regional Plan <ul style="list-style-type: none">The proposed Regional Plan responds to this requirement by using the lens of safety, sustainability, and affordability to create an integrated framework for housing and growth in Chapter 1 (Introduction), Chapter 2 (Regional Planning), Chapter 3 (Complete Communities), Chapter 5 (Housing) and Chapter 10 (Implementation).Policies RP-23, HC-3 and H-1 identify the Municipality’s intent to increase the supply of safe, sustainable and affordable housing.Policy IM-9, which sets out criteria by which all discretionary applications (such as rezoning and development agreements) must be considered, requires that the Municipality consider “that priority be given to increasing the supply of safe, sustainable, and affordable housing.”
4A(2)(c) permit residential uses in all zones, except for all of the following: (i) areas zoned for industrial, military, park, transportation reserve and utility uses, (ii) zones intended to protect the environment, water supply, floodplains or another similar interest;	Include statement of policy in the Regional Plan; minor zoning changes and new transit-oriented suburban development agreement policy <ul style="list-style-type: none">Policy H-1 identifies the Municipality’s intent to enable residential in all zones except for those zones identified in the regulations.Residential uses are permitted in the vast majority of the Municipality’s existing zones. To determine the extent to which the existing land use by-laws comply with this requirement, an inventory of the types of residential uses and zones was undertaken:<ul style="list-style-type: none">Residential uses include any type of dwelling use, including single unit dwellings, multi-unit dwellings, secondary and backyard suites, accessory dwelling units, and shared housing.At the time of the analysis (December 2024), there were 157,998 lots in the Municipality, and 152,898 properties are within 303 zones that are required to comply with this requirement. 152,661 of the lots (99.8%) fall under 296 zones which already permit residential uses in some form.The remaining 237 properties that currently do not enable residential in any form fall within 7 commercial-based zones within the suburban area:<ul style="list-style-type: none">C-3 Zone, DartmouthC-2 Zone, Halifax MainlandCSC, CHWY and CHC Zones, BedfordDC-1 and DC-2 Zones, Sackville DrivePolicy H-1 establishes intent to permit residential uses in all zones, except for the zones identified in the regulation, and to update permitted uses through future amendments to the secondary municipal planning strategies and land use by-laws. Minor zoning amendments and a new suburban development agreement policy are also proposed, as described below.Suburban areas identified for growth in the Regional Plan: Policy HC-9 and Map 3 identifies where growth is to be directed in the Suburban Area aligned with proposed Bus Rapid Transit (BRT) lines. The C-3 Zone in Dartmouth and C-2 Zone in Halifax Mainland will permit residential development as follows:<ul style="list-style-type: none">Dartmouth Plan Area: The General Business (C-3) Zone is applied the existing commercial nodes along Portland Street (including Woodlawn Plaza; all lands on the south side of Portland Street between the Circumferential Highway and Eisener Boulevard, including the Superstore site; as well one commercial property on Portland Street at Bel Ayr Avenue). The proposed Regional Plan (Chapter 3, Map 3) identifies this area as a strategic location for future growth given the Rapid Transit Strategy envisions BRT lines serving the Portland Street corridor (Red Line). Proposed amendments will remove the prohibition of residential uses in the C-3 Zone, and permit apartment buildings by development agreement, consistent with what is permitted in the C-2 Zone in the Dartmouth Plan Area.Halifax Mainland Plan Area: The General Business (C-2) Zone is applied to 3 existing commercial nodes developed with existing shopping centres (Spryfield Shopping Centre at Herring Cove Road/ Dentith Road; Kearney Lake Plaza and Chateau Bedford at Kearney Lake Road/ Parkland Drive; and Clayton Park Shopping Centre and Sobeys Clayton Park at Lacewood Drive/ Dunbrack Street) and does not currently permit residential uses. The proposed Regional Plan (Chapter 3, Map 3) identifies all 3 locations as strategic locations for future growth given the Rapid Transit Strategy envisions BRT lines serving these areas (Yellow Line serving Herring Cove Road, Purple Line serving Kearney Lake Rd and Dunbrack St, and Green Line serving Lacewood Dr). It is anticipated that the Suburban Plan process will update the zoning framework in these areas to enable significant mixed-use development, depending on infrastructure capacity. These areas will also be eligible for residential development by development agreement, as described below.Suburban Development Policy: To facilitate interim development of shovel ready projects in the Suburban Area while the Suburban Plan is being developed, Policies IM-25, IM-26, and IM-27 of the Regional Plan will enable development to proceed for sites that meet certain criteria including being

	<p>located within 800 m walkshed of a planned Bus Rapid Transit (BRT) route or Mill Cove Ferry Terminal. The clusters of parcels mentioned above in the Dartmouth Plan Area and Halifax Mainland Plan Area are located along planned BRT routes and may have an opportunity for interim development options as the Suburban Plan process is happening. See MPR (e) below for more detail.</p> <ul style="list-style-type: none">• Suburban areas with environmental considerations: There are 5 zones in the Bedford and Sackville Drive Plan Areas applied to existing developed commercial properties that do not currently permit residential development, where further consideration is required due to potential interactions with the Sackville Floodplains, as follows:<ul style="list-style-type: none">- Bedford Plan Area: The Commercial Shopping Centre (CSC), Highway Oriented Commercial (CHWY), and Cushing Hill Commercial (CHC) Zones are applied to lands on Bedford Highway near Bedford Place Mall and do not currently permit standalone residential uses (the CHC Zone permits multiple unit dwellings in conjunction with and subordinate to hotels). Special consideration is required as part of the Suburban Plan for this area given its proximity to the Sackville River floodplain.- Sackville Drive Plan Area: The Downsview Complex Zones (DC-1 and DC-2) are applied to interior portions of the existing Downsview Shopping Centre complex (developed with parking lots, Sobeys, Canadian Tire, strip mall, etc.). Special consideration is required for this area as part of the Suburban Plan given the complexity of the existing development pattern and infrastructure, as well as its proximity to the Little Sackville River floodplain. Note that the DC-3 Zone, which is applied to street frontage on Sackville Drive within the Downsview Shopping Centre area, permits multiple unit dwellings, and the Sackville Drive policy enables rezoning to DC-3 from DC-1 and DC-2.
4A(2)(d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;	<p>Include statement of policy in the Regional Plan</p> <ul style="list-style-type: none">• Chapter 2 of the proposed Regional Plan establishes the Municipality's intent to develop population projections and growth scenarios to guide and inform plans for housing and infrastructure.• Policies RP-24 and RP-25 identify intent to regularly share this information with all relevant stakeholders, including the Province.• Section 2.5 identifies the Municipality's intent to undertake a Strategic Growth and Infrastructure Plan to guide long-term planning and investment, and to share this publicly. The Municipality will engage closely with the Province as part of this infrastructure planning process.
4A(2)(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;	<p>Include statement of policy in the Regional Plan</p> <ul style="list-style-type: none">• The proposed Regional Plan establishes the Community Planning framework in Chapter 3 (Community Planning), and Policy HC-3 establishes intent to adopt a secondary municipal planning strategy and land use by-law for the Suburban Area, through the Suburban Community Planning process.• To facilitate interim development of shovel ready projects in the Suburban Area while the Suburban Plan is being developed, Policies IM-25 to IM-27 will enable eligible projects to proceed via development agreement option as the Suburban Planning process takes place. This policy is expected to deliver additional housing capacity while providing an opportunity to assess project readiness and local infrastructure capacity. It will build on the capacity delivered by the Urgent Changes for Housing/Housing Accelerator Fund (HAF) and will require sites to meet a list of criteria. Criteria include that the sites must be located within 800 m walkshed of a planned Bus Rapid Transit route or Mill Cove Ferry Terminal, be less than 2 hectares in size, the project must not demolish any existing multi-unit dwelling building, and it must comply with stipulated timelines for commencement and completion of construction. A complete application for a development agreement will need to be on file with the Municipality on or before the first notice of the intention of Council to adopt the Suburban Plan. Land use and built form will be guided by the Housing Accelerator Land Use By-law with consideration for low-rise to tall mid-rise projects.• While the Suburban Plan process is underway, new development in suburban areas will also continue to be permitted under policies established in the existing community plans, such as policies in the Dartmouth, Sackville, and Eastern Passage/ Cow Bay Plan Areas which permit consideration of multi-unit residential buildings by development agreement.
4A(2)(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;	<p>Include statement of policy in the Regional Plan</p> <ul style="list-style-type: none">• The proposed Regional Plan includes updates to the Conservation Design Development policy in Chapter 10 (Implementation). This policy set this enables this form of rural development to be considered by development agreement.• To address this requirement, Table 10.1 establishes different developable area definitions depending on the date of the application:<ul style="list-style-type: none">- For developments with a construction permit issued and begin construction before April 1, 2027, Developable Area means Gross Developable Area (the entire lot area).- For all other developments, Developable Area means Net Developable Area (area of a lot excluding watercourse buffers, wetlands, floodplains, and slopes over 30%).
4A(2)(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;	<p>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</p> <ul style="list-style-type: none">• In some cases, the definitions of height and application of height maximums in the various land use by-laws has had the unintended consequence of limiting overall building massing (and therefore the achievable residential density), which could still be aligned with community goals.• Policy H-3(b) of the proposed Regional Plan requires establishing height maximums that offer flexibility and support construction of mid and high-density residential developments. This will be implemented through amendments to the land use by-laws to support mass timber construction and other new construction methods, which can be impacted by specific height measurements.• The amendments adopted in support of the Housing Accelerator Fund in Spring 2024 included changes to the Regional Centre SMPS and LUB and adopted in

	<p>the Suburban Housing Accelerator SMPS and LUB to provide greater flexibility for wood and mass timber construction.</p> <ul style="list-style-type: none"> • HAF amendments included measuring height in storeys vs. metres, exemption for streetwalls for buildings up to 6 storeys in HR Zones, and increasing the tall mid-rise built form from 8 to 10 storeys. • Further amendments to applicable land use by-laws are proposed as part of this package to: <ul style="list-style-type: none"> - Provide maximum height measurements in storeys instead of metres or feet in zones that permit residential buildings with more than 4 units; and - Include consistent definitions for 'Storey' and 'Mezzanine'. • It is noted that low density residential zones that permit up to 4 units typically do not have height maximums as the limiting factor to achievable density and therefore no amendments to those zones are proposed at this time. • Policy H-1(h) further establishes the Municipality's intent to update other built form requirements that may affect height, such as angle controls, through future amendments to secondary planning strategies and land use by-laws, such as through the Suburban Plan process. • Staff received feedback during the Council Budget process from industry regarding potential additional changes to support mass timber construction. Changes proposed to the Downtown Dartmouth Zone to measure height in storeys instead of metres will address some of this feedback. Further requested changes include adjusting the tall mid-rise built form in Centre Plan from 10 storeys to 12 storeys for mass timber buildings. As the built form for tall-mid-rise was increased in 2024 as part of HAF from 8 to 12 storeys and a further amendment would trigger larger changes to the built form framework, this change is not recommended at this time. However, staff will monitor the need for further changes to allow added flexibility.
4A(2)(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;	<p>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</p> <ul style="list-style-type: none"> • Policy H-3(c) of the proposed Regional Plan requires the Municipality to amend land use by-laws to provide that no unit mix applies for multi-unit residential buildings that begin construction before April 1, 2027. • To implement Policy H-3, amendments are proposed to applicable land use by-laws (Bedford; Dartmouth; Downtown Halifax; Halifax Mainland; Regional Centre; and Suburban Housing Accelerator) to include a 'notwithstanding' clause in applicable zones to remove the requirement for unit mix/bedroom count for new construction that begins on or before April 1, 2027. • Proposed Policy IM-9 sets out criteria to be considered by Council as part of all discretionary planning applications (land use by-law amendments and development agreements). Clause IM-9(2) states that there shall be no requirement for unit mix for multi-unit residential buildings that begin construction on or before April 1, 2027. This clause will enable consideration of new or amendments to existing development agreements where existing policy requires a mix of units. • Due to the time-limited nature of this regulation, it is anticipated that these policies and LUB regulations will be removed from the relevant planning documents once the legislated date (April 1, 2027) has passed.
4A(2)(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;	<p>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</p> <ul style="list-style-type: none"> • Policy H-10 of the proposed Regional Plan directs that there will be no required parking spaces for residential uses within the Urban Service Area. • To implement Policy H-10, amendments are proposed to applicable land use by-laws to include a 'notwithstanding' clause that specifies that no vehicular parking is required for residential uses in the Urban Service Area. • Where a development proposes to include parking, standards related to parking provision will continue to apply (parking lot location and landscaping, loading requirements, electric vehicle charging, etc.).
4A(2)(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;	<p>Include statement of policy in the Regional Plan; amend applicable Secondary Municipal Planning Strategies and Land Use By-Laws</p> <ul style="list-style-type: none"> • Policy H-3(d) of the proposed Regional Plan requires the Municipality to amend land use by-laws to provide that no requirement for more than 20% ground floor commercial space applies to multi-unit residential buildings that begin construction on or before April 1, 2027. • To implement Policy H-3(d), where commercial ground-floor uses are currently required in excess of 20%, amendments are proposed to applicable secondary municipal planning strategies and land use by-laws (Regional Centre SMPS and LUB, Bedford SMPS and LUB, Sackville Drive LUB) for any multi-unit residential building that begins construction on or before April 1, 2027 to: <ul style="list-style-type: none"> - Permit ground-floor residential uses; and - Require a minimum of 20% commercial space on the ground floor, which may not include non-commercial space such as lobbies, elevators and vestibules. Commercial space will be required to abut the streetline. • Proposed Policy IM-9 sets out criteria to be considered by Council as part of all discretionary planning applications (land use by-law amendments and development agreements). Clause IM-9(2) states that there shall be no requirement for more than 20% ground floor commercial space for multi-unit residential buildings that begin construction on or before April 1, 2027, provided that all other relevant policies are met. This clause will enable consideration of new or proposed amendments to existing development agreements where existing policy requires commercial ground floors. • Due to the time-limited nature of this regulation, it is anticipated that these policies and LUB regulations will be removed from the relevant planning documents once the legislated date (April 1, 2027) has passed.
4A(2)(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the	<p>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</p> <ul style="list-style-type: none"> • Policy H-2 of the proposed Regional Plan identifies the Municipality's intent to remove barriers to housing, "including temporary housing in non-permanent structures" throughout the region.

project and that is explicitly set out in the development permit;	<ul style="list-style-type: none">• All existing Land Use By-Laws currently permit temporary housing associated with construction projects as Temporary Construction Uses, which generally meets the intent of this regulation. Amendments to all land use by-laws (except for Regional Centre, Suburban Housing Accelerator and Downtown Halifax, which already include the provisions) are proposed to clarify that temporary buildings or structure are permitted near a worksite where a development permit has been issued.
4A(2)(l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.	<p>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</p> <ul style="list-style-type: none">• Policy H-3(a) of the proposed Regional Plan identifies the intent to permit manufactured housing as a residential use (“tiny homes, inclusive of mobile dwellings, converted shipping containers and manufactured housing”). This is a modification of existing Regional Plan Policy S-41.• Amendments to the Regional Plan (the addition of S-41) and applicable LUBs to remove barriers to tiny homes and converted shipping container dwellings were approved as part of Phase 3 of the Regional Plan Review in October 2022. However, staff have since identified that there are still provisions in some LUBs limiting this form of dwelling.• Policy H-3(a) will be implemented by amending applicable land use by-laws to remove remaining barriers to converted shipping container dwellings by clarifying they are buildings not “vehicle bodies”, and removing restrictions on converted shipping containers used as accessory or secondary/backyard suites. The Regional Centre’s Corridor (COR) Zone is also proposed to be amended to permit converted shipping container housing.• Converted shipping containers, like all residential dwelling types, must meet Building Code requirements for dwellings, as well as all other LUB requirements including setbacks, lot coverage, height, etc.

Attachment A-4:
Site-Specific Amendment Requests Considered through the Regional Plan Review Process – Phase 4

Contents

Table 1: Summary of Phase 4 Requests..... 2

Table 2: Zone and Designation Changes 3

Table 3: Proceed through Enabled Applications 7

Table 4: Minor Urban Service Boundary Adjustment 8

Table 5: Consider in Phase 5 9

Table 1: Summary of Phase 4 Requests

Requests	Phase 4 Amendments
<i>* Requests highlighted and marked with an asterisk (*) are new requests that were received after December 2023</i>	
Zone and Designation Changes [Table 2]	
<ul style="list-style-type: none">Purcell’s Cove Urban Reserve (Case 22257)Lands on Purcell’s Cove Road (C025)Lands North of Frederick Lake, Hubley (C882)*Burnside Phase 14 (Case 22008)	These requests have been re-zoned and/or re-designated in the Regional Plan and applicable land use by-laws.
Proceed through Enabled Applications [Table 3]	
<ul style="list-style-type: none">Corner of Prince Albert Road at Lake Banook, Dartmouth (C602)1246 Ketch Harbour Road (C027/ Case 22212)	New policy enables these requests to proceed through a future development agreement process. Community Council approval and public engagement will be required.
Minor Urban Service Boundary Adjustment [Table 4]	
<ul style="list-style-type: none">Twin Brooks Subdivision Phase 4C (C948)*	This request allows an expansion of the Urban Service Boundary to address minor or unique circumstances.
Consider in Phase 5 [Table 5]	
<ul style="list-style-type: none">Industrial lands near Aerotech, Goffs (C508)	It is recommended that this request be considered as part of Phase 5 of the Regional Plan Review.

Table 2: Zone and Designation Changes

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Case 22257	Purcell's Cove Backlands Urban Reserve (All lands in the Urban Reserve Designation, Purcell's Cove Road area)	Staff-initiated as a result of HRM's acquisition of Shaw Wilderness Park	<ul style="list-style-type: none">Under the Regional Plan these lands are designated Urban Reserve, which envisions future serviced development beyond the life of the Regional Plan (after 2031)Halifax Green Network Plan, Action 66: "During the next Regional Plan review amend the Regional Plan to recognize recent land acquisitions [i.e. Shaw Wilderness Park] within the Purcell's Cove Backlands as Regional Park and consider open space planning for the remainder of this area."	<ul style="list-style-type: none">On June 8, 2021, Regional Council passed the following motion: "Consider amendments to the Regional Municipal Planning Strategy, the Halifax Secondary Municipal Planning Strategy and Halifax Mainland Land Use By-Law for lands currently designated and zoned Urban Reserve in the Purcell's Cove Backlands area (as shown on Map 1 of this report), through the ongoing Regional Plan Review (Case 22257) in order to protect environmentally significant features in the area, consistent with the policy directions outlined in this report."Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness areas and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.	<ul style="list-style-type: none">Many comments express strong support for protecting the environment in the Purcell's Cove Backlands and preventing development in the area.Comments highlight the unique ecosystem of the area.The proposed approach during public engagement in 2023 suggested that development be located 250m from the road. Residents generally expressed that this distance is too large.The fire-prone ecology means that fire mitigation plans should be developed for the area.Suggestion to designate a portion of these lands a Healing Forest – a nationwide program supporting green spaces dedicated to reconciliation between Indigenous and non-Indigenous people.	<p>Amendments proposed with this Phase 4 report:</p> <p>The Proposed Regional Plan:</p> <ul style="list-style-type: none">Re-designates and rezones the Shaw Wilderness Park and a portion of the former Church of Christ lands (now owned by HRM) to Open Space and Natural Resources Designation and the Regional Park Zone to reflect the current and proposed use of these lands;Re-designates and rezones other publicly-owned lands and private conservation lands to the Open Space and Natural Resource Designation and the Protected Area Zone;Re-designates and rezones lands to the west of Shaw Wilderness Park, including PIDs 41342080 (C025, see below), 41221680, 00270934, 00274555, 41054446 to Rural Commuter and to R-1, as these parcels are not contiguous with the broader Urban Reserve area. <hr/> <p>Next Steps</p> <ul style="list-style-type: none">Phase 4 maintains the Urban Reserve designation and Urban Reserve Zone on privately-owned lands to the east and identifies that a land suitability assessment will be undertaken to consider how to apply the Rural Commuter designation and an appropriate community plan designation, zone, land uses, development density, site design, and built form standards. This work is anticipated to be undertaken in Phase 5 (See also Attachment A-6).The remainder of the former Church of Christ Lands, which are within the Urban Settlement designation, will be considered for an appropriate community plan designation and zone under the Suburban Plan process.

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
C025	Lands on Purcell's Cove Road, Halifax (PID 41342080)	Request from ZZap Consulting, on behalf of Tony Maskine, to permit lands to be developed with large lot subdivision.	<ul style="list-style-type: none">Under the Regional Plan these lands are designated Urban Reserve, which envisions future serviced development beyond the life of the Regional Plan (after 2031)	<ul style="list-style-type: none">On June 8, 2021, Regional Council passed the following motion: "Consider amendments to the Regional Municipal Planning Strategy, the Halifax Secondary Municipal Planning Strategy and Halifax Mainland Land Use By-Law for lands currently designated and zoned Urban Reserve in the Purcell's Cove Backlands area (as shown on Map 1 of this report), through the ongoing Regional Plan Review (Case 22257) in order to protect environmentally significant features in the area, consistent with the policy directions outlined in this report."	<ul style="list-style-type: none">Most comments received discuss the Backlands in their entirety and do not specifically address the C025 lands. See case 22257 above for further discussion.Comments received regarding C025 do not support serviced development at this location.There were also many public comments received on this request during Phase 3 of the Regional Plan. At that time, the request was for serviced development, which included:<ul style="list-style-type: none">The need to protect wilderness areas around and near Shaw Wilderness Park, opposition to development in this areaGeneral environmental concerns for this area and the importance of this area as a wildlife corridor and the implementation of the Halifax Green Network Plan; concerns related to protecting the water quality of Williams Lake;Desire to acquire the lands to form part of the Shaw Wilderness Park;Concern for a trail on this property from Purcell's Cove Road to Williams Lake. Although on private property, this trail has been used for generations to access the lake for recreational opportunities (swimming, skating, and hiking). Residents would like continued access to Williams Lake from this trail.	<p>Amendments proposed with this Phase 4 report:</p> <ul style="list-style-type: none">The Proposed Regional Plan re-designates the lands to Rural Commuter and applies R-1 zoning that will permit large lot subdivision using existing road frontage.Under the Regional Subdivision By-Law, Purcell's Cove Road (Route 253) is a "Schedule K" road; lots in the Rural Commuter designation on Schedule K roads must have a minimum of 61 metres of public road frontage. The existing lot has approximately 355 metres of frontage; therefore, it is anticipated that the proposed amendments will permit subdivision for a maximum of 5 lots.A watercourse buffer, proposed to be 30 metres under the proposed Regional Plan, will apply from Williams Lake (with the potential for relaxations). <hr/> <p>Next Steps</p> <ul style="list-style-type: none">As-of-right development is permitted, and no further Council approval is required for development.

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
C882*	Lands North of Frederick Lake, Hubley (PID 40053654)	Request from Five Bridges Wilderness Heritage Trust (FBWHT) to re-zone the lands to the Protected Area (PA) zone, consistent with the wishes of the Trust's donor.	<ul style="list-style-type: none"> Under the Regional Plan the lands are primarily designated Rural Commuter, and the Southern portion is designated Open Space and Natural Resources. The Rural Commuter designation envisions a rural pattern of development and calls for focusing growth within centres and controlling growth outside of those centres. The Open Space and Natural Resource designation is intended to protect valuable natural and cultural resources and is generally applied to parks and areas of environmental sensitivity. Under the Community Plan the land is designated Resource (RSC). A watercourse runs through the lot and a large wetland of special significance covers a substantial portion of the lands. The lands are presently zoned MR-1 (Mixed Resource 1) in the Planning Districts 1 & 3 Land Use By-Law. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives and follow policy guidance found in the Halifax Green Network Plan (HGPN). The lands are adjacent to the Frederick Lake Conservation Lands and the Five Bridge Lakes Wilderness Area. The area's importance in the Green Network Plan, the presence of a watercourse, the presence of a wetland greater than 2000sqm, and lack of road frontage mean the lands are not well suited for development. 	<ul style="list-style-type: none"> This request was received after the Phase 4 Engagement Period. No public comment has been received. 	<p>Amendments proposed with this Phase 4 report:</p> <ul style="list-style-type: none"> Consistent with the wishes of the property owner, the subject lands will be re-designated to Open Space and Natural Resources and rezoned to the Protected Area (PA) zone in the Planning Districts 1 & 3 Land Use By-Law. The PA Zone permits scientific study and education involving no buildings, trails, boardwalks or walkways, conservation uses and accessory uses. <hr/> <p>Next Steps</p> <ul style="list-style-type: none"> There is no further approval by Council is required. This zone does not allow development and primarily permits trails and conservation uses.

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Case 22008	Burnside Expansion Lands (Phase 14), Dartmouth (PID 40018657)	Request from HRM Corporate Real Estate, per April 28, 2015 motion of Regional Council, to include these lands within the Urban Service Area and apply industrial policy and zoning consistent to allow for serviced expansion of Burnside Industrial Park	<ul style="list-style-type: none">Under the Regional Plan, the lands are outside the Urban Service Area and designated Rural Commuter.Regional Plan Policy EC-5 states that where lands have been identified as suitable for industrial use, HRM will amend planning policy and regulations to enable those uses, and minimize conflict with potential incompatible uses.	<ul style="list-style-type: none">Per the April 28, 2015 motion of Regional Council, consider required amendments to planning documents to allow for serviced industrial development on the subject propertiesThe Industrial Employment Lands Strategy identifies a need for additional serviced industrial lands to serve HRM's long term needs.Future development must consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.Residential uses not proposed.	<ul style="list-style-type: none">No comments were received on this proposal.	<p>Amendments proposed with this Phase 4 report:</p> <ul style="list-style-type: none">The proposed Regional Plan re-designates these lands from Rural Commuter to Urban Settlement and applies the Business/ Industrial sub-designation to the lands.The Urban Settlement – Employment (US-E) Zone will be applied to the lands in the Dartmouth and Planning Districts 14 & 17 Land Use By-Law. <hr/> <p>Next Steps</p> <ul style="list-style-type: none">Comprehensive planning for these lands will follow the Future Serviced Communities process set out in proposed Regional Plan policies HC-11 to HC-14. In preparation for extending the Urban Service Area boundary and applying appropriate policy and zoning at the secondary plan and Land Use By-Law level, this will involve background study such as a watershed study, land suitability analysis (that considers environmental constraints and heritage and cultural assets and constraints) and a baseline infrastructure study (for mobility, water and wastewater services). Planning & Development are working with Corporate Real Estate on this project.

Table 3: Proceed through Enabled Applications

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
C602	300 Prince Albert Road (PID 00209544), Dartmouth. Corner of Prince Albert Road and Lakeview Point Road, at Lake Banook	Request from ZZap Consulting, on behalf of Stillwater Property Group Inc., to amend the Regional Plan, Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-Law (RCLUB) to enable waterfront commercial and recreational uses, and accessory structures within the watercourse buffer.	<ul style="list-style-type: none">Under the Regional Plans, the lands are designated Urban Settlement and located within the Regional Centre. The Northern and Western parts of the subject property are within the 20m riparian buffer.Under the Regional Centre Municipal Planning Strategy, the lands are designated Corridor Designation. The site is currently zoned Corridor Zone (COR), which permits a wide range of residential, commercial and institutional uses. This zone permits Water Access Structure uses, including boat ramps, marine-related uses, parks on public land, and historic site or monument uses.	<ul style="list-style-type: none">Existing Regional Plan policy E-16 requires retention of a minimum 20 metre wide riparian buffer along all watercourses throughout HRM to protect the chemical, physical and biological functions of marine and freshwater resources. Phase 4 of the Regional Plan Review proposes to increase the riparian buffer to 30 metres.The portion of the subject site that is located within the riparian buffer is currently vegetated with trees and grass. Allowing for the proposed main uses within a riparian buffer requires a Regional Plan amendment.The Halifax Green Network Plan identifies this area of high socio-cultural landscape open spaces value.Future development must consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness areas and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.Residential uses are not proposed.	<ul style="list-style-type: none">No comments were received on this proposal.	<p>Amendments proposed with this Phase 4 report:</p> <ul style="list-style-type: none">The proposed Regional Plan includes policy that would permit a special area to be established through the Regional Centre Plan and land use bylaw to allow limited recreational uses and commercial uses within a riparian buffer where the riparian buffer has been infilled or altered prior to 2006, developed in an environmentally sensitive manner.The Regional Centre Plan includes a development agreement policy to enable a development provided certain criteria is met, and includes criteria for Council's consideration, such as whether the proposed development is designed in an environmentally sensitive manner, water quality mitigation measures are considered, and potential impacts on the Lake Banook Canoe Course. <hr/> <p>Next Steps</p> <ul style="list-style-type: none">New policy enables this request to proceed through a future development agreement process. Community Council approval and public engagement will be required.
C027/ Case 22212	1246 Ketch Harbour Road, Ketch Harbour (PID 00391169)	Request from Sightline Planning + Approvals (formerly KWR Approvals Inc.) on behalf of Tim Garrison and Patrick Henneberry to enable a 40-unit residential development and an adaptive reuse of the existing building for commercial and residential uses. Initiated by Regional Council on April 2, 2020 Number of housing units proposed by Applicant: 40 units.	<ul style="list-style-type: none">Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and calls for focusing growth within centres and controlling growth outside of those centres.Under the Planning District 5 MPS and LUB, there are as-of-right options to subdivide the subject site given the size of the property and its frontage along Ketch Harbour Road. Larger scale residential subdivisions are enabled on the subject property through the Conservation Design policies. There is also policy support to consider the reuse of the former telecommunications facility and subdivision for residential uses.	<ul style="list-style-type: none">The level of residential density requested is higher than the Regional Plan envisions for rural communities outside of growth centres.There are opportunities for appropriate adaptive reuse and alternative housing forms under existing policy. Staff have advised the applicant to pursue adaptive reuse of the existing building under the existing policies.	<ul style="list-style-type: none">No comments were received on this proposal.	<p>Amendments proposed with this Phase 4 report:</p> <ul style="list-style-type: none">The proposed Regional Plan includes policy that would enable adaptive reuse of existing buildings for residential purposes in the Rural Area. This would allow a future development agreement for the existing building.There are also as-of-right and policy-enabled development options under the existing Community Plan and Land use By-law (Planning District 5). <hr/> <p>Next Steps</p> <ul style="list-style-type: none">New policy enables this request to proceed through a future development agreement process. Community Council approval and public engagement will be required.

Table 4: Minor Urban Service Boundary Adjustment

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
C948*	Extension of Twin Brooks subdivision, Middle Sackville (PID 40140501)	Request from Arch Communities to expand the Urban Service Area approximately 0.9 ha (2.2 acres) to enable the construction of a wastewater main to service Twin Brooks subdivision extension	<ul style="list-style-type: none">Under the Regional Plan, the subject property is partially designated as Urban Settlement (south side of Urban Service Area boundary (USB)), which envisions serviced development to assist with management of growth, and partially designated Rural Commuter, which envisions a rural pattern of low-density residential development (north side of USB).Regional Plan Policy SU-4 states that when considering any expansion of the Urban Service Area, the requirement for a Secondary Planning Strategy for the lands may be waived where, in the opinion of HRM, the proposed extension represents a minor adjustment to the area.Under the Sackville Municipal Planning Strategy, the subject property is partially designated Urban Residential (south side of USB), which permits single-unit and multi-unit residential dwellings, and partially designated Rural Residential (north side of USB), which recognizes a traditional mix of low-density residential and resource uses.	<ul style="list-style-type: none">Directions 1.5 and 1.6 of the Regional Plan Review work plan, endorsed by Regional Council on June 20, 2023, include reviewing expansion of the USB in Phase 4 to address minor or unique circumstances.The proposed extension to Twin Brooks includes approximately 214 lots by subdivision as-of-right, with a possible 20 additional lots from a USB adjustment.The level of residential density proposed is consistent with the Regional Plan's vision for residential uses in established neighbourhoods.The Rural Residential designation allows for municipally serviced and onsite serviced development; therefore, redesignation of the property under the Sackville Municipal Planning Strategy is not required with the proposed USB adjustment.The current zone (R-6) includes provisions for properties that are municipally serviced and serviced onsite; therefore, a zoning amendment under the Sackville Land Use By-law is not required.The utility, Halifax Water, provided written confirmation of their support for this adjustment to the Urban Service Area as it enables a better service system for Halifax Water to maintain and upgrade than the servicing options available within the existing boundary.	<ul style="list-style-type: none">No comments were received on this proposal.	<div>Amendments proposed with this Phase 4 report:<ul style="list-style-type: none">Amendments are proposed to the Regional Plan and Regional Subdivision By-Law to adjust the Urban Service Area boundary and redesignate the affected portion of the subject site from Rural Commuter to Urban Settlement.The proposed amendments are considered minor in nature.</div> <div>Next Steps<ul style="list-style-type: none">No further action by Council is required. The project is currently part of an active as-of-right subdivision application.It should be noted that should Regional Council choose not to approve the proposed amendments, the subdivision process can continue to proceed through the as-of-right process, without the 20 additional lots.</div>

Table 5: Consider in Phase 5

Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
C508 <i>Active Planning Application Case 22009 project scope includes this parcel</i>	Lands near Aerotech, Goffs. East of Aerotech and West of Waverley – Salmon River Long Lake Wilderness Area (PID 00515841)	Request from Louis Lawen, on behalf of Lawen Group, to re-zone lands to airport industrial.	<ul style="list-style-type: none">• The subject property is within the study area of an active planning application (Case 22009) that intends to update the zoning for Aerotech Business Park. This project includes introducing new zones that will protect and support industrial lands.• Under the Regional Plan, the lands are primarily designated Open Space and Natural Resource designation, with a small portion of the lands along the north property line are within Rural commuter designation and Business/Industrial Park sub-designation. The Rural Commuter designation envisions a rural pattern of development, and are outside the Urban Service Area.• Under the Planning Districts 14 & 17 MPS, the Resource Designation (RE) recognizes traditional resource related activity but also recognizes the land base for future growth. P-132 permits rezoning of lands to industrial if they abut Airport Industrial lands.	<ul style="list-style-type: none">• Per the November 23, 2021 motion of Regional Council, staff are currently undertaking a project to update the range of permissible industrial and commercial land uses in Aerotech Business Park (Case 22009). This will involve applying a service boundary around existing serviced properties and establish a policy for amending this boundary to accommodate any future expansion of Aerotech Business Park.• The 2008 Business Parks Functional Plan suitability analysis shows substantial areas of suitable land remaining in Aerotech Business Park, and the land use regulations restricted the development of non-aviation related uses.	<ul style="list-style-type: none">• No comments were received on this proposal.	<div>Consider in Phase 5: Future Growth<ul style="list-style-type: none">• Case 22009 and significant changes to the planning policy for the Aerotech area are on hold pending technical work from Halifax Water as part of their updated Integrated Resource Plan (IRP), which will provide essential information about servicing in the Aerotech area.• Staff are working with Halifax Water to determine servicing impacts associated with Bennery Lake, as well as future source water supply considerations.• Case 22009 will be advanced alongside Phase 5 of the Regional Plan, which is aligning closely with Halifax Water's IRP process to inform recommendations for servicing capacity and expansion.• Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the area will be studied at that time.</div> <div>Next Steps<ul style="list-style-type: none">• This request will be considered as part of Case 22009 and Phase 5. See Attachment A-6 for additional information.</div>

ATTACHMENT A-5

Regional Plan Review Phase 5 Work Plan Framework

DEVELOP FUTURE GROWTH SCENARIOS AND A STRATEGIC GROWTH AND INFRASTRUCTURE PRIORITIES PLAN

The Regional Plan envisions that Halifax Regional Municipality will grow to be a region supporting one million people. In Phase 5, we will develop and test a range of scenarios for where to direct housing, jobs, and community infrastructure in a way that will support our goals for healthy, connected, and inclusive communities.

A Strategic Growth and Infrastructure Priorities Plan will provide a framework for long-term planning and fiscal management, allowing the Municipality to look ahead and ask: What infrastructure and services will we need? Where will we need this? Why do we need it? When do we need it and how will we pay for it?

Actions	Related Regional Plan Section
Project Population, Housing, and Employment: <ul style="list-style-type: none"> Develop and model several future population and employment scenarios based on relatively stable and uncertain variables. Assess population, housing and employment forecasts and their implications in relation to the available supply of developable land, housing supply and demand, and the provision of a range of housing choices. Assess trends in employment and consider the future distribution of jobs across the region. 	<ul style="list-style-type: none"> Section 2.5 Strategic Growth Planning
Identify Important Natural and Cultural Places: <ul style="list-style-type: none"> Prioritize the open space network and culturally significant places for protection and to shape the region's communities. Identify areas of ecological value and opportunities for connectivity when assessing lands for future development. Identify areas of cultural value, including culturally significant places, heritage resources and cultural landscapes when assessing lands for future development. 	<ul style="list-style-type: none"> Section 2.3 Regional Planning Section 6.4 Protecting and Connecting Open Space Section 6.4.1 Ecological Corridors Section 9.3 Sharing Our Stories Section 9.4.5 Cultural Landscapes Section 10.4.2 Priorities Plans
Identify Climate Hazards and Critical Infrastructure: <ul style="list-style-type: none"> Identify current and future climate change hazards and critical infrastructure at risk to extreme climate events, and direct development away vulnerable places. 	<ul style="list-style-type: none"> Section 6.6 Protecting Critical Infrastructure Section 10.4.2 Priorities Plans

<p>Identify Potential Future New Areas for Serviced Development:</p> <ul style="list-style-type: none"> Assess Urban Reserve lands and developer requests for expansions to the Urban Service Area boundary against Regional Plan policy. 	<ul style="list-style-type: none"> Section 2.5.1 Population Growth and Monitoring Section 2.6.3 Urban Reserve Designation See Site-Specific Requests for consideration in Phase 5 (Attachment A-6).
<p>Assess Urban Growth Areas:</p> <ul style="list-style-type: none"> Review and confirm expected population and employment density in the Regional Centre, based on adopted Centre Plan policy. Work with the Suburban Community Planning team to review and confirm expected population and employment in the Suburban Area, aligned with the Suburban Plan process. 	<ul style="list-style-type: none"> Section 3.4 Urban Area Land Use; Map 3
<p>Assess Rural Centres:</p> <ul style="list-style-type: none"> Review Rural Centres and determine settlement types and expected population and employment density for each centre. Undertake technical studies of groundwater, wastewater management, and mobility, to inform potential for future growth. 	<ul style="list-style-type: none"> Section 3.5 Rural Area Land Use; Map 4
<p>Assess Locations for Water and Wastewater Infrastructure:</p> <ul style="list-style-type: none"> Work with Halifax Water to ensure coordinated and efficient planning of municipal water, wastewater and stormwater infrastructure by assessing projected population and employment growth, the various settlement pattern scenarios, and associated infrastructure requirements for the Halifax Water Integrated Resource Plan. 	<ul style="list-style-type: none"> Section 2.3 Regional Planning Section 2.5 Strategic Growth and Infrastructure Planning Section 10.6 Water and Wastewater Services
<p>Assess Mobility Needs:</p> <ul style="list-style-type: none"> Prepare future population and employment distributions to inform the Regional Transportation Model. Identify existing and potential strategic corridors or additional mobility network connections. Consider the findings of Link Nova Scotia's (formerly the Joint Regional Transportation Agency) Regional Transportation Plan. Consider the findings of the Future Serviced Communities study. Consider the findings of the Subdivision Egress study. 	<ul style="list-style-type: none"> Section 7.6.1 Complete Streets and Strategic Corridors Section 7.6.2 Complete Networks; Map 7

<p>Assess Community Infrastructure:</p> <p><i>Parks, Outdoor and Indoor Recreation:</i></p> <ul style="list-style-type: none"> • Coordinate with Parks & Recreation on the Parks & Outdoor Facilities Plan and Indoor Recreation Facilities Plan, to consider the location and distribution of community facilities when reviewing locations for growth and ensure that services are available or planned to accommodate new development. <p><i>Libraries:</i></p> <ul style="list-style-type: none"> • Consider the location and distribution of libraries when reviewing locations for growth and work with Halifax Public Libraries to ensure that services are available or planned to accommodate new development. <p><i>Schools:</i></p> <ul style="list-style-type: none"> • Consider the location and distribution of schools when reviewing locations for growth and work with the Halifax Regional Centre for Education and Conseil Scholaire Acadien Provincial to ensure that services are available or planned to accommodate new development. <p><i>Emergency Services:</i></p> <ul style="list-style-type: none"> • Consider the location and distribution of emergency service infrastructure when locating growth and work with emergency service providers to ensure that services are available and planned to accommodate new development. • Provide continued support for the development of partnerships to provide a range of community infrastructure and services for residents towards complete communities. 	<ul style="list-style-type: none"> • Section 2.5.2 Strategic Growth and Infrastructure Planning • Section 4.3 Parks • Section 4.4 Community Facilities • Section 4.4.2 Libraries • Section 4.4.3 Public Schools • Section 4.5 Public Safety and Emergency Services
<p>Financial Considerations:</p> <ul style="list-style-type: none"> • To support long-term infrastructure planning, consider financial tools such as infrastructure charges, approaches to capital budgeting and asset management. • Consider investment models that emphasize co-location and planning for infrastructure, services, and other community benefits. 	<ul style="list-style-type: none"> • Section 2.5.2 Strategic Growth and Infrastructure Planning • Section 10.5.5 Infrastructure Charges

UPDATE THE PLANNING FRAMEWORK

To support the municipality's long-term growth, the outcomes of the Strategic Growth and Infrastructure Priorities Plan, and the Suburban and Rural Community Planning programs, consider amendments to the Regional Plan, Regional Subdivision By-Law, all Community Plans and Land use By-Laws to align with the preferred growth scenarios and support building healthy, complete communities.

Actions	Related Regional Plan Section
Review the Regional Land Use Structure <ul style="list-style-type: none"> Continue to apply the Open Space and Natural Resource designation to recognize the value of the Green Network. Consider whether amendments are needed to Regional Plan Maps 1-4, the Urban Service Area boundary, or the Urban Transit Service Boundary, to support the preferred growth scenarios. Consider amending Growth Management policies and/or removing Growth Control Areas in the Beaver Bank/Hammonds Plains Plan Area, where the amendments would support the preferred growth scenarios. 	<ul style="list-style-type: none"> Section 2.3 Regional Planning, Maps 1-4 Section 2.4 Community Planning Section 2.6 Regional Land Use Structure Section 3.3.2 Suburban Community Planning Section 10.5.1 Rural Growth Management
Suburban Community Planning <ul style="list-style-type: none"> Work with the Suburban Planning Program to update the Suburban Area boundary in the Regional Plan as the Suburban Plan process progresses. Amend the Regional Plan to reflect any additional areas for growth that have been identified by the Suburban Planning process. 	<ul style="list-style-type: none"> Section 2.4 Community Planning Section 3.3.2 Suburban Community Planning Map 3
Rural Community Planning <ul style="list-style-type: none"> Review and revise the location of the Rural Centres, to reflect where technical studies have shown there is capacity for increased housing or jobs. Update conservation design development policies to streamline the development process within Rural Centres. Consider how development (particularly subdivision) is permitted in Rural Areas outside of Rural Centres. 	<ul style="list-style-type: none"> Section 2.4 Community Planning Section 3.3.3 Rural Community Planning Section 10.4.4 Conservation Design Developments Map 4
Regional Subdivision By-Law and Development Regulations <ul style="list-style-type: none"> Update the Regional Subdivision By-Law to improve understanding and implementation of subdivision regulations. Complete inventory of legacy subdivisions and identify those which will have development rights until 2031. 	<ul style="list-style-type: none"> Section 10.5 Regional Subdivision By-Law Section 4.3.1 Parks and Outdoor Facilities Priorities Plan Section 6.5.3 Stormwater and Flooding Section 6.7 Transitioning to a Low Carbon Future

<ul style="list-style-type: none">• Amend the Regional Subdivision By-law to reflect the identified Level of Service Standards for parks and outdoor facilities, consistent with the anticipated Parks and Outdoor Facilities Priorities Plan.• Update development regulations to better align with the municipality's goals for protecting the environment, adapting to climate and building resilient communities.• Review the Municipal Design Guidelines to ensure new and existing rights-of-way align with the policies and objectives of the Regional Plan and the Integrated Mobility Plan, and that communities are designed to support connectivity.• Develop green infrastructure standards for stormwater management.• Consider whether further amendments are needed to remove barriers to emerging forms of renewable energy, including small-scale wind energy.	<ul style="list-style-type: none">• Section 10.7 Municipal Design Guidelines
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Attachment A-6:
Site-Specific Amendment Requests for Consideration through the Regional Plan Review Process – Phase 5

Contents

Table 1: Summary 2

Table 2: Urban Reserve 4

Table 3: Urban Service Area Boundary Adjustments 7

Table 4: Service Area Boundary Adjustments - Middle Sackville 17

Table 5: Schedule J – Beaver Bank/ Hammonds Plains Growth Control Area 22

Table 6: Rural Plan Amendment 29

Table 6: Industrial Lands 31

Table 1: Summary

Regional Plan Phase 5: Future Growth		Description
* Requests highlighted and marked with an asterisk (*) are new requests that were received after December 2023		
Urban Reserve Lands [Table 2]		
<ul style="list-style-type: none">Purcell’s Cove Urban Reserve (Case 22257)Kidston Lake Urban Reserve lands (C071) and Spryfield area Holding Zone lands (C070-A, C074, C333)Lands North of Governors Lake, Lakeside and Timberlea (C902)*		Requests to initiate comprehensive secondary planning or to amend the existing designation and zoning for lands designated Urban Reserve, which the Regional Plan envisioned could be considered for future serviced development after 2031.
Service Area Boundary Adjustment [Tables 3 and 4]		
<p>General Area Requests [Table 3]</p> <ul style="list-style-type: none">Smiths Road, Bedford (C089)Montague Golf Course lands, Lake Loon (C325)Lands off Dyke Road, Cow Bay (C328)Lands near Fraser Lake, 2832 St. Margaret’s Bay Road, Timberlea (C337)Temple Terrace, near Glendale Avenue, Lower Sackville (C539)Atholea Drive (C565)Aerotech Comprehensive Development District Lands, Fletchers Lake (C786)Lands at Crane Hill Road and Glasgow Road, East Preston (C807)Lands at Maple Grove Drive and Cobequid Road, Lower Sackville (C809)Lands at Montague Road and Highway 107, Montague Gold Mines (C806)925 Windgate Drive, Beaver Bank (C863)*North Preston Road at Johnson Road, North Preston (C931)*Fall River Road at Hunts Brook Road (C944)*Fall River “Site B”, Fall River Road (C949)*	<p>Middle Sackville Area Requests [Table 4]</p> <ul style="list-style-type: none">Lands near Lindforest Rd, Middle Sackville (C070-B)Lands at the corner of Rosemary Drive and Marigold Drive, Middle Sackville (C070-C)Lands near Little Lake, Middle Sackville (C070-D)Lands North of Highway 101, East of Springfield Estates mobile home park, Middle Sackville (C102)Lands Southeast of Springfield Lake, with frontage on Sackville Drive, Middle Sackville (C310)Lands North of Webber Lake, west of Lucasville Road (C311)Lands North of Springfield Lake, Middle Sackville (C312)Lands with frontage on Orchard Drive and Bambrick Road, Middle Sackville (C314)Lands near Highway 101 and Margeson Drive, Middle Sackville (C319/Case 21639)Lands in the Berry Hills subdivision, Middle Sackville (C320)Springfield Estates, Middle Sackville (C329)Lands to the west of Orchard Drive/Sackville Drive, Middle Sackville (C573)Various Lands East of Springfield Lake, Middle Sackville (C808)	Requests to amend the Urban Service Area boundary and/or the Water Service Area boundary to enable development of properties with municipally provided water and/or wastewater services.
Schedule J – Beaver Bank/Hammonds Plains Growth Control Area [Table 5]		
<ul style="list-style-type: none">Lands West of Sandy Lake and Marsh Lake, Hammonds Plains/ Lucasville (C017)Lands North of Hammonds Plains Road and south of Taylor Lake, Hammonds Plains (C109)Former Pin-Hi Golf Course, Hammonds Plains Road/ Lucasville Road (C317)Lands North of Hammonds Plains Road and south of Taylor Lake, Hammonds Plains (C517)Voyageur Lakes, Hammonds Plains (C522)Lands North of Monarch Drive and east of Beaver Bank Road, Beaver Bank (C103)Lands near Barrett Lake, Beaver Bank (C299)Lands South of Monarch Drive, Beaver Bank (C300)Lands near Kinsac Lake, Kinsac (C117)Lands between Westwood Boulevard and Pockwock Road, Upper Hammonds Plains (C719-A)Lands between Rochester Drive and McCabe Lake Drive, Hammonds Plains (C719-B)342 Beaver Bank Road, Beaver Bank (C785)Beaver Bank Road at Gilby Crescent (C946)*Heatherglen Drive, Beaver Bank (C959)*		Requests to allow development on lands within the Beaver Bank/Hammonds Plains Growth Control Area (Schedule J), which restricts residential subdivision activity within portions of the Beaver Bank and Hammonds Plains communities until transportation infrastructure capacity is increased.

Rural Area Plan Amendment [Table 5]	
<ul style="list-style-type: none"> Canal Cays, Wellington (C541) Highway 277, Dutch Settlement (C960)* Beechcrest Drive and Stonehedges Lane, Waverley (C988)* 71 Dorothy Drive, Head of Chezzetcook (C989)* 	Requests for supportive Regional Plan policy to enable an alternative form of development or increased density for lands currently within the Rural Commuter designation.
Industrial Lands [Table 6]	
<ul style="list-style-type: none"> Industrial lands near Aerotech, Goffs (C508) Sky Boulevard Lands, Goffs (C932)* 	Requests for comprehensive planning for lands within the Regional Plan's Business/ Industrial Sub-designation.

Table 2: Urban Reserve

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment Received During Phase 4 Public Engagement Period	Recommended Approach
Urban Reserve	Case 22257	Purcell's Cove Backlands Urban Reserve (UR zoned lands east of Shaw Wilderness Park)	Staff-initiated.	<ul style="list-style-type: none">Under the Regional Plan these lands are designated Urban Reserve, which envisions future serviced development beyond the life of the Regional Plan (after 2031). However, an urban form of serviced development is no longer envisioned in this area.Phase 4 proposes to re-designate and rezoned the Shaw Wilderness Park lands but maintain the Urban Reserve designation and Urban Reserve Zone on privately-owned lands to the east until further study can be completed (See Attachment A-4).	<ul style="list-style-type: none">On June 8, 2021, Regional Council passed the following motion: "Consider amendments to the Regional Municipal Planning Strategy, the Halifax Secondary Municipal Planning Strategy and Halifax Mainland Land Use By-Law for lands currently designated and zoned Urban Reserve in the Purcell's Cove Backlands area (as shown on Map 1 of this report), through the ongoing Regional Plan Review (Case 22257) in order to protect environmentally significant features in the area, consistent with the policy directions outlined in this report."	<ul style="list-style-type: none">Many comments express strong support for protecting the environment in the Purcell's Cove Backlands and preventing development in the area.Comments highlight the unique ecosystem of the area.The proposed approach during public engagement in 2023 suggested that development be located 250m from the road. Residents generally expressed that this distance is too large.The fire-prone ecology means that fire mitigation plans should be developed for the area.Suggestion to designate a portion of these lands a Healing Forest – a nationwide program supporting green spaces dedicated to reconciliation between Indigenous and non-Indigenous people.	Phase 5: Future Growth <ul style="list-style-type: none">The proposed Regional Plan maintains the Urban Reserve designation and Urban Reserve Zone on privately-owned lands to the east and identifies that a land suitability assessment will be undertaken to consider how to apply the Rural Commuter designation and an appropriate community plan designation, zone, land uses, development density, site design, and built form standards. This work will be undertaken as part of Phase 5.
Urban Reserve	C071	Lands near Kidston Lake, off Leiblin Drive and Old Sambro Road, Spryfield (PIDs 00283283; 40872053; 00315283; 00315291)	Request from Sightline Planning + Approvals (formerly KWR Approvals Inc.) on behalf of North American Real Estate to amend the current planning policy to allow for development on these lands. Number of housing units proposed by Applicant: 4,800 units	<ul style="list-style-type: none">Under the Regional Plan, the majority of the lands are designated Urban Reserve, which envisions future serviced development beyond the life of the Regional Plan (after 2031)Lands southwest of the Leiblin Drive development are designated Rural Commuter and envisioned for industrial commercial development by the Planning District 5 MPS	<ul style="list-style-type: none">Regional Plan policy envisions these lands will be considered for serviced development after 2031.The Halifax Green Network Plan identifies the ecological and cultural value of this area, including the International Biological Program (IBP) area south of Kidston Lake.Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness areas and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.	<ul style="list-style-type: none">Many comments expressed concern about the effect of development on the Kidston Lake watershed, such as how stormwater runoff from homes and roads will affect water quality and nearby wetlands.Comments expressed concern regarding traffic, and the existing road system is perceived as inadequate for increased traffic levels. Comments identify a need for a comprehensive transportation strategy for the broader area.Comments highlighted that school availability may be an issue, as local schools are crowded.Comments suggested impacts to wildlife should be considered, including birds and coyotes.There is some interest in the proposal including moderate scale housing forms and affordable housing options.	Phase 5: Future Growth <ul style="list-style-type: none">Planning for development in this Urban Reserve area will be considered after the completion of study and planning for future serviced communities in the Urban Settlement designation. This is in keeping with the existing Regional Plan policy which envisioned these lands will be considered for serviced development after 2031.In Phase 5, staff will undertake a Strategic Growth and Infrastructure Priority Plan. Should this area be confirmed as a location for future growth, staff will recommend to Regional Council whether background study to support future master planning in this area should commence. Background studies would include ecological and cultural considerations, as well as baseline transportation and water and wastewater infrastructure studies.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment Received During Phase 4 Public Engagement Period	Recommended Approach
Urban Reserve	C070-A	Clifton Heights subdivision, Spryfield area, Halifax (PIDs 00325985, 00330803, 00330811, and 00319871)	Request from Armco Capital Inc. to extend Urban Service Area boundary to allow for serviced development on the full extent of these lands, related to an active subdivision application (File #22930)	<ul style="list-style-type: none"> Under the Regional Plan, these lands are designated Urban Settlement and located outside the Urban Service Area boundary. Policy SU-4 sets out the circumstances under which the Urban Service Area boundary can be extended. Under the Halifax MPS/Mainland South Secondary Plan, the lands are designated RDD and zoned Holding. The lands are envisioned to be comprehensively developed when services are made available. The Halifax Mainland policy identifies environmentally sensitive features in the area that should be protected, including tree cover, exposed bedrock, wetlands and streams and steep slopes. 	<ul style="list-style-type: none"> The Herring Cove Road Functional Plan has highlighted significant transportation constraints for the Herring Cove Road area as a result of existing and planned development in the area. A land use component of the Functional Plan has yet to be completed. The Rapid Transit Strategy has proposed a Bus Rapid Transit (BRT) line along Herring Cove Road. The focus for significant additional development in the Spryfield area should be within the 800 metre walkshed. These lands at the edge of that area, so a lower density may be appropriate. 	<ul style="list-style-type: none"> Traffic congestion on Herring Cove Road was identified as an issue. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C071 above
Urban Reserve	C074	Lands to the southwest of Herring Cove Road, Spryfield Area, Halifax (PID 41182643)	Request from Stephen Adams, on behalf of the property owners, to extend the Urban Service Area boundary to allow for serviced development on the full extent of these lands.				
Urban Reserve	C333	Lands to the southwest of Herring Cove Road, Spryfield Area, Halifax (PIDs 00277228, 00319871, 00330811, 00325985, 00330803, 41182643, 00330795, 00277913, 41282179)	Request from Stephen Adams on behalf of the property owners to rezone lands in this area to R-2				

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment Received During Phase 4 Public Engagement Period	Recommended Approach
Urban Reserve	C902*	<p>Lands North of Governors Lake, Lakeside and Timberlea</p> <p>(PIDS 40143471; 00404632; 41222472; 40027237; 40143489; 40143521; 40026395; 40027435; 40143422; 41222621; 40025264; 40160640; 40381659; 41219106; 41224882; 40160731; 40026387; 41222480; 40026403; 40143513; 41224890; 40026726)</p>	Request from Fathom Studios, on behalf of Parkdale Developments, to extend the serviceable boundary to allow for serviced development.	<ul style="list-style-type: none"> Under the Regional Plan, these lands are designated Urban Reserve, which envisions future serviced development beyond the life of the Regional Plan (after 2031) Portions of the lands are designated Holding Area (H) under the Halifax Mainland SMPS and Mixed Resource (MR) in the Timberlea/ Lakeside/Beechville SMPS. The lands are zoned Urban Reserve (UR) in the Halifax Mainland and the Timberlea/ Lakeside/Beechville land use by-laws. There are several watercourses, wetlands greater than 2000sqm on the lands, as well as a wetland of special significance on the lands. The lands share their Northern border with the Blue Mountain – Birch Cove Lakes (BMBCL) partnership lands. 	<ul style="list-style-type: none"> Regional Plan policy envisions these lands will be considered for serviced development after 2031. Consider this request in relation to the Regional Plan's strategic growth objectives and follow policy guidance found in the Halifax Green Network Plan (HGNP). Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Planning for development in this Urban Reserve area will be considered after the completion of study and planning for future serviced communities in the Urban Settlement designation. This is in keeping with the existing Regional Plan policy which envisioned these lands will be considered for serviced development after 2031. In Phase 5, staff will undertake a Strategic Growth and Infrastructure Priority Plan. Should this area be confirmed as a location for future growth, staff will recommend to Regional Council whether background study to support future master planning in this area should commence. Background studies would include ecological and cultural considerations, as well as baseline transportation and water and wastewater infrastructure studies.

Table 3: Service Area Boundary Adjustments

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C089	24 and 30 Smiths Road, Bedford (PIDs 00419226 and 00419101)	Request from Ramar Developments Ltd. to extend central services to this property and re-designate to permit the creation of five new lots.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area Lands are adjacent to the Sandy Lake and Bedford West Regional Plan growth centres, and within the Sandy Lake watershed area. Under the Bedford MPS and LUB, the lands are zoned for Residential Single Unit uses. 	<ul style="list-style-type: none"> These lands are near the Bedford West Sub Areas 1 and 12, and Sandy Lake Special Planning Areas. Sandy Lake is being considered as a Future Serviced Community, and comprehensive planning has begun as of May 2025. The Sandy Lake watershed study (completed in 2014) recommended advanced stormwater management and removing septic systems as a mitigation measure to limit phosphorus runoff into Sandy and Marsh Lakes. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Regional Planning staff will monitor the progress of comprehensive planning for the Sandy Lake Future Serviced Community and recommend aligning an approach to these lands in coordination with that process. It is anticipated that this will occur in Phase 5, at which time staff will: <ul style="list-style-type: none"> Consider re-designating these lands to Urban Settlement, consistent with the designation in the Bedford West and Sandy Lake area; Consider whether it is appropriate to extend the Urban Service Area boundary to align with the Urban Settlement designation. This will require consultation with Halifax Water.
Urban Service Area Boundary Adjustment	C325	Montague Golf Course lands, between Montague Road and Lochmoor Lane, Lake Loon (PID 00624668)	<p>Request from Fathom Studio on behalf of the property owner to include these lands within the Urban Service Area boundary, to enable a development agreement for a 6-storey apartment building for seniors.</p> <p><i>Please note that the applicant has since submitted an application (PLANAPP 2023-01187) for a development agreement to permit shared housing with special care on this property.</i></p>	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development. The lands are outside the Urban Service Area but within the Water Service Area (municipal water services are available, but not wastewater services) The lands are 500m north of the Westphal Urban Local Growth Centre and the current extent of the Urban Service Area The majority of the property is included within the Cole Harbour/Westphal Community Plan Area, with the road frontage of the property within the North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston Plan Area. There is an existing development agreement on this property that permits a 9-hole golf course, sleigh wagon ride operation, and uses permitted within the R-1 Zone, Cole Harbour/Westphal LUB. Policy UR-10 permits multiple unit dwellings over 6 units if services are available, by development agreement. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives, and in relation to a review of the Regional Plan's growth centres If brought forward by the Province, the Cherry Brook Bypass may cross Montague Road just north of this property. A future interchange in this area may impact the growth pattern in this area. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development and follow policy guidance found in the Halifax Green Network Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Amendments to the Urban Settlement designation and Urban Service Area boundary in this area are not recommended until further study of community growth and infrastructure in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Lake Loon area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development in the longer term; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan; Consider what public engagement will be required.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Water Service Area Boundary Adjustment	C328	Lands off of Dyke Road, Cow Bay (PID 00369397)	<p>Request from Fathom Studio on behalf of Silver Sands Realty Ltd. to include these lands within the Water Service Area boundary and rezone to R-1, to enable residential subdivision.</p> <p>Number of housing units proposed by Applicant: 50 to 60 lots.</p>	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, outside of the Urban Service Area. The lands are not within or adjacent to a Regional Plan growth centre. Existing Regional Plan policies SU-13 to SU-16 set out the circumstances under which Water Service Areas may be established or expanded. The lands are not currently eligible for Conservation Design Development, as they fall within the Rural Area designation under the Eastern Passage/ Cow Bay MPS. The Eastern Passage/ Cow Bay MPS envisions that the rural character of this area will be maintained. 	<ul style="list-style-type: none"> Any adjustment to the Cow Bay Control Area must be considered cautiously, in relation to the Regional Plan's strategic growth objectives. The western side of the lands abuts the Cow Bay River. As part of the background study for the Morris Lake Expansion lands, there may be additional information learned about this watershed and the Cow Bay River floodplain. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development and follow policy guidance found in the Halifax Green Network Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Amendments to Regional Plan and SMPS policy to enable additional subdivision in the Cow Bay area are not recommended until further study of future community growth and infrastructure planning in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Eastern Passage/Cow Bay area will be studied at that time, and will: <ul style="list-style-type: none"> - Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development in the longer term; - Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; - Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with Green Network Plan objectives; - Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan; - Consider what public engagement will be required.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C337	Lands near Fraser Lake, 2832 St. Margaret's Bay Road, Timberlea (PIDs 40054306, 40054363, 40261729, 40689358, 40319550)	<p>Request by Clayton Development Limited to extend the Urban Service Area boundary to enable residential development with municipal water and wastewater services.</p> <p>Number of housing units proposed by Applicant: 690 units</p>	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. Under the Timberlea/ Lakeside/ Beechville MPS, the lands are within the Urban Residential designation. Policy UR-1 envisions this designation as a priority area for continuing residential development; however, this is not supported by Regional Plan policy. The lands are not located in or adjacent to a Regional Plan growth centre. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development and follow policy guidance found in the Halifax Green Network Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Many comments express concern about the environmental impact of this development, such as impacts to water quality, wetlands, watercourse, wildlife, flooding of nearby areas, clear cutting impacting lake water supply, and impacts to aquatic wildlife. There is interest in whether an environmental impact study has been completed. There are traffic concerns as there are not many roadways or sidewalks near the development area and it is not well serviced by transit. Concern that the development is too dense for the area. Need for investments in the area if the development goes ahead – sidewalks, transit, and school capacity. Need for more accessibility to nearby parks and trails incorporated into the development. Previous public comments received in Phase 3: <ul style="list-style-type: none"> Strong opposition to development on this site Concern about the ecological integrity of the site, the impact of increased traffic from a development of this size, and how it will impact water quality and nearby wilderness area. Concern about a change to the Urban Service Boundary Comments on the need for improved engagement, improved transit and the need for park programming, park planning and park acquisition. The importance of the IMP, HGNP, and wildlife corridors. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> This area was identified as a priority area for growth under the Timberlea/ Lakeside/ Beechville MPS; however, it is not considered a growth area under the Regional Plan, and the Halifax Green Network Plan has identified important environmental values on the lands. Amendments to the Regional Plan and SMPS policy to enable serviced development in this area of Timberlea is not recommended until further study of future community growth, environmental constraints and infrastructure planning in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Timberlea area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development in the longer term; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; Consider environmental implications, such as watersheds impacts, constraints such as floodplains and wildlife corridors, and explore opportunities for landscape connectivity, consistent with Green Network Plan objectives; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan; Consider what public engagement will be required.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C539	85 Temple Terrace, Lower Sackville (PID 03016595)	<p>Request from Fathom Studio on behalf of StoneRidge Fellowship Baptist Church, to include the northern section of the lands within the Urban Service Area, re-designate the lands to the Urban Settlement designation, and rezone the property to allow for a medium density residential development.</p> <p>Number of housing units proposed by Applicant: 794 units, mix of single, townhome, and multi-unit dwellings.</p>	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. A portion of the property is located within the Urban Local Growth Centre (Lower Sackville). Wetlands and watercourse located on the northern portion of the property. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Comments included support for the development, happy to see a mix of townhouses and apartments being included. An additional letter from the property owner was submitted, explaining how the proposed development relates to the municipality's smart growth goals. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Amendments to the Regional Plan and SMPS policy to enable serviced development in this area is not recommended until further study of future community growth, environmental constraints and infrastructure planning in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Lower Sackville Area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; Consider environmental implications, such as watershed impacts, constraints such as floodplains and wildlife corridors, and explore opportunities for landscape connectivity, consistent with Green Network Plan objectives; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan.
Urban Service Area Boundary Adjustment	C809	35 Gillis Lane and 474 Cobequid Road, Lower Sackville (PIDs 40094443 and 40094450)	<p>Request from Stanley Gordon, Vera Gillis, Lynn Woolliscroft Gillis, Andrew Jennings-Lindsay to extend the Urban Service Area boundary and permit mixed use development on the lands.</p> <p>Proposed units: Estimated by the applicant at 512 units</p>	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. A portion of property is located within the Urban Local Growth Centre (Lower Sackville). A small portion of the property has water frontage on First Lake. 	<ul style="list-style-type: none"> The request cannot be considered as part of the Suburban Plan, as requested by the applicant, until it has been determined that the lands should be included within the Urban Area and the Urban Service Area boundary. Note that this request is in the same section of Cobequid Road as C539 above. Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness areas and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Same as C539 above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C565	Atholea Drive, Cole Harbour (PIDs 41519596, 41513557, 00559963, 00559955, 41199183, 41199175, 41199167, 41199159, 41199142)	Request by Fathom Studio to include the lands within the Urban Service Area for low to medium density residential development. Number of housing units proposed by Applicant: 548 units, mix of singles and townhomes	<ul style="list-style-type: none"> Under the Regional Plan the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. The lands are located approximately 500m from the Morris Lake Conceptual Growth Centre Lands have wetlands, watercourses, floodplains, and a lack of access to additional street connections. 	<ul style="list-style-type: none"> These properties are adjacent to the Morris Lake Expansion Special Planning Area, which is being studied as a potential Future Serviced Community. This study includes a watershed study, land suitability analysis, review of transportation infrastructure and water and wastewater infrastructure. The results of this study is expected in Summer 2025, with a recommendation for next steps expected in Fall 2025. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Amendments to the Regional Plan and SMPS policy to enable serviced development in this area are not recommended until further study of future community growth, environmental constraints and infrastructure planning in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Cole Harbour area will be studied at that time, and will: <ul style="list-style-type: none"> - Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development; - Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; - Consider environmental implications, such as watershed impacts, constraints such as floodplains and wildlife corridors, and explore opportunities for landscape connectivity, consistent with Green Network Plan objectives; - Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan. Regional Planning staff will monitor the progress of the Future Serviced Communities study for the Morris Lake Expansion Lands to understand the surrounding context.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C786	<p>Lands adjacent to Highway 102 and the Highway 102 Aerotech Connector in Fletchers Lake</p> <p>(PIDs 00527861, 41356841, 00529248, 41356858, 41461625, 41334459, 00515601, 00515874, 40149551)</p>	<p>Request by Clayton Developments Limited, on behalf of Aerotech Developments GP Limited, 4538217 Nova Scotia Limited, and Municipal Enterprises Limited, to extend the Urban Service Area boundary to enable residential and commercial development with municipal water and wastewater services.</p> <p>Number of housing units proposed by Applicant: 7000-8000 multifamily and ground-based dwellings</p>	<ul style="list-style-type: none"> Under the Regional Plan the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area Under the Planning Districts 14 & 17 MPS the lands are across the resource, residential, mixed residential, and airport industrial designations. The lands are not in a growth centre but have proximity to the existing River-Lakes/Fall River Rural Growth Centre. Portions of the lands are in the River-Lakes Secondary Plan, which guides the provision of services and future development to maintain the rural village atmosphere and rural character of the River-Lakes communities. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. This development proposes a significant expansion of serviced development in an area that has thus far only been considered for a rural settlement pattern. The Highway 102 Aerotech Connector highway (currently under construction) will run through these lands. Environmental considerations include impacts on the Collins Park Watershed, and large wetlands in the area. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	<p>Phase 5: Future Growth</p> <ul style="list-style-type: none"> Amendments to the Regional Plan and SMPS policy to enable serviced development in this area are not recommended until further study of future community growth, environmental constraints and infrastructure planning in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Lower Sackville Area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; Consider environmental implications, such as watershed impacts, constraints such as floodplains and wildlife corridors, and explore opportunities for landscape connectivity, consistent with Green Network Plan objectives; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C806	Lands at Montague Road and Highway 107, Montague Gold Mines (PID 00249680)	Request by KRW Approvals, on behalf of the property owner, to extend the Urban Service Area boundary and include the lands in the Suburban Plan, and rezone to R-1.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. The site is adjacent to the Port Wallace Urban District Growth Centre, which envisions a mix of residential housing densities and commercial, institutional, and recreation uses. Under the Cole Harbour / Westphal MPS the lands are designated Urban Residential along Montague Road, and Rural Residential on the rest of the property. 	<ul style="list-style-type: none"> The request cannot be considered as part of the Suburban Plan, as requested by the applicant, until it has been determined that the lands should be included within the Urban Area and the Urban Service Area boundary. It is noted that these lands are in the area potentially impacted by historic Montague Mine Tailings. Any potential environmental contamination would need to be studied and understood before any development on this site could be considered. If environmental contamination can be addressed, this request should be considered in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	Phase 5: Future Growth <ul style="list-style-type: none"> Amendments to the Urban Settlement designation and Urban Service Area boundary in this area are not recommended until further study of community growth and infrastructure in this area can be completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to determine whether these lands may be appropriate for serviced development in the longer term; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; Consider environmental implications, such as watershed impacts, constraints such as environmental contamination, floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan; Consider what public engagement will be required.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C807	Lands at Glasgow Road and Highway 7, East Preston (PID 41058439)	Request from Sightline Planning + Approvals (formerly KWR Approvals Inc.) on behalf of the property owners, to extend the Urban Service Area boundary and include the lands in the Suburban Plan.	<ul style="list-style-type: none"> Under the Regional Plan the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. The North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston The lands are not in a growth centre but have proximity (~0.6km) to the East Preston Rural Local Centre which envisions a mix of low to medium density residential, convenience commercial, institutional and recreational uses. East Preston is near to North Preston, which is within the Urban Service Area boundary and has municipal water and wastewater service. There are wetlands and watercourses present on the site, including a wetland of special significance. There is a very large wetland at the North of this site. 	<ul style="list-style-type: none"> The request cannot be considered as part of the Suburban Plan, as requested by the applicant, until it has been determined that the lands should be included within the Urban Area and the Urban Service Area boundary. East Preston is an historic African Nova Scotian Community. Planning & Development has created an African Nova Scotian Community Action Planning team, designed to work with African Nova Scotian Communities on their community and economic development goals. The African Nova Scotian Road to Economic Prosperity includes several actions directing HRM to work directly with ANS communities on land use planning and service provision. Lands in Westphal, owned by Akoma Holdings Ltd on the former NS Home for Coloured Children site are currently being studied for potential servicing through the Future Serviced Communities study. The findings of that study may provide an understanding of servicing constraints and opportunities in the general area. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	Phase 5 – Future Growth <ul style="list-style-type: none"> Before amendments can be made to include these lands within the Urban Service Area boundary, further work must be undertaken with the applicant and the East Preston community to understand their community growth objectives and how they may relate to infrastructure and service provision. African Nova Scotian Community Action Planning program works with ANS Communities that have identified priorities for change. There may be opportunities to consider adjustments to zoning or other development issues in the short term, while work is ongoing to address broader infrastructure and servicing issues. During Phase 5 of the Regional Plan Review, staff will undertake a Strategic Growth and Infrastructure Priority Plan, which will consider opportunities for serviced development to support ANS Communities.
Urban Service Area Boundary Adjustment	C863*	925 Windgate Drive, Beaver Bank (PID 40118648)	Request from Mirus Homes to include the lands in the Urban Service Area boundary.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, which envisions a rural pattern of development, and are outside the Urban Service Area. The site is not located in a growth centre. Under the Beaver Bank, Hammonds Plains and Upper Sackville MPS the lands are designated Mixed Use A (MUA). 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C806 above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C931*	Lands at North Preston Road at Johnson Road, North Preston (PID 00642462)	Request by ZZap on behalf of the property owner, to extend the Urban Service Area boundary to facilitate applicable MPS DA policies for a residential development.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation and a small sliver of Open Space and Natural Resources designation. The Rural Commuter designation, which envisions a rural pattern of development. A portion of the land is inside the Urban Service Area and a portion is located outside the Urban Service Area. Under the North Preston, Lake Major, Lake Loon, Cherry Brook, and East Preston the lands are designated Mixed Use. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. North Preston is an historic African Nova Scotian Community. Planning & Development has created an African Nova Scotian Community Action Planning team, designed to work with African Nova Scotian Communities on their community and economic development goals. The African Nova Scotian Road to Economic Prosperity includes several actions directing HRM to work directly with ANS communities on land use planning and service provision. The proposed Regional Plan includes policy to clarify when an extension to the Urban Service Area boundary can be considered minor. It should be noted that there are many parcels within the North Preston community that are partially within the Urban Service Area boundary. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Further information on the infrastructure capacity of the water and wastewater systems in North Preston is required. As part of Phase 5, staff will undertake a Strategic Growth and Infrastructure Priority Plan and consult with Halifax Water on their Integrated Resource Plan. This process will provide information on whether this adjustment could be considered minor, or if additional infrastructure capacity is required before a major adjustment is required.
Water Service Area Boundary Adjustment	C944*	Fall River Road at Johnson Road, Fall River (PIDs 40521841 and 00507046)	Request by Design Point on behalf of the property owner, to extend the Water Service Boundary for new land development in Fall River	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation which envisions a rural pattern of development. The lands are located just outside the Water Service Area. Under the Planning Districts 14 & 17, the lands are designated Residential In the 2014 Regional Plan, a sliver of the property is located within the Rural Commuter Centre Conceptual Growth Centre, but primarily located outside. Note that under the proposed Regional Plan includes the entire holding within the Fall River/ River Lakes Rural Growth Centre, as the property is located within the River-Lakes Secondary Plan. The Regional Plan sets out the conditions through which a Water Service Area can be extended. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C806 above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C949*	1085-1109 Fall River Rd, Fall River (PID 00506501 and PID 41541640; also known as the Site B “Carr Farm” site)	Request by Design Point on behalf of the property owner to extend the Urban Service Area Boundary to enable municipal wastewater connection for proposed seniors oriented units.	<ul style="list-style-type: none">Under the Regional Plan, the lands are within the Rural Commuter designation which envisions a rural pattern of development. The lands are located inside the Water Service Area.The property is located within the River-Lakes Secondary Plan and identified as Site B – Fall River Village North Residential Opportunity Site (“Old Carr Farm”) to consider alternative housing options.The lands have been designated a Special Planning Area by the Minister of Municipal Affairs and Housing.	<ul style="list-style-type: none">Consider this request in relation to the Regional Plan’s strategic growth objectives.Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan’s objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water’s Infrastructure Master Plan.	<ul style="list-style-type: none">This is a new request. No public comments have been received.	Phase 5: Future Growth <ul style="list-style-type: none">Same as C806 above

Table 4: Service Area Boundary Adjustments - Middle Sackville

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C070-B	Lands with frontage on Old Sackville Road and Lindforest Court, Middle Sackville (PIDs 40695504, 40123788, and 41315946)	Request from Armco Capital Inc. to extend the Urban Service Area boundary to allow for serviced development in this area.	<ul style="list-style-type: none">Under the Regional Plan, designated Rural Commuter and within the Middle Sackville Urban Local Growth CentrePID 40695504 is zoned CDD, and referenced in Regional Plan Policy SU-6, which states that “HRM shall consider the extension of municipal wastewater and water distribution services to these properties to allow for a residential subdivision by development agreement” subject to meeting several criteria	<ul style="list-style-type: none">In 2022, Halifax Water indicated that these lands are tributary to a wastewater main that does not meet the minimum size requirements of Halifax Water’s Design Specification, and as a result, additional analysis is required. Therefore, these lands will be considered in the broader study of Middle Sackville planned for Phase 5 (see C070-C below).	<ul style="list-style-type: none">No comments were received on this proposal.	Phase 5: Future Growth <ul style="list-style-type: none">Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Middle Sackville Area will be studied at that time, and will:<ul style="list-style-type: none">Consider which lands in the Middle Sackville area may be appropriate for serviced development in the short term, and which should be considered in the longer term horizon;Study the current and future potential development pattern in the Middle Sackville area (considering existing development, ongoing as-of-right subdivision applications, ongoing enabled planning applications, and requests received through the Regional Plan Review process) to understand the area’s infrastructure planning needs;Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in the area;Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan;Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan;Consider past and ongoing public engagement in the area, including the Middle – Upper Sackville & Lucasville Community Visioning program, and consider what, if any additional public engagement is required.
Urban Service Area Boundary Adjustment	C070-C	Lands at the corner of Rosemary Drive and Marigold Drive, Middle Sackville (Berry Hills subdivision, PID 41437229)	Request from Armco Capital Inc. to extend the Urban Service Area boundary to allow for serviced development on this parcel	<ul style="list-style-type: none">Under the Regional Plan, the majority of lands are designated Rural Commuter which envisions a rural pattern of development. A small portion of the property is within the Urban Settlement designation.The lands are not within or adjacent to a Regional Plan growth centre	<ul style="list-style-type: none">Any significant expansion to the Urban Settlement designation and Urban Service Area Boundary must be considered carefully in relation to the Regional Plan’s strategic growth objectives.The Middle Sackville area is facing increased pressure for housing development, and these requests should be considered with a long-term vision for the area.Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan’s objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water’s Infrastructure Master Plan.The “Middle – Upper Sackville & Lucasville Community Vision” completed in 2011 should be used to inform future planning work.	<ul style="list-style-type: none">No comments were received on this proposal.	

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C070-D	Lands near Little Lake, Middle Sackville (PIDs 40151185, 41215419, 41215427, 40140501, and 41284449)	Request from Armco Capital Inc. to extend Urban Service Area boundary northward to the CN Rail Line to allow for serviced development on the full extent of these lands	<ul style="list-style-type: none"> Under the Regional Plan, the lands are split designated Urban Settlement/ Rural Commuter. The portion of the lands outside the Urban Settlement designation / Urban Service Area are designated Rural Commuter, which envisions a rural pattern of development. The lands are not within or adjacent to a Regional Plan growth centre 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above
Urban Service Area Boundary Adjustment	C102	Lands north of Highway 101, east of Springfield Estates mobile home park, Middle Sackville (PID 00475442)	Request from Ramar Developments Ltd., for the property to be included within the Urban Service Area boundary to enable serviced development	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. There is a large wetland mapped on Schedule G of the Beaver Bank, Hammonds Plains, Upper Sackville Land Use Policy, which cannot be developed pursuant to Regional Plan Policy E-15. The lands are not within or adjacent to a Regional Plan growth centre. 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above
Urban Service Area Boundary Adjustment	C310	Lands southeast of Springfield Lake, with frontage on Sackville Drive, Middle Sackville (PID 40167561)	Request from Brycon Construction for this property to be included within the Urban Service Area boundary to enable serviced development of these lands	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and are outside of the Urban Service Area. The lands are not within or adjacent to a growth centre. 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C311	Lands north of Webber Lake, west of Lucasville Road (PID 40123614)	Request from Marchand Developments Ltd. to re-designate these lands to the Urban Settlement and extend the Urban Service Area boundary to enable development of a multi-unit residential building on municipal services	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and are outside of the Urban Service Area. The lands are at the edge of the Middle Sackville Urban Local Growth Centre, and east of lands within the study area for the Middle Sackville Master Plan. The portion of the lands adjacent Webber Lake are designated and zoned Flood Plain under the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB. 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above
Urban Service Area Boundary Adjustment	C312	Lands north of Springfield Lake, Middle Sackville (PIDs 41302837, 41305020, 41047655, 41491853, 41302829, 41077603)	Request from Marchand Developments Ltd. to re-designate these lands to the Urban Settlement and extend the Urban Service Area boundary to allow for serviced development in this area	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and are outside of the Urban Service Area. Under the Beaver Bank, Hammonds Plains, and Upper Sackville MPS, the lands are designated Mixed Use, Rural Resource, and Springfield Lake. The Springfield Lake designation recognizes that Springfield Lake itself is an environmentally sensitive headwater lake, and development in this area must be balanced with the protection of natural systems through careful stormwater management and water quality monitoring. 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above
Urban Service Area Boundary Adjustment	C314	Lands with frontage on Orchard Drive and Bambrick Road, Middle Sackville (PID 40699845)	Request from Sunrose Land Use Consulting, on behalf of Shoreham Development Limited, to extend the Urban Service Area boundary to allow for serviced development in this area	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. The lands are at the edge of the Middle Sackville Urban Local Growth Centre. 	<ul style="list-style-type: none"> Same as C070-C above 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C319/ Case 21639	Lands near Highway 101 and Margeson Drive, Middle Sackville (PIDs 40281479, 40123598, 41287129, 40123606)	Request from Armco Communities to consider extending both municipal water and wastewater service to these lands	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. The lands are within the Middle Sackville Urban Local Growth Centre, and within the Middle Sackville Master Plan study area, identified as Phase 3 (Case 21639) PID 40281479 is zoned CDD, and referenced in Regional Plan Policy SU-6, which states that “HRM shall consider the extension of municipal wastewater and water distribution services to these properties to allow for a residential subdivision by development agreement” subject to meeting several criteria. However, under the Middle Sackville Master Plan, the applicant has requested this parcel be considered for highway commercial uses. 	<ul style="list-style-type: none"> Same as C070-C above Also, as the lands are currently part of the Middle Sackville Master Plan study area, alternative direction may be required from Regional Council to proceed with a different approach to these lands. 	<ul style="list-style-type: none"> Letter received from the Cobequid Cultural Society reiterating request for appropriate zoning and a purchase and sales agreement from HRM to build a performing arts centre on these lands. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above
Urban Service Area Boundary Adjustment	C320	Lands in the Berry Hills subdivision, Middle Sackville (PID 41496621)	Request from Armco Communities to consider extending the Urban Service Area boundary to these lands to allow for serviced residential development in this area	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. The lands are directly to the north of the Urban Settlement designation and Urban Service Area boundary. The lands are not within or adjacent to a growth centre. 	<ul style="list-style-type: none"> Same as C070-C above. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Urban Service Area Boundary Adjustment	C329	Springfield Estates mobile home park, Middle Sackville (PID 40152845)	Request from Westphal Court Ltd., operating as Springfield Estate Manufactured Housing Community, to extending the Urban Service Area or the Water Service Area boundary to these lands to enable connection for municipal water services.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. The lands are not within or adjacent to a growth centre. The Beaver Bank, Hammonds Plains and Upper Sackville SMPS recognizes difficulties with the park's sewage treatment plant and water quality issues with the water distribution system. 	<ul style="list-style-type: none"> Same as C070-C above. Consider whether there is a health risk associated with the existing water source, which is Little Springfield Lake, which the proponent says is unprotected and can provide seasonally poor water quality. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above.
Urban Service Area Boundary Adjustment	C573	1766 Sackville Drive, Middle Sackville (PID 40153363). Lands to the west of Orchard Drive/Sackville Drive, Middle Sackville	Request from Reno's & Restoration Group Inc. to extend the Urban Service Area to those lands to accommodate serviced residential development in this area.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter which envisions a rural pattern of development. The lands are outside but very close to the existing Urban Service Area boundary where it extends to the Rosemary Drive/Orchard Drive- Sackville Drive intersection. The lands are 440 metres north of Middle Sackville Urban Local Growth Centre 	<ul style="list-style-type: none"> Same as C070-C above. 	<ul style="list-style-type: none"> No comments were received on this proposal. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above.
Urban Service Boundary Adjustment	C808	Various properties east of Springfield Lake, Middle Sackville (PIDs 40418824, 40662777, 4066973, 40676215, 40829657, 41018763, 41060435, 41070921, 41070939, 40162943, 40573446, 40705154, 40788713, 41294463, 41294471, 41346099, 40326217)	Request from Sightline Planning + Approvals (formerly KWR Approvals Inc.) on behalf of Fenerty Developments to include the lands within the Urban Settlement Designation and the Urban Service Area boundary to allow for serviced development in this area.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development. The lands are directly to the north of the Urban Settlement designation and Urban Service Area boundary. The lands are not within or adjacent to a growth centre. Portions of these lands are in wetlands greater than 2000sqm. There are also watercourses present on several of these properties. 	<ul style="list-style-type: none"> Same as C070C-C above. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C070-C above.

Table 5: Schedule J – Beaver Bank/ Hammonds Plains Growth Control Area

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Hammonds Plains Growth Control Area							
Schedule J (Hammonds Plains)	C017	Lands West of Sandy Lake and Marsh Lake, Hammonds Plains/ Lucasville (PIDs 40203697, 40203671, 40203721)	Request from Sunrose Land Use Consulting on behalf of United Gulf to consider secondary planning for these lands in conjunction with adjacent Sandy Lake lands	<ul style="list-style-type: none">Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and calls for focusing growth within centres and controlling growth outside of those centres.PIDs 40203671 and 40203721 are within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity.	<ul style="list-style-type: none">Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives.Consider the appropriate role for these lands in relation to the proposed Sandy Lake growth centre, Marsh Lake conservation lands, and connections to the Lucasville area.Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.	<ul style="list-style-type: none">No comments were received on this proposal.	Phase 5: Future Growth <ul style="list-style-type: none">Amendments to Regional Plan policy for the Hammonds Plains Growth Control Area are not recommended until further study of future community development and infrastructure planning in this area can be completed.Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Hammonds Plains Growth Control Area will be studied at that time, and will:<ul style="list-style-type: none">Study population growth and settlement patterns to estimate which lands may be appropriate for new serviced development;Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area;Consider and prioritize the need for increased community connections and emergency egress;Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan;Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan.Consider what public engagement will be required.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Hammonds Plains)	C109	Lands north of Hammonds Plains Road and south of Taylor Lake, Hammonds Plains (PIDs 00457564 and 00422980)	Request from Brighter Community Planning & Design to remove these lands from Schedule J to enable residential subdivision.	<ul style="list-style-type: none"> Under the Regional Plan, the property is designated Rural Commuter, where a rural pattern of development is envisioned. A portion of the lands is within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives. Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Concern that the infrastructure in the area is insufficient to accommodate growth. Increased traffic on Hammonds Plains Road is a concern, as traffic levels are already high. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C017 above
Schedule J (Hammonds Plains)	C317	Former Pin-Hi Golf Course, Hammonds Plains Road and Lucasville Road, Hammonds Plains (PIDs 00425512 and 00422535).	Request from Stonehouse Golf Group, to extend the Water Service Area to allow for serviced development in this area. A portion of the properties are within the water services area	<ul style="list-style-type: none"> Under the Regional Plan, the property is designated Rural Commuter, where a rural pattern of development is envisioned. Portions of the lands adjacent to Hammonds Plains Road and Lucasville Road are within the Water Service Area boundary. The lands are within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives. Lucasville is an historic African Nova Scotian Community. Regional Council initiated the Community Action Planning process for the Upper Hammonds Plains Community in September 2024. The African Nova Scotian Road to Economic Prosperity includes several actions directing HRM to work directly with ANS communities on land use planning and service provision. Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Concern that the infrastructure in the area is insufficient to accommodate growth. Increased traffic on Hammonds Plains Road is a concern, as traffic levels are already high. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C017 above. In addition, this work must be coordinated with the Lucasville Community Action Planning process.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Hammonds Plains)	C517	Lands north of Hammonds Plains Road and south of Taylor Lake, Hammonds (PID 41165275)	Request from Paul Dec, Upland, on behalf of Alumtech Holdings Inc, to be included in the service boundary to allow for a mid-rise housing complex designed and constructed explicitly for senior citizens.	<ul style="list-style-type: none"> Under the Regional Plan, the property is designated Rural Commuter, where a rural pattern of development is envisioned. Located within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives. Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Concern that the infrastructure in the area is insufficient to accommodate growth. Increased traffic on Hammonds Plains Road is a concern, as traffic levels are already high. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C017 above
Schedule J (Hammonds Plains)	C522	Voyageur Lakes, Hammonds Plains (PIDs 41351669, 41286584, 41286576, 41285636, 41285628, 41285610, 41285602, 41263104, 41233784, 41233776, 41233677, 41233669, 41233651, 41233644, 41233636, 41233628, 41233610, 41233602, 41233578, 41233560, 41233552, 41233545, 41233537, 41233529, 41233511, 41168394, 41168345, 41157751, 41157736, 41157728, 41157710, 41157702, 41157611, 41157603, 41157595, 41142597, 41142589, 41127564)	Request from Tom Swanson on behalf of United Gulf Developments to include the lands within the water services boundary.	<ul style="list-style-type: none"> Under the Regional Plan, the property is designated Rural Commuter, where a rural pattern of development is envisioned. Located within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives. Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Concern that the infrastructure in the area is insufficient to accommodate growth. Increased traffic on Hammonds Plains Road is a concern, as traffic levels are already high. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C017 above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Hammonds Plains)	C719-A	Lands between Westwood Boulevard and Pockwock Road, Upper Hammonds Plains PIDs 00630152 and 00489195	Request from Zzap Consulting on behalf of Marchand Developments to lands from Schedule J to facilitate a road connection between Westwood Boulevard and Pockwock Road, and rezone the parcels to R1-A.	<ul style="list-style-type: none">Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development, and calls for focusing growth within centres and controlling growth outside of those centres.The lands are within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity.The lands are not located in or near a Regional Plan growth centre.	<ul style="list-style-type: none">Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives.Upper Hammonds Plains is an historic African Nova Scotian Community. Regional Council initiated the Community Action Planning process for the Upper Hammonds Plains Community in September 2024.The African Nova Scotian Road to Economic Prosperity includes several actions directing HRM to work directly with ANS communities on land use planning and service provision.The need for community connections to facilitate emergency egress from existing communities should be considered.Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan.	<ul style="list-style-type: none"><i>(Please note that public feedback on this request was not specifically solicited by staff as request was received during the 2023 consultation period and had not yet received Council direction. Comments received indicate a degree of community awareness of this request.)</i>Some comments are supportive of this proposal to add more points of egress.There are concerns that this request will not be helpful and will instead add more development in an already congested area, as Hammonds Plains Road experiences high traffic on a regular basis.	Phase 5: Future Growth <ul style="list-style-type: none">Same as C017 aboveIn addition, this work must be coordinated with the Upper Hammonds Plains Community Action Planning process.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Hammonds Plains)	C719-B	Lands between Rochester Drive and McCabe Lake Drive, Hammonds Plains. PIDs 41065327, 00424580, 00424366, and 40140113	Request from Zzap Consulting on behalf of Marchand Developments to remove lands from Schedule J to establish a direct road link between Rochester Drive and McCabe Lake Drive, and rezone the parcels to R1-A.	<ul style="list-style-type: none"> Under the Regional Plan, portions of the lands are designated Rural Commuter and Open Space and Natural Resource. The Rural Commuter designation envisions a rural pattern of development and calls for focusing growth within centres and controlling growth outside of those centres. The lands are within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. Under the Beaver Bank, Hammonds Plains and Upper Sackville MPS the lands have the Rural Resources (RR) designation, and portions of the land have the Watershed (WS) designation. The WS designation policies are intended to protect Tomahawk Lake's status as a possible future water source and only allow limited residential development. 	<ul style="list-style-type: none"> Any adjustment to the Hammonds Plains Growth Control Area must be considered carefully, in relation to the Regional Plan's strategic growth objectives. The need for community connections to facilitate emergency egress from existing communities should be considered. Future development should support the Halifax Green Network Plan's objectives to adequately protect wilderness areas and connections and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Same as C719-A above. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C017 above
Beaver Bank Growth Control Area							
Schedule J (Beaver Bank)	C103	Lands north of Monarch Drive and east of Beaver Bank Road, Beaver Bank (PIDs 00468116 and 00468355)	Request from Ramar Developments Ltd., for properties to be included within the Urban Service Area	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, adjacent to the Urban Settlement designation and the Urban Service Area boundary. The lands are within the Water Service Area boundary. The lands are within the Beaver Bank Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Any adjustment to the Beaver Bank Growth Control Area, and any expansion to the Urban Settlement designation and Urban Service Area Boundary must be considered carefully in relation to the Regional Plan's strategic growth objectives The Beaver Bank/Kinsac area is facing increased pressure for housing development, and these requests should be considered with a long-term vision for the area. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> Environmental concern for the plant life and wildlife on the site. Concern that existing traffic on Beaver Bank Road is an issue and this proposal will increase congestion. 	Phase 5: Future Growth <ul style="list-style-type: none"> Amendments to Regional Plan policy for the Beaver Bank Growth Control Area are not recommended until further study of future community development, infrastructure and servicing opportunities in the Beaver Bank and Kinsac area is completed. Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Beaver Bank Growth Control Area will be studied at that time, and will: <ul style="list-style-type: none"> Study population growth and settlement patterns to estimate which lands may be appropriate for new serviced development; Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area;
Schedule J (Beaver Bank)	C299	Lands near Barrett Lake, Beaver Bank (PIDs 00500967, 41495383, 41495391, 41495409, 41317918, 41317991, 41318007, 41317983, 41317967, 41495375)	Request from Marchand Homes, to include these properties within the Urban Settlement designation and Urban Service Area boundary to enable subdivision with central servicing			<ul style="list-style-type: none"> Environmental concern for the plant life and wildlife on the site. Concern that existing traffic on Beaver Bank Road is an issue and this proposal will increase congestion. 	
Schedule J (Beaver Bank)	C300	Lands south of Monarch Drive, Beaver Bank (PIDs 40830291, 40830309)	Request from Marchand Homes, to include these properties within the Urban Settlement designation and Urban Service Area boundary to enable subdivision with central servicing			<ul style="list-style-type: none"> No comments were received on this proposal. 	

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Beaver Bank)	C117	Lands near Kinsac Lake, Kinsac (PIDs 41340258; 40871626; 40121089; 41381963; 40121931)	Request from Marchand Homes, to include these properties within the Urban Settlement designation and Urban Service Area boundary to enable subdivision with central servicing	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation, where a rural pattern of development is envisioned. The property is adjacent to the Urban Settlement designation (approved Carriagewood Estates subdivision – Case 24045, January 2023) The property is within the Beaver Bank Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. PID 40871626 includes a large wetland mapped on Schedule G of the Beaver Bank, Hammonds Plains, Upper Sackville Land Use Policy, pursuant to Regional Plan Policy E-15. 		<ul style="list-style-type: none"> No comments were received on this proposal. 	<ul style="list-style-type: none"> Consider and prioritize the need for increased community connections and emergency egress; Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan; Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan; Consider what public engagement will be required.
Schedule J (Beaver Bank)	C785	342 Beaver Bank Road, Beaver Bank (PID 40846115)	Request from Ally Developments to remove the property from Schedule J and be included in the serviceable boundary for future development.	<ul style="list-style-type: none"> Under the Regional Plan, the portion of the lands with frontage on Beaver Bank Road are located within the Urban Settlement designation and within the Urban Service Area boundary. The remainder of the lands are within the Rural Commuter designation, where a rural pattern of development is envisioned. A portion of the lands are outside the Urban Service Area but within the Water Service Area (municipal water services are available, but not wastewater services). The majority of the lands are within the Hammonds Plains Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. There is an existing development agreement on the property from 1999 to permit the golf driving range use currently on the property. The lands are not located in or near a Regional Plan growth centre. 	<ul style="list-style-type: none"> Same as C103 above. 	<ul style="list-style-type: none"> There was no opportunity for public comment as the request was received at the end of the public engagement period. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C103 above

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Schedule J (Beaver Bank)	C946*	Beaver Bank Road at Gilby Crescent, Beaver Bank (PID 40022030)	Request to enable the property to be subdivided into 9 lots.	<ul style="list-style-type: none"> Under the Regional Plan, portions of the lands are designated Rural Commuter and Open Space and Natural Resource. The Rural Commuter designation envisions a rural pattern of development and calls for focusing growth within centres and controlling growth outside of those centres. The lands are within the Beaver Bank Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Same as C103 above 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C103 above
Schedule J (Beaver Bank)	C959*	449 Heatherglen Drive, Beaver Bank (PID 41111154)	Request to enable subdivision of one to three additional lots.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter which envisions a rural pattern of development and calls for focusing growth within centres and controlling growth outside of those centres. The lands are within the Beaver Bank Growth Control Area (Schedule J, Regional Subdivision By-Law) where development within portions of the community is limited by transportation infrastructure capacity. 	<ul style="list-style-type: none"> Same as C103 above 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Same as C103 above

Table 6: Rural Plan Amendment

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Rural Plan Amendment	C541	Canal Cays, Wellington (PIDs 00470674, 40698516, 40634750, 40621914, 40621922, 40695603, 40621930, 40551178, 40551186)	On September 13, 2022, Regional Council passed the following motion: That Halifax Regional Council request a staff report directing the Chief Administrative Officer (CAO) to consider opportunities for development of properties on Canal Cays, Wellington, during Phase 5 of the Regional Plan Review. This review should consider, at minimum: options for public road access; the relationship to the Kinloch subdivision and the Aerotech Connector Road; and environmental protection measures.	<ul style="list-style-type: none">Under the Regional Plan, the lands are designated Rural Commuter, where a rural pattern of development is envisioned.The lands are within the River-Lakes Secondary Plan Area (Planning Districts 14&17 MPS); however detailed secondary planning for areas outside the Fall River village area was anticipated to be completed through a “Phase 2” that has not yet begun.	<ul style="list-style-type: none">Any adjustment to the rural growth control mechanisms must be considered carefully, in relation to the Regional Plan’s strategic growth objectives.Future development should support the Halifax Green Network Plan’s objectives to adequately protect sensitive environmental areas, consider water quality and availability, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, and Sharing Our Stories.	<ul style="list-style-type: none">No comments were received on this proposal.	Phase 5: Future Growth <ul style="list-style-type: none">Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Wellington area will be studied at that time.
Rural Plan Amendment	C960*	566 Highway 277, Dutch Settlement (PID 41053117)	Enable rural subdivision for an additional lot.	<ul style="list-style-type: none">Under the Regional Plan, the lands are designated Rural Commuter, where a rural pattern of development is envisioned.The parcel does not meet requirements of the Regional Subdivision By-law to create a parcel without frontage, and there is not a path under the existing policy to change these requirements.	<ul style="list-style-type: none">Any adjustment to the rural growth control mechanisms must be considered carefully, in relation to the Regional Plan’s strategic growth objectives.Future development should support the Halifax Green Network Plan’s objectives to adequately protect sensitive environmental areas, consider water quality and availability, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, and Sharing Our Stories.	<ul style="list-style-type: none">This is a new request. No public comments have been received.	Phase 5: Future Growth <ul style="list-style-type: none">Staff will undertake a review of rural subdivision permissions and a review of the Regional Subdivision By-Law as part of Phase 5. Potential adjustments to exemptions for small-lot subdivision will be considered at that time.

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Rural Plan Amendment	C988*	Beechcrest Drive and Stone Hedges Lane, Waverley (PID 00519728)	Request from Stonehedge Development Inc to review Conservation Design Development Policies to enable 100+ duplexes for an age 55+ community.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are within the Rural Commuter designation which envisions a rural pattern of development. The lands are located inside the Water Service Area. Under the Regional Plan, this property is located outside of a growth centre and is eligible for the Conservation Design Development types Low-Density Classic or Hybrid. These development types would not permit the level of density requested by the applicant. Per the Minimum Planning Requirements, for developments that have a construction permit issued and begin construction on or before April 1, 2027, Conservation Design developable area may be calculated as Net Developable Area <u>or</u> Gross Developable Area. This change may increase the density at the site but would not result in the number of units requested by the applicant. 	<ul style="list-style-type: none"> Consider this request in relation to the Regional Plan's strategic growth objectives. Future development should consider the objectives of the Integrated Mobility Plan to support transit-oriented development, support the Halifax Green Network Plan's objectives to adequately protect wilderness area and connections, and follow policy guidance found in HalifACT2050, Sharing Our Stories and Halifax Water's Infrastructure Master Plan. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the area will be studied at that time. The Minimum Planning Requirements Conservation Design developable area change is in effect until April 1, 2027. Any application made before then may be eligible for additional units. Staff have informed the applicant of existing development options. Conservation Design Development regulations are part of the Regional Plan and will be reviewed as part of the upcoming Phase 5 of the Regional Plan and future work on the Rural Planning framework.
Rural Plan Amendment	C989*	71 Dorothy Drive, Head of Chezzetcook (PID 41094657)	Request to review Rural Subdivision Requirements along private roads/lane ways to enable more than a maximum of 10 lots.	<ul style="list-style-type: none"> Under the Regional Plan, the lands are designated Rural Commuter, where a rural pattern of development is envisioned. The parcel does not meet the Regional Subdivision By-law requirements to create more than 10+ lots as it has frontage onto a Private Road, which caps the number of lots permitted via Subdividing. 	<ul style="list-style-type: none"> Any adjustment to the rural growth control mechanisms must be considered carefully, in relation to the Regional Plan's strategic growth objectives. Future development should support the Halifax Green Network Plan's objectives to adequately protect sensitive environmental areas, consider water quality and availability, and follow policy guidance found in the Integrated Mobility Plan, HalifACT2050, and Sharing Our Stories. 	<ul style="list-style-type: none"> This is a new request. No public comments have been received. 	Phase 5: Future Growth <ul style="list-style-type: none"> Staff will undertake a review of rural subdivision permissions and a review of the Regional Subdivision By-Law as part of Phase 5. Potential adjustments to exemptions for small-lot subdivision and private road permissions will be considered at that time. Emergency access and egress must be carefully considered when enabling additional development on private roads.

Table 6: Industrial Lands

Type	Request #	Location	Request	Existing Planning Policy	Regional Plan Review Considerations	Summary of Public Comment	Recommended Approach
Industrial Lands	C508	Lands near Aerotech, Goffs. East of Aerotech and West of Waverley – Salmon River Long Lake Wilderness Area (PID 00515841)	Request from, Louis Lawen, on behalf of Lawen Group, to re-zone lands to airport industrial.	<ul style="list-style-type: none">• The subject property is within the study area of an active planning application (Case 22009) that intends to update the zoning for Aerotech Business Park. This project includes introducing new zones that will protect and support these valuable industrial lands.• Under the Regional Plan, the lands are primarily designated Open Space and Natural Resource designation, with a small portion of the lands along the north property line are within Rural commuter designation and Industrial Park sub-designation. Rural Commuter designation envisions a rural pattern of development, and are outside the Urban Service Area.• Under the Planning Districts 14 & 17 MPS, the Resource Designation (RE) recognizes traditional resource related activity but also recognizes the land base for future growth. P-132 permits rezoning of lands to industrial if they abut Airport Industrial lands.	<ul style="list-style-type: none">• Per the November 23, 2021 motion of Regional Council, staff are currently undertaking a project to update the range of permissible industrial and commercial land uses in Aerotech Business Park (Case 22009). This will involve applying a service boundary around existing serviced properties and establish a policy for amending this boundary to accommodate any future expansion of Aerotech Business Park.• The 2008 Business Parks Functional Plan suitability analysis shows substantial areas of suitable land remaining in Aerotech Business Park, and the land use regulations restricted the development of non-aviation related uses.• Staff are working with Halifax Water to determine servicing impacts associated with Bennery Lake, as well as future source water supply considerations	<ul style="list-style-type: none">• No comments were received on this proposal.	Phase 5: Future Growth <ul style="list-style-type: none">• Case 22009 and any broader changes to the Aerotech lands are on hold pending technical work from Halifax Water as part of their updated Integrated Resource Plan (IRP), which will provide essential information about servicing in the Aerotech area.• Case 22009 will be advanced as part of Phase 5 of the Regional Plan, which is aligning closely with Halifax Water's IRP process to inform recommendations for servicing capacity and expansion.• Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the area will be studied at that time.
Industrial Lands	C932*	Sky Boulevard, Goffs PID 00515601, 41334459, 00515874, 41461625	Request from Clayton Developments Limited, on behalf of Aerotech Developments GP Limited, to update the AE-4 zoning for these lands as part of the Regional Plan Review process.	<ul style="list-style-type: none">• Under the Regional Plan, the lands are designated Rural Commuter, which envisions a rural pattern of development.• The lands are designated Airport Industrial (AP) in the Planning District 14 & 17 MPS, and zoned Aerotech Business (AE-4).• The lands are outside of the Urban Service Area Boundary.• The subject properties are within the study area of an active planning application (Case 22009) that intends to update the zoning for Aerotech Business Park.• The subject properties are also in site specific request C786 (Aerotech Comprehensive Development District Lands, Fletchers Lake), requesting municipal water and sewer.	<ul style="list-style-type: none">• Consider this request in relation to the Regional Plan's strategic growth objectives. These lands are part of site specific request C786, which requests an expansion of the Urban Service Area boundary to enable residential and commercial development with municipal water and sewer.• The Highway 102 Aerotech Connector highway (currently under construction) will run through these lands.• Staff are working with Halifax Water to determine servicing impacts associated with Bennery Lake, as well as future source water supply considerations	<ul style="list-style-type: none">• This request was received after the Phase 4 Engagement Period. No public comment has been received.	Phase 5: Future Growth <ul style="list-style-type: none">• Given the constraints associated with servicing and groundwater in this area, staff recommend considering this request as part of Case 22009 - an active planning application that intends to update the zoning for Aerotech Business Park.• See C508 above.

Attachment A-7:
New Site-Specific Requests

New Requests

1. **C863** - 925 Windgate Drive, Beaverbank
2. **C882** - Lands North of Frederick Lake, Hubley
3. **C902** - Lands North of Governors Lake, Lakeside and Timberlea
4. **C931** - North Preston Rd at Johnson Rd, North Preston
5. **C932** - Sky Boulevard Lands, Goffs
6. **C944** - Fall River Rd at Hunts Brook Rd, Fall River
7. **C946** - Beaver Bank Rd at Gilby Cres, Beaver Bank
8. **C948** - Twin Brooks Subdivision Phase 4C, Middle Sackville
9. **C949** - Carr Farm Site B, Fall River
10. **C959** - 449 Heatherglen Dr, Beaver Bank
11. **C960** - 566 Highway 277, Dutch Settlement
12. **C988** - Beechcrest Dr and Stone Hedges Ln, Waverley
13. **C989** - 71 Dorothy Dr, Head of Chezzetcook

Leah Perrin, MCIP, LPP
Regional Planning Team
Halifax, Nova Scotia

Regional Plan Review<PHASE 5>

Mirus limited, is pleased to support the regional plan review and requesting PID 40118648, civic address "925 Windgate Drive in beaver bank" to be included in expansion of urban service boundary.

Presenting Following rationale for request:

- As shown in the graphic below (by HW Staff) the adjacent property has been granted municipal services.

- highlighting the distance of the requested property to main connections and boost station and the environmental disadvantages of un-serviced developments where otherwise shall be more aligned with HRM sustainable growth objectives.

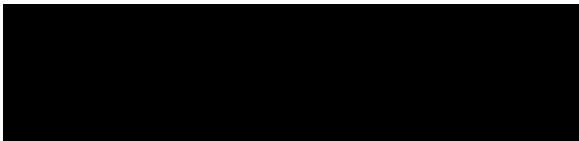
- Beaver bank as recognized future growth area, cost effective development could reflect on more affordability housing option for residents in community.

We would be happy to discuss more in detail, shall assist for better future impact in community.


Regards,



Seyed Mousavi
Director







[This email has been received from an external person or system]

Hi,

Five Bridges Wilderness Heritage Trust (FBWHT) received a donation of a property (PID: 40053654). The donor's expressed wishes were that the property should remain a wilderness region that is open for public recreational purposes (hiking, trails, etc.), and that it should remain undeveloped for residential or commercial purposes.

The FBWHT owned property is presently zoned as MR-1 (under the Planning Districts 1 and 3 Land Use By-Law), and abuts to an adjacent property (PID: 40090334) that has access to Silver Birch Drive in Hubley through property (PID: 40577330) both properties are Provincially owned and are protectively zoned as PA. Thus, it would be appropriate to rezone the FBWHT property to be PA as well, in line with the zoning of the adjacent Provincially protected properties.

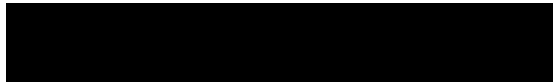
Note: Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

FBWHT is asking to have the property (PID: 40053654) rezoned from MR-1 to PA which will hopefully align well with a corridor identified in the Halifax Green Network Plan and be further refined through the Regional Plan Review process.

I have copied this message to the FBWHT Chair: , please copy him when replying.

Thank you for your assistance.

Best Regards, John Cascadden (Cas)
FBWHT Board Member



40 King St.
Dartmouth, NS
B2Y 2R4

KATE GREENE & LEAH PERRIN
REGIONAL POLICY PROGRAM MANAGER
PLANNING & DEVELOPMENT

June 12, 2024

Governors Lake Urban Settlement

Dear Kate and Leah,

Thanks for meeting us last month to discuss the Governors Lake Northlands land owned by Parkdale Developments Limited ("Parkdale"). The following PIDS owned by Parkdale are part of the discussion for future master planning.

40143471	00404632	41222472	40027237
40143489	40143521	40026395	40027435
40143422	41222621	40025264	40160640
40381659	41219106	41224882	40160731
40026387	41222480	40026403	
40143513	41224890	40026726	



As you know, the lands are designated as Urban Reserve in the 2014 Regional Plan, and the owner would like to advance discussions of extending the serviceable boundary to cover these properties in the upcoming Regional Plan update. As we understand, extending the serviceable boundary will follow the same designation process as the 2014 Regional Plan (i.e. the land must be designated as urban settlement).

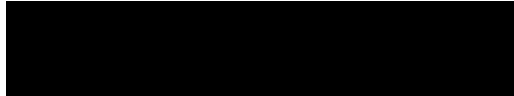
The owners have had several discussions about parkland over the years and in our most recent meeting with staff, there is still considerable interest in potentially adding more land to the Blue Mountain - Birch Cove Lakes Wilderness Area ("Park"). The owners are willing to work with HRM to convey a portion of Parkdale's lands for the Park, however, the Park discussion would need to be navigated at the same time as the development plan for the remaining lands was formalized.

The owners are keen to advance the development plan as soon as possible so we would formally request consideration for inclusion in the Urban Settlement boundary which would allow them to commence the master planning process. If you can provide us with (1) some certainty about your willingness to include these properties in the future serviceable boundary, and (2) some feedback on what studies may be needed to accompany a master plan for the lands, Parkdale would be prepared to commence this process in haste. That would benefit HRM by getting a better understanding of what lands could be included within the Park

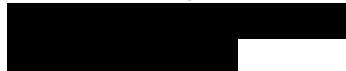
boundary. We anticipate that a conceptual master plan might help kick-start formal discussions but we would also like to know whether or not the process would follow a Growth Area planning process (thematic mapping, built form standards, concept plan, massing model, pro forma, mobility study).

If you could provide us with some initial thoughts on how to advance the process it would be appreciated. We remain open and eager to work with HRM to address the municipal parkland and housing goals of the municipality with this large and strategic property which now finds itself in the middle of a growing community.

Sincerely,

A large black rectangular redaction box covering the signature area.

Rob LeBlanc, Director of Planning

A black rectangular redaction box covering the contact information.



Hi Kate, Leah and Team,

I am reaching out on behalf of our client and landowner of PID: 00642462 in community of North Preston, who are also local residents of the North Preston Community.

We had recently reached out to Maggie and Jess to schedule a pre application meeting with you and your team as they are considering development of the lands through a DA process. See attached preliminary concept plan.

We understand the lands are designated MU Mixed Use within the North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Plan Area.

In that initial meeting, they flagged and have now confirmed only the portion of the site within the service boundary can be services – despite services being available within the public right-of-way frontage (North Preston Road). Explore HRM snapshot attached.

As such, **we are formally requesting the service boundary be extended to this entire PID** to facilitate development in accordance with applicable MPS DA policies for MU designated properties.

Note, our concept is intended to adhere to all engineering comments below.

We ask that you confirm receipt of this request and advise how it will be considered/processed.

Please let us know if you have any questions or clarifications.

Thank you,
Connor



architecture + planning

Connor Wallace (he/him) | MCIP, LPP

Principal

 zzap.ca

FILE: C:\Users\19022\zwicker\Architecture & Planning\Projects - 2024\Projects\24-073 North Preston Feasibility\4_Planning\1-DWG\24-073-SITE_PLAN-111.dwg SHEET: 1x17



LEGEND

- Property Boundary
- Adjacent Property Boundary
- Proposed Retaining Wall

DEVELOPMENT STATISTICS:

- Total Residential Units: 100
- Total At-Grade Parking Stalls (Including Driveways): 122

NOTES:

- Subject to survey. Property lines and topographic features are approximate only.
- Site subject to by-law review and regulations.

SOURCES:

- Property lines and topographic features are from Provincial Mapping.

SCALE:

0 10 20 40 75m

1 : 1,500



CLIENT

[Redacted]

PROJECT

NORTH PRESTON FEASIBILITY
North Preston, Nova Scotia

DRAWING

**PRELIMINARY
SITE PLAN**

PROJECT NO. **24-073**

DRAWN BY: KMS

DATE: AUGUST 8, 2024

DRAWING NUMBER

111

-63.46644740 Degrees

September 11th, 2024

Leah Perrin, MCIP, LPP
Manager, Regional Planning Team
Planning and Development
regionalplan@halifax.ca

RE: Aerotech Industrial (AE-4) Zone Lands Regional Plan Review Update

Dear Ms. Perrin & Regional Plan Review Team:

Clayton Developments Limited, on behalf of Aerotech Developments GP Limited requests that the AE-4 lands zoning be updated as part of the Regional Plan Review process. We have applied for broader consideration of a mixed-use community on these lands as well as lands south of the Aerotech Connector Road as Regional Plan Request C786. We expect consideration of request C786 will take a number of years, as it would require the Strategic Growth and Infrastructure Priority Plan as part of Phase 5 of the Regional Plan Review.

We believe that there is a strong immediate planning rationale to consider the lands on Sky Boulevard for a broader range of commercial and industrial uses in the near term, as the lands already have as-of-right permitted commercial and industrial uses. The existing zoning is also recognized to be prohibitively restrictive - notably there are commercial floor area maximums which would need to be greatly expanded or preferably, removed entirely. Our understanding is that HRM is aware that the zoning in this area requires updates, and is why HRM has initiated Case 22009 in 2021 to update the area's zoning. This process has still not yet been completed. The Case 22009 website has proposed a new Airport Commercial Industrial (ACI) Zone be applied to the lands along with broad strokes proposed requirements, which we are in general agreement with.

With the Aerotech Connector Road expected to be complete in 2025, we are requesting that the completion of Case 22009 be prioritized, and the Airport Commercial Industrial (ACI) Zone be applied to our Sky Boulevard lands. The suitability of the area for commercial growth is significantly higher now that the Aerotech Connector Road nears completion. Sky Boulevard will have a significantly increased visual prominence at the intersection of the Aerotech Connector and Highway 102, and these changes would be in conformance with progress on that planning file already.

From a land demand perspective, Regional Centre planning is aspiring to encourage the relocation of large scale industrial and commercial uses on the peninsula to encourage mixed-use development in the Regional Centre. This includes planning initiated for the West End Mall Future Growth Node, the Strawberry Hill Future Growth Node, and The Young Street Lands Future Growth Node. We feel that enabling commercial and industrial development on Sky Boulevard and the area north of the Aerotech Connector would assist businesses in these FGN areas having relocation options. There is already an existing history of Sky Boulevard having commercial-industrial development such as car dealerships, and existing car-oriented businesses such as Scotia Speedworld and past vehicle auction uses.

We have included some proposed Airport Commercial Industrial (ACI) Zone requirements on the following pages. We are requesting that the following permitted uses and zone requirements be considered, and existing commercial area limits on the Aerotech area be removed.

19. Proposed ACI Zone Requirements

19.1 ACI USES PERMITTED

No development permit shall be issued in any Airport Commercial Industrial (ACI) Zone except for the following:

- Automobile race tracks
- Banks and Financial Institutions
- Brewery, winery and distillery uses
- Broadcast uses
- Building supply outlets
- Caretaker units
- Construction Industries and Contractors
- Craft shops
- Day Care Facility
- Display Courts, Including Outdoor Display Courts
- Emergency services uses
- Garden Centres
- Health and Wellness Centre
- Indoor Commercial Recreation Uses
- Kennels, pet care facilities, pet daycare uses and veterinary clinics
- Manufacturing Uses
- Motels and hotels
- Office Uses
- Parking Lot
- Personal Service Uses
- Pet Care Facility
- Race Tracks
- Recreational vehicle sales
- Recycling depots
- Restaurant Uses (Full Service, Drive-in, Take-out)
- Retail stores
- Self-storage facilities
- Service Industry Uses
- Service Shop Uses
- Service Stations and automotive repair
- Service uses
- Transportation terminals
- Used Building Material Retail Outlet
- Warehousing and wholesaling
- Communications Uses
- Communications facilities
- Educational and Training Centres
- Short-term rentals
- Short-term bedroom rentals
- Existing uses
- Accessory Uses

19.2 ACI ZONE REQUIREMENTS

Minimum Lot Area:	20,000 square feet (1,858 m ²)
Minimum Frontage	98.4 feet (30 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m), or 0 feet (0 m) along a common wall
Minimum Rear or Side Yard abutting Highway 102	Thirty (32) feet (10 m) abutting any Residential, Community Use, or Resource Zone, or the right-of-way of Highway #102.
Maximum Lot Coverage	60%
Maximum Height of Main Building	The lesser of sixty-five (65) feet (20 m) or the <i>Halifax International Airport Zoning Regulations</i> maximum, if applicable.

19.3 OTHER REQUIREMENTS: OUTDOOR STORAGE AND OUTDOOR DISPLAY

Except for areas where landscaping is required, outdoor storage and outdoor display shall be permitted in any yard.

19.4 OTHER REQUIREMENTS: LANDSCAPING

Soft landscaping shall be provided abutting a street lot line, excluding any 100-series highway, except where a driveway, retaining wall, or walkway access is required, or a common wall is used. The minimum requirement shall be an 8 ft. (2.43 m) wide strip of soft landscaping shall include:

- one ornamental shrub for every 160 sq. ft. (14.8 sq. m.) of required landscaped area, which may be grouped; and
- at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15 linear m) of lot frontage, which may be grouped; and
- the retention of existing established natural vegetation may meet this requirement.

Where a lot abuts a 100-series highway, trees shall be provided between the main building and the property line abutting the 100-series highway. There shall be a minimum of one tree provided for every 65 linear ft. (20 linear m) of frontage on the 100-series highway. The required tree(s) provided shall have a minimum base caliper of 50 millimetres, may include the retention of existing trees, and trees may be grouped or spaced to meet this requirement.

19.5 OTHER REQUIREMENTS: WASTE MANAGEMENT AREAS

Garbage and waste containers shall be screened from view from adjacent properties and public streets with either:

- an effective visual barrier, such as an opaque fence or landscaping; or
- indoor, or buried semi-buried containers; and
- the retention of existing established natural vegetation may meet this requirement.

19.6 OTHER REQUIREMENTS: LIGHTING

Exterior lighting, including security lighting, shall be directed to driveways, parking areas, loading areas, building entrances and walkways and shall be arranged to divert the light away from streets, adjacent lots and buildings. Luminaries shall be shielded to prevent unnecessary glare.

19.7 OTHER REQUIREMENTS: CARETAKER UNITS

Each industrial premises shall be permitted one caretaker unit. Subject to the requirements of the Building Code Act, caretaker units in the Airport Commercial Industrial Zone shall:

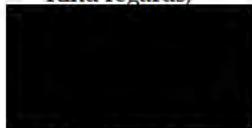
- be located within a main building that contains a permitted industrial use;
- include no more than two bedrooms; and
- have a maximum gross floor area of 1100 sq. ft. (102 sq. m).

19.8 OTHER REQUIREMENTS: RACE TRACKS

Notwithstanding the provisions of Section 19.1, harness and automobile racing tracks may be used for entertainment, retail and other temporary purposes and special events, including markets, concerts and assembly.

Thank you for your consideration and attention on this request. Should you have any questions with regards to the enclosed materials, please do not hesitate to contact the undersigned.

Kind regards,



Jared Dalziel, MCIP, LPP
Senior Planner
Clayton Developments Limited

Date: December 5th, 2024

Halifax Regional Planning

5251 Duke St

Halifax, NS

B3J 3S1

Attention: Telina Debly

RE: Fall River Subdivision Water Main Extension

Dear Telina,

I hope this letter finds you well. I am writing to advocate for the extension of water service boundaries to a new land development in Fall River (PIDs 40521841 and 00507046, lots accessed from George Jackson Rd. and Hunts Brook Rd.). The development in question proposes potentially 20 building lots that would be serviced by this water main. The development connects to the existing road network through High Road but would be serviced with water through an easement where the existing lot fronts Fall River Road.

As you are likely aware, our community is facing a pressing housing shortage, and it has become increasingly evident that action is needed to address this issue promptly. In the case of this development, access to water is a matter of importance, as it has been a well-documented issue that this area has difficulty achieving sufficient groundwater yields (see attached report from the main extension). Therefore, to ensure that housing can be built quickly, efficiently, and to an acceptable quality I recommend that the water main be allowed to extend into this proposed development.

From the perspective of the Halifax Water, in 2018 the water main was extended through Fall River Road from Windsor Junction to Highway 2 to provide access to potable water to the residents in the area. This main was sized with the knowledge that Fall River was a planned growth node for Halifax Regional Municipality (HRM), and it was expected that in addition to the existing residents who would have access to the water main, there would be future expansion to the system to accommodate the growing municipality. According to Halifax Water, due to this sizing for the future growth, the water main has seen less use than was expected. This increased the time in which water remained stagnant in the water main and has caused water quality issues. Increasing the demand on this water main with the proposed development could increase the turnover rate of water in the main and prevent the need for Halifax Water to intervene by flushing the water main to maintain water quality standards.

Furthermore, extending the water main through the proposed development to High Road allows the possibility for HRM, and Halifax Water to continue extending the main to the existing residents on High Road, if desired. A centralized water supply system offers numerous benefits to these existing residents, including improved public health outcomes, environmental sustainability, and economic development opportunities.

In closing, I appreciate your attention to this matter and hope that you strongly consider allowing the extension of the water service boundary to the Fall River development. By prioritizing the extension of water service boundaries, we can demonstrate our commitment to meeting the needs of our residents and fostering a vibrant and resilient community.

Thank you,

DesignPoint Engineering & Surveying Ltd.

Original Signed

Neil Fougere, P.Eng
Principal, Senior Civil Engineer

JTB/jtb

C946

From: [Regional, Plan](#)
To: [Regional, Plan](#)
Subject: RE: [External Email] Re: [External Email] Re: [External Email] PID [REDACTED]
Date: Monday, February 10, 2025 11:51:19 AM

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, January 29, 2025 12:21 PM
To: Regional, Plan <regionalplan@halifax.ca>
Subject: [External Email] Re: [External Email] Re: [External Email] PID [REDACTED]

[This email has been received from an external person or system]

Thanks. How about this:

We would like to formally request that HRM allows PID 40022030 to be subdivided into 9 lots to allow for the land to be allocated to family members as intended.

Jessica

12 February 2025

Leah Perrin,
Principal Planner, Policy & Strategic Initiatives

Via Email: perrinl@halifax.ca

Dear Ms. Perrin:

RE: Regional Plan – Minor Service Boundary Extension

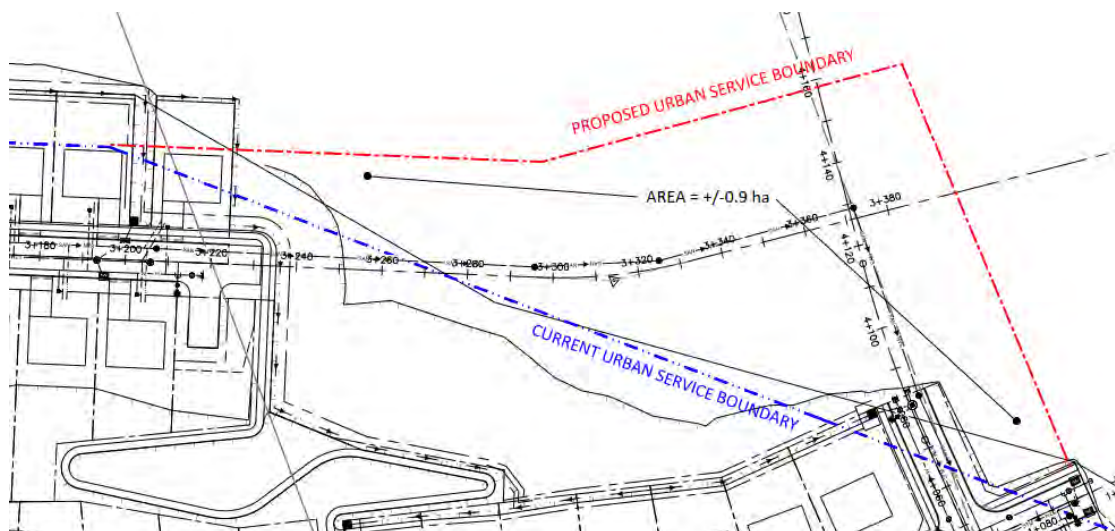
Arch Communities is developing an additional phase of the Twin Brooks subdivision in Middle Sackville. This fully-serviced development is adjacent to the Urban Service Boundary. We are asking for permission to extend the Urban Service Boundary to build a more efficient and easier to maintain wastewater collection system.

Twin Brooks Phase 4, is an as-of-right extension of the Twin Brooks subdivision in Middle Sackville: PIDs 41215419 and 40151185. This fully-serviced subdivision is being developed in three phases for a total of 214 lots:

- Phase 4A: subdivision application 2024-00400, 138 lots,
- Phase 4B: subdivision application 2024-02825, 14 lots, and
- Phase 4C: currently preparing for submission in 2025, 62 lots.

Servicing the lots in Phase 4C, while staying with the current urban service boundary, requires building a 5 m deep wastewater main (see attached design drawings dated 2024-08-20), to be taken over by Halifax Water. The utility would much prefer an alternative option (see attached, option 2) however the wastewater sewer goes outside of the Urban Service Boundary (shown in blue) and back in. This alternative design allows the wastewater main to be installed at standard depths, making future maintenance more cost effective for Halifax Water, and resulting in fewer potential service interruptions.

The sketch below provides a general illustration of the requested boundary change. The change would include an additional +/-0.9 ha within the Urban Service Boundary.



We would like this request to be considered within Phase 4 of the Regional Plan review. It's a minor amendment to the service boundary that will aid in future maintenance of public infrastructure and makes no change to the proposed neighbourhood form. We have met with HRM Development Services staff, HRM Development Engineering staff, as well as Halifax Water (specifically Jen Richardson, Chris Marks, and Alanna Wood). They are in favour of the second option, but cannot allow work outside of the Urban Service Boundary without HRM's approval. Due to our development timeline, if this amendment has to wait until Phase 5 of the Regional Plan Review to be considered, we will have to proceed with the original design, costing Halifax Water, and ratepayers, more in the long run.

We would be happy to meet to discuss this further, and provide any additional information you may require.

Sincerely,

Trevor Adams, P.Eng.

ARCH COMMUNITIES

Attachments:

1. Original design – within the Urban Service Boundary
2. Option 2 – Alternative Design requiring extension of the Urban Service Boundary

February 7th, 2025 (Revised)

Regional and Community Planning

5251 Duke Street, Suite 300

Halifax, NS, B3J 3S1

Attention: Leah Perrin, Manager, Regional Planning

RE: Fall River Site B – Request for Municipal Wastewater Boundary Extension

Dear Leah,

I am writing you on behalf of the developers of Fall River Site B (PID 00506501) and their upcoming developments in Fall River, Nova Scotia. Fall River Site B, also known as the “Carr Farm” property on Fall River Road and was approved by HRM in 2022. The revised development proposal will include 336 senior oriented units across two buildings, and townhouses. The developer is working with Northwood Care and has modified the original proposal for the site to accommodate one long term care facility with 144 full-care beds, which will be designed, constructed and operated by Northwood Care on the adjacent lot (PID 41541640). Both lots make up Fall River Site B.

The project will be serviced with municipal water from the existing Halifax Water’s water distribution system, which is currently installed on Fall River Road. Fall River has an existing wastewater collection system that includes sewer pumping stations and a wastewater treatment facility on Lockview Road.

Currently, Fall River Site B is not within the wastewater service boundary. As a result, the developer had moved forward with the design of on-site wastewater treatment with treated effluent discharge to Lake Thomas. However, our client has withdrawn that permit and will utilize onsite wastewater septic systems. Previous meetings with Halifax Water have indicated they are receptive to including the development in the Fall River Wastewater Treatment Facility sewershed by either utilizing existing capacity or by adding capacity through an upgrade.

Connecting the proposed development to the Halifax Water wastewater system will bring several benefits to the Fall River community and Collin’s Park watershed:

Public Health and Safety and Environmental Protection: A municipal wastewater system continuously managed by Halifax Water ensures the highest standards of treatment and reduces the risk of contamination, contributing to the overall health and safety of the community.

Efficient Use of Infrastructure: Connecting to the existing municipal wastewater system promotes the efficient use of existing infrastructure, reducing the need for additional on-site treatment facilities and associated costs.

Community Support: The residents of Fall River have expressed their support for connecting the development to the Halifax Water wastewater system, reflecting the community's preference for a sustainable and integrated approach to wastewater management.

The Fall River Site B proposal complies with all local regulations and planning strategies. The site is designated as a Residential Opportunity Site under the River-Lakes Secondary Planning Strategy (SPS) and is zoned as River-Lakes Residential Campus (RLRC). The development aligns with the objectives of the Municipal Planning Strategy (MPS) for Planning Districts 14 and 17, which emphasize the urgent need for alternative housing forms for seniors to support the changing demographics and population growth in Fall River. The project has been designed to fit into the natural landscape, ensuring that it complements the surrounding neighborhood and adheres to the architectural, landscaping, and site development controls established in the land use by-law. We are not aware of any reason why the Municipality would prevent this connection to the Fall River Wastewater Treatment Facility. From an engineering standpoint, considering the efficient use of infrastructure, this development should be connected to the existing municipal wastewater system in Fall River. From a fiscal perspective, the developer has proposed to pay for 100% of the costs of the pipe connection, meaning zero cost to the Municipality.

We are requesting Halifax Regional Municipality amend the Regional Plan to allow Fall River Site B wastewater connection to Halifax Water's Fall River Wastewater Treatment Facility.

Thank you,

[REDACTED]
Glenn Woodford, P.Eng.
Senior Civil Engineer & Founder
DesignPoint Engineering & Surveying Ltd.

Enclosures: Proposed Wastewater Connection Concept Plan
 Owner's Authorization

cc Ronald Pachal, Vision 7 Developments, [REDACTED]
cc Anne Winters, Principal Planner, Halifax, anne.winters@halifax.ca
cc Telina Debly, Planner II, Halifax, telina.debly@halifax.ca
cc Kate Greene, Director, Halifax, greenek@halifax.ca
cc Councillor Cathy Deagle Gammon, cathy.deaglegammon@halifax.ca
cc Kenda MacKenzie, General Manager, Halifax Water, mackenk@halifaxwater.ca
cc Jen Richardson, Manager, Halifax Water, jenr@halifaxwater.ca
cc Vicki Elliott-Lopez, Associate Deputy Minister and Chair Executive Panel on Housing,
[REDACTED]

February 24, 2025

Via Email: regionalplan@halifax.ca

Anne Winters
REGIONAL PLANNING TEAM
Halifax, Nova Scotia

Re: Regional Plan Review - Schedule J, Beaver Bank Growth Control Area

Dear Members of the Regional Development Planning Team,

We are the homeowners of 449 Heatherglen Drive, in Beaver Bank, NS since we purchased lands and built in 2008. We are writing to formally request that the Regional Planning Department review our proposal to subdivide our 3.3-acre property, and given the land size, we propose allowing subdivision to create an additional one to three lots – which can be easily achievable by installing a private roadway to facilitate future development. Our family strongly believes that such subdivision would benefit both us and the community, especially given the growing housing challenges facing our city. See Appendix 1

With the existing land zoned MU-1 allows 2 unit dwelling with an auxiliary suite, which is not as easily achievable by non developers. Subdividing the existing house and lands provides the equity of selling the existing house with land placement, to develop and utilize the abundance of remaining under-utilized vacant land, which currently consists of many fallen trees and dead trees throughout.

As you are aware, there is an increasing demand for housing within our city, with many families struggling to find adequate accommodations. This is particularly concerning for us as homeowners who wish to age in place while also creating affordable housing opportunities for our children. By subdividing our land, we can create the necessary space to accommodate future generations without contributing to the strain on an already burdened housing market.

We have reviewed recent subdivisions and developments in neighboring areas, which have allowed similar land to be subdivided for residential purposes, including smaller frontages and private lanes, see Appendix 2. Our proposal is consistent with these precedents and aligns with the broader community goals of providing more diverse housing options in the region. The introduction of a private roadway would allow us to responsibly develop these lots while maintaining the character of the neighborhood and providing sufficient access for

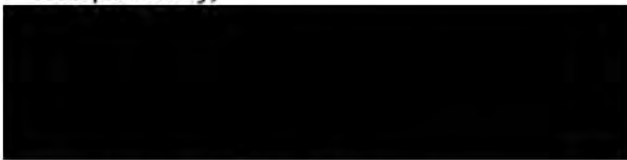
future homeowners. These lands are fully sustainable with drilled well/ septic and can be developed at the homeowners' expense at no additional cost nor infrastructure costs to HRM, and will provide the increased property tax stream for additional lots created, while meeting the housing crisis solutions mandate being recognized.

We were unaware of the previous frontage changes within this area, alleged due to increased traffic on Beaver Bank Road, however since that time within Beaver Bank, many developers have been permitted to develop smaller parcels of lands with residential including larger apartment complexes 326 & 328 Beaver bank Road and the approximate 360 rental units, with another apartment building under construction and others proposed. As a homeowner we request the same consideration to allow us to utilize lands for residential purposes. Regarding traffic, many of the subdivisions within Beaver Bank can easily be connected thru the subdivisions, such as Lost Creek thru Monarch and other areas to provide an added means of alternate route and emergency egress.

We kindly request that you consider our proposal and review it independently, taking into account both the current housing shortage and the potential benefits of such modification to allow subdivision of lands for additional housing development. By approving this request, we would not only be securing a future for our children but also contributing to addressing the housing needs of the broader community.

Thank you for your time and consideration of our request. We are happy to meet with you in person to discuss the specifics of the proposal further and answer any questions you may have, or can be reached via phone or email. We look forward to your favorable response.

Respectfully,

A large black rectangular redaction box covering the signature area.

Ann-Louise & Peter McKinnon
449 Heatherglenn Drive
Beaver Bank, NS B4G 0A2

A small black rectangular redaction box covering the contact information.

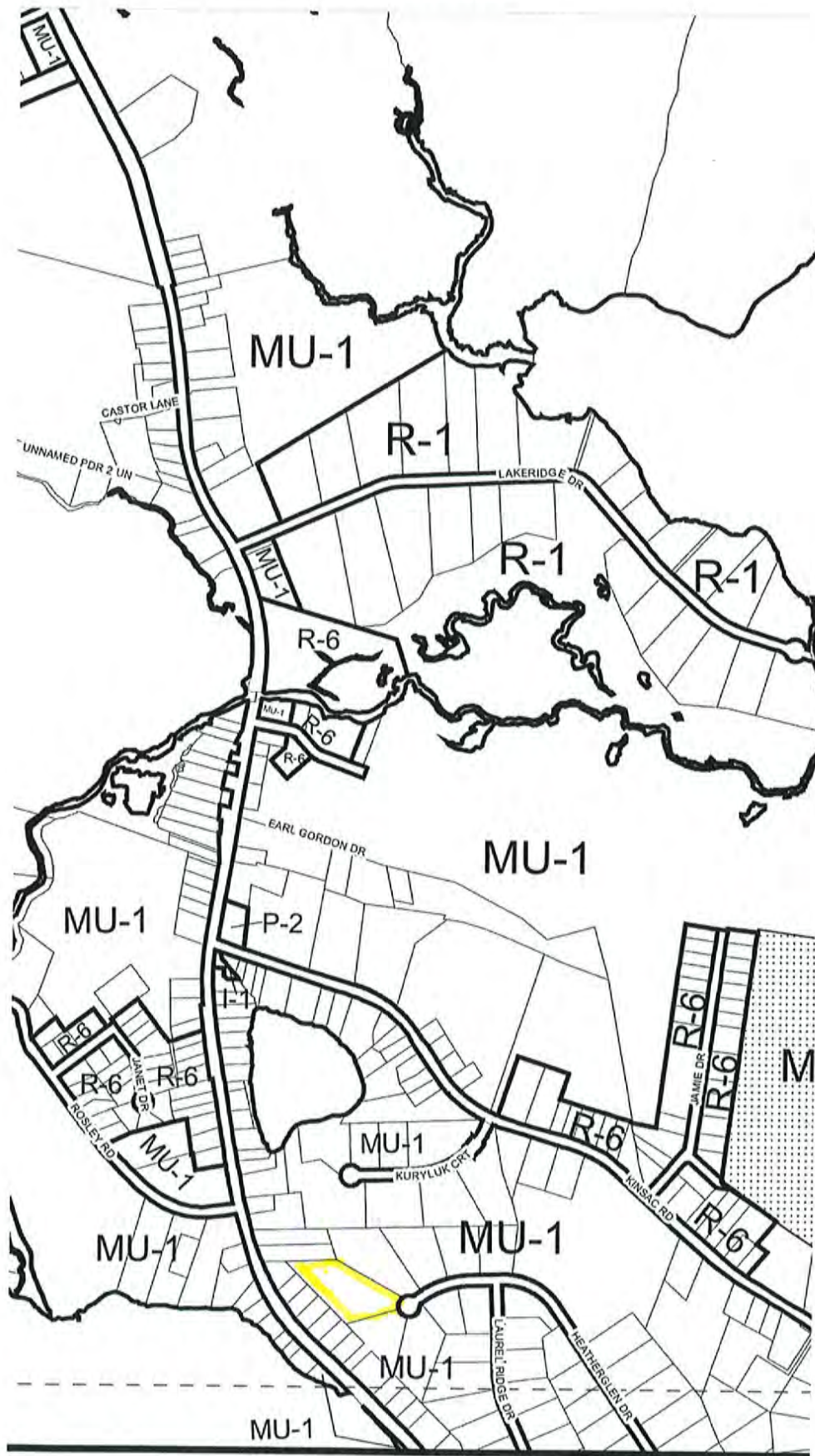
APPENDIX 1

Site Plans, Proposed Subdivision of Lands

449 Heatherglen Drive

Beaver Bank, NS





MUNICIPALITY
SUBDIVISION
ED FOR
24/2007

SUBDIVISION FILE NO.
14014 -
HALIFAX REGIONAL
MUNICIPALITY

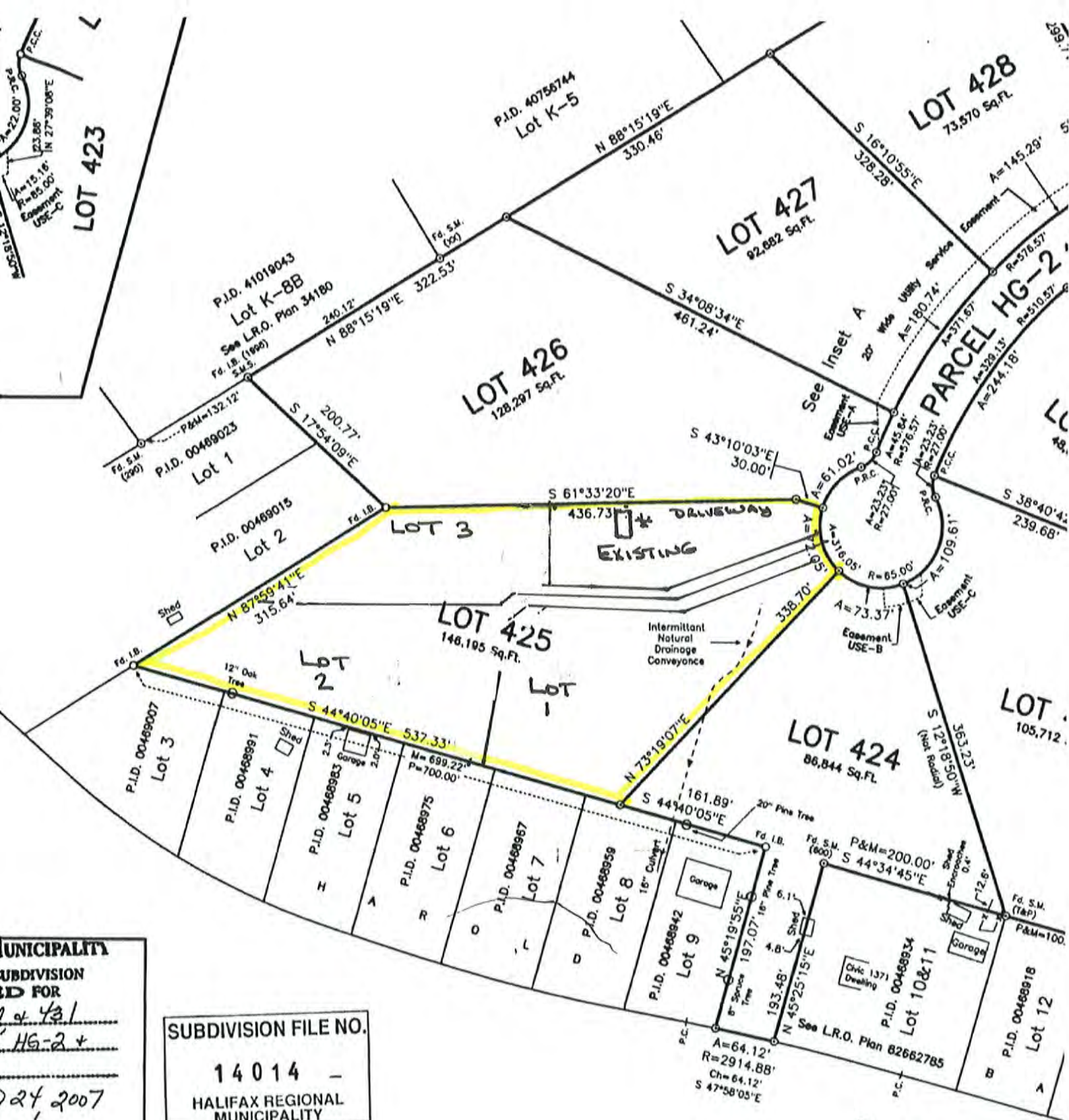
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& Development
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depending on slopes.
and may affect the
on this plan. For
watercourse buffer
HRM before applying

PROVINCIAL PERMITS
ation, it is advised that
the NS Environment Act

ADJOINING PROPERTIES OWNERSHIP NOTES:

P.I.D.	Identifier	Owner	Title Document
41019043	Lot K-8B	Bernard & Caron Kuryluk	Book 6680, Page 602
40756744	Lot K-5	David & Ann Buck	Book 5909, Page 395
40756728	Lot K-3	Thomas & Tracy Bishop	Book 5909, Page 410
41205154	Lot 328	Joseph Junior Ingram	Document No. 87978665
41205162	Lot 329	Keith & Hugh Barrett	Book 3923, Page 1238
41205170	Lot 330	Keith & Hugh Barrett	Book 3923, Page 1238
41205188	Lot 331	Keith & Hugh Barrett	Book 3923, Page 1238
41205196	Lot 332	Keith & Hugh Barrett	Book 3923, Page 1238
41205204	Lot 333	Keith & Hugh Barrett	Book 3923, Page 1238
41205212	Lot 334	Keith & Hugh Barrett	Book 3923, Page 1238
41205220	Lot 335	Keith & Hugh Barrett	Book 3923, Page 1238
41111287	Lot 436	Keith & Hugh Barrett	Book 3923, Page 1238

* HOUSE LOCATIONS
APPROXIMATE



PROPERTY Online

NOVA SCOTIA
Service Nova Scotia

Property Online Map

Date: February 12, 2024 13:18:52 PM



PID:	41111154	Owner:	ANN-LOUISE MCKINNON	AAN:	10067200
County:	HALIFAX COUNTY		PETER IAN MCKINNON	Value:	(2024 RESIDENTIAL TAXABLE)
LR Status:	LAND REGISTRATION	Address:	449 HEATHERGLEN DRIVE BEAVER BANK LOT 425		

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online Version 1.0

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Please feel free to [Submit Problems](#) you find with the Property Online web site.



Incans Landscape
aterials
ndscaping supply store



449 Heatherglen

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Beaver R

APPENDIX 2

Neighboring Lands with Private Lanes and Smaller frontages

for review & consideration

449 Heatherglen Drive

Beaver Bank, NS

Examples of Private Roadways Allowed in Neighboring Areas within the same area of Beaver Bank, in Monarch, Wingate etc, in close proximity to Lost Creek.

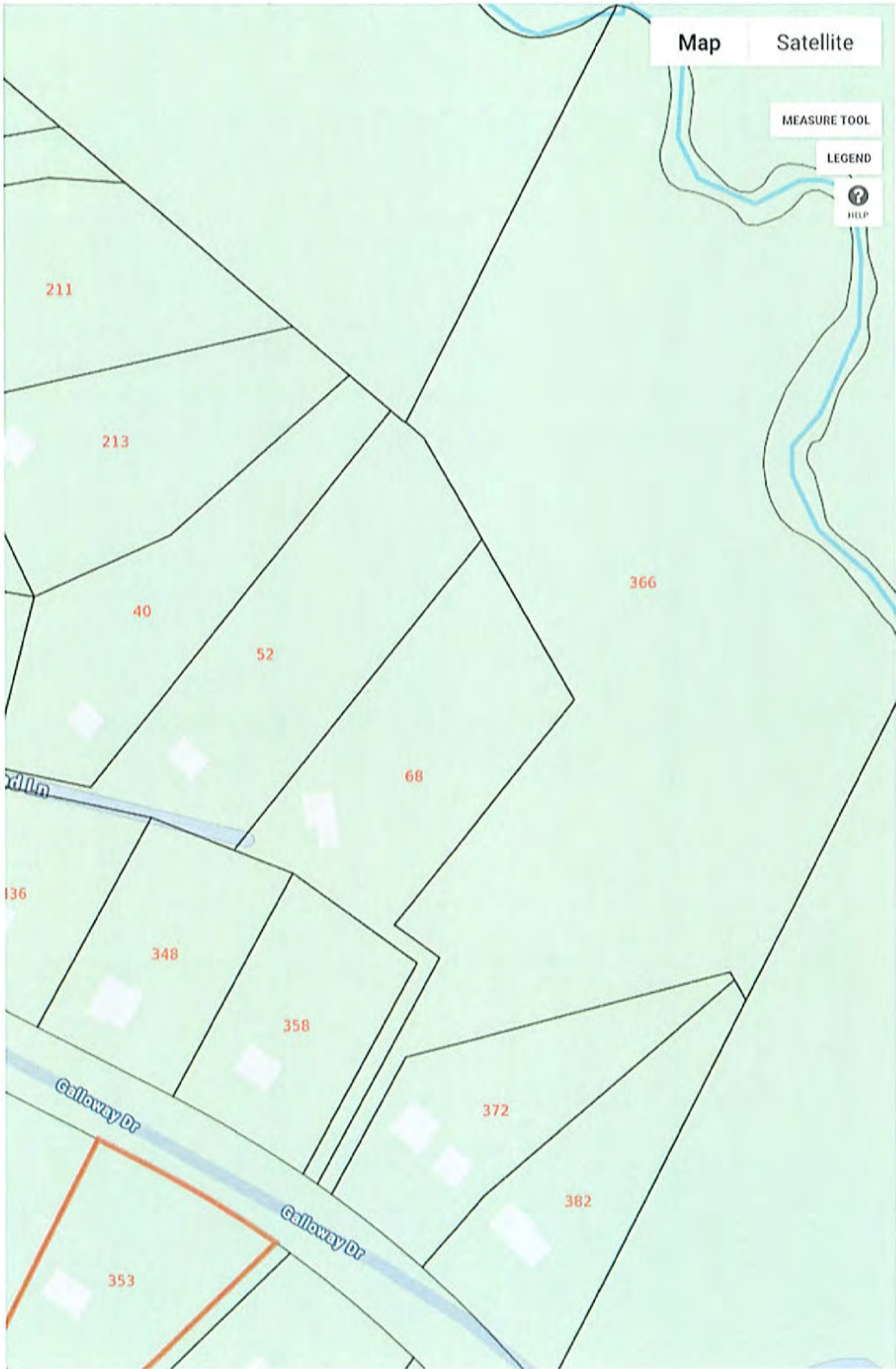
28, 32 Chalet Lane / 46 & 66 Galloway Drive, Beaver Bank, NS



211 & 213 Rebecca Drive / 40, 52 Gingerbread Lane
Beaver Bank, NS



68 Galloway Drive, Beaver Bank, NS



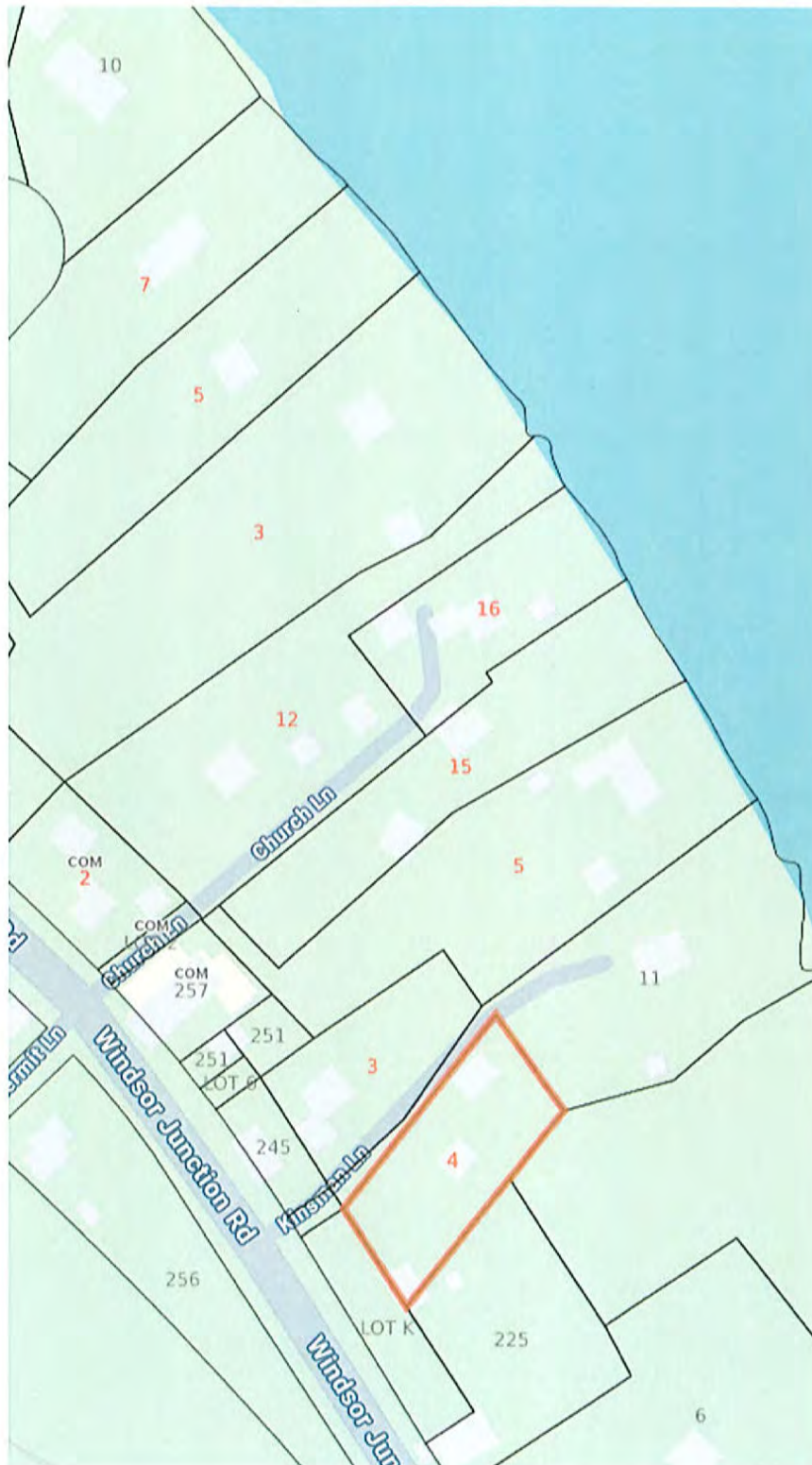
65 & 67 Wessex Hill / 47 & 49 Oleary Drive, Beaver Bank, NS



38 & 60 Tinder Lane, Beaver Bank, NS



5, 12, 15, 16 Church Lane, Beaver Bank, NS



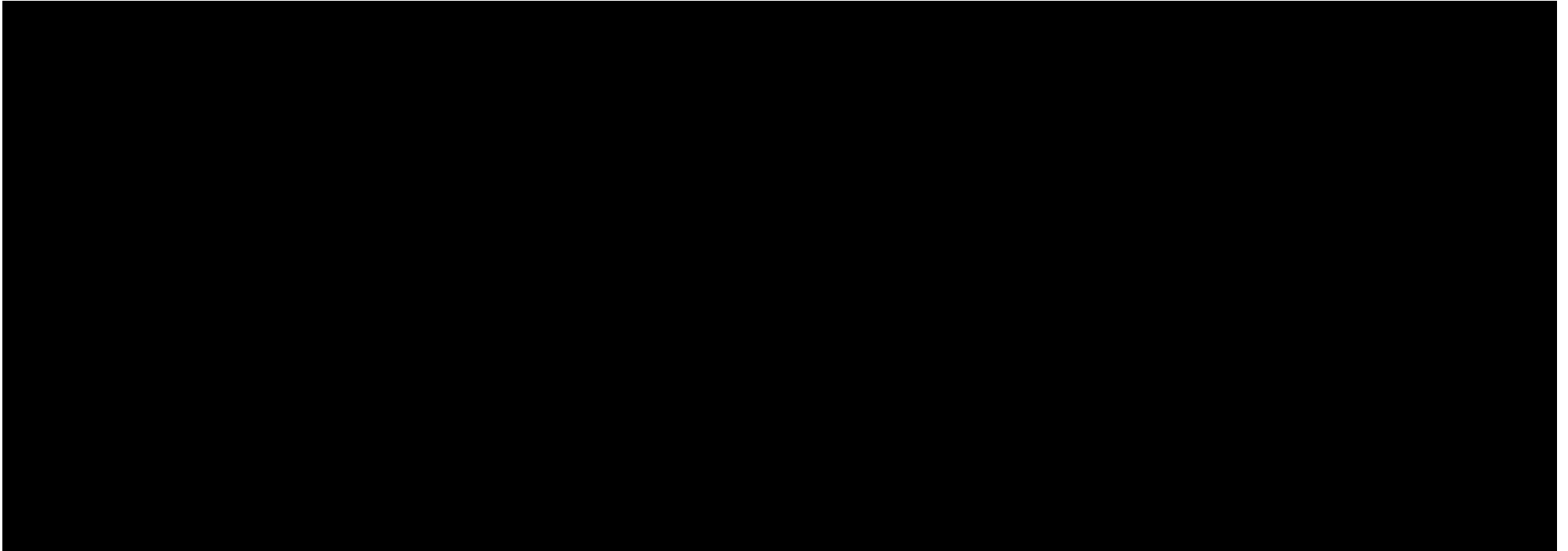
4, 16, 28, 38, 46, 56, 72 Community Lane

38 Stephen Lane / McGuire Lane, Off Windsor Junction Road



Additional lots created with minimum frontage allowances off Windsor Junction Road,
In close proximity and in the same district (including school district) as Lost Creek Village.





From: Orville Rose [REDACTED]
Sent: Tuesday, February 25, 2025 9:27 AM
To: Perrin, Leah <perrinl@halifax.ca>
Cc: Deagle Gammon, Cathy <deaglec@halifax.ca>
Subject: [External Email] Subdivision lot from 566 Highway 277

[This email has been received from an external person or system]

Ms. Perrin,
Thank you for speaking with us last week regarding this matter.
Please accept this letter as our formal request.

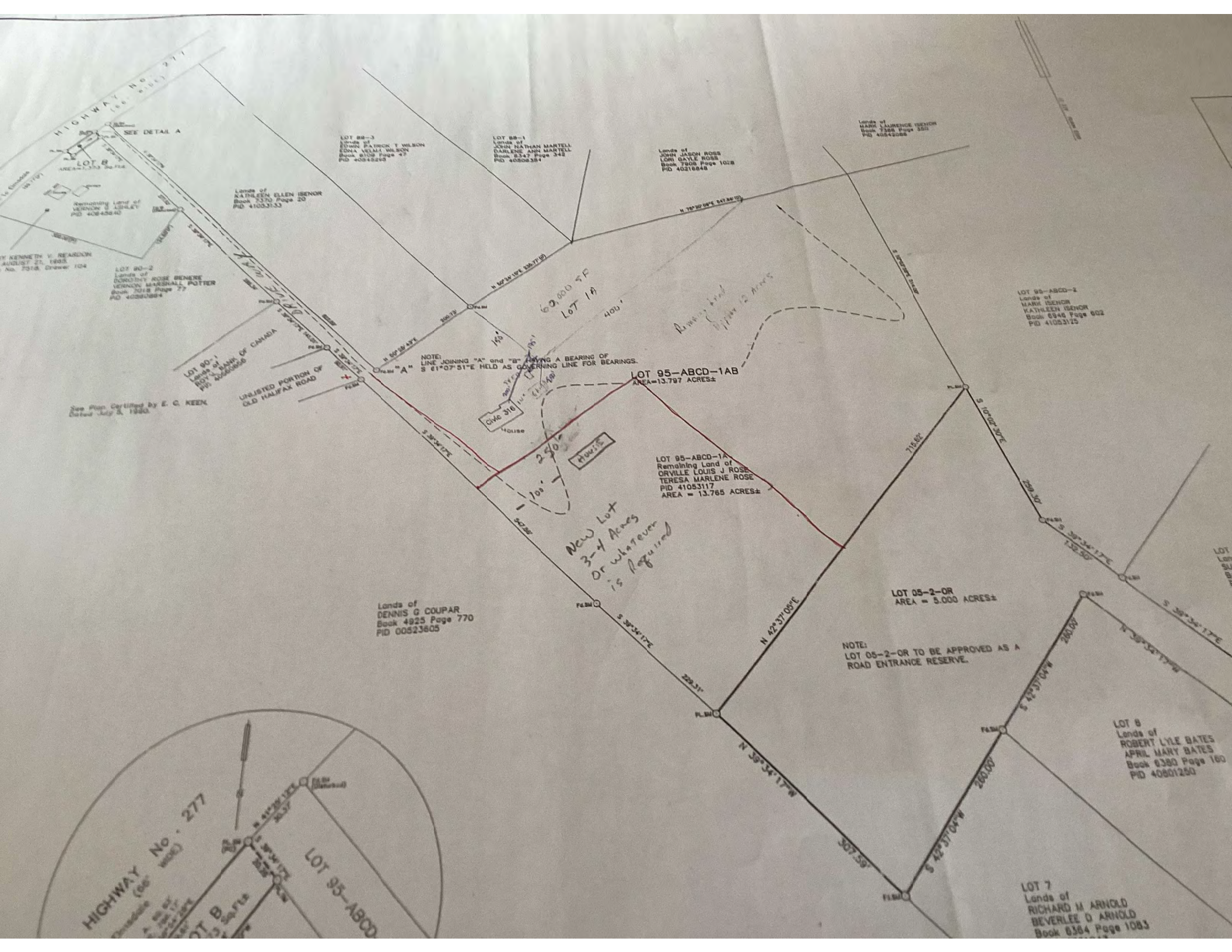
Looking to subdivide a lot off our property PID#41053117 for our daughter. We understand this requires 100ft frontage. We currently have 13.765 acres which would allow enough property for setbacks as needed.

Is it possible to use the unlisted portion of the old Halifax road as frontage or give her a right of way off our existing driveway which has 100ft frontage off highway 277 or are there other variances or allowances to accommodate this subdivision.

We have attached a photo of our current subdivision plan with a roughed in sketch of where we would like the new lot to be.

Thank you for your consideration.

Regards
Orville Rose
Teresa Rose



April 16, 2025

Halifax Regional Planning
5251 Duke Street
Halifax, NS
B3J 3S1
Attention: Telina Debly

RE: PID 005197280 Service Boundary Change to allow for an "Over 55 Active Lifestyle Community".

Dear HRM Regional Planners.

I am writing this letter as an owner and a designated advocate for Stonehedge Development Inc. Stonehedge Development Inc. has owned PID 005197280 for 10 plus years. We have successfully, with the assistance of HRM constructed 8 homes on Beechcrest Drive along with the now City owned road extension and HRM potable water extension. The water main is oversized, per the instruction of Halifax Water so that additional contemplated housing can be realized.

We wish greatly for the existing barriers to development of this property be changed/alterd through re-zoning or re-designation.

Currently, PID 005197280 is designated as Rural, Multi-Use. The development of PID 005197280 has become impacted by HRM "Conservation Design Policies". All attempts to develop sustainable housing on this prime parcel of land within 15 minutes of HRM have failed. Currently, due to Conservation Design Policies, development of this prime 85-acre parcel, PID 005197280 is limited to "22 or 23 single-family homes on 1.5 hectare lots". Due to the low population density and the excessively oversized lots stipulated by Conservation Design Policy and the requirement for roads and water supply to these 22 or 23 homes, development will remain fiscally impossible.

Please see the following pages for our reasoning for requesting for permitting to allow for an "Over 55 Active Lifestyle Community" to be constructed on PID 005197280. A Conceptual Drawing C-CP03 from Design Point Engineering is also attached.

We believe such an "Over 55 Active Lifestyle Community" development is urgently required in the HRM,

Thank you,

Stephen Theriault
Stonehedge Development Inc.

April 16, 2025

Stonehedge Development Inc. is applying to have PID 0051907280 re-evaluated from designated under the HRM Rural Design Plan, Minimum Planning Regulations (Low Population Density) to a designation that would allow development of an Independent Over 55 Active Lifestyle Community comprising of 106 duplex style homes with attached parking garages constructed on 53 individual lots as per drawing no. C-CP03 of the attached lot plan.

HRM does not currently have any of these types of Over-55 Developments in HRM proper and we feel as though PID 0051907280 offers the ideal environment and circumstance whereby the surrounding areas of Waverley, Fall River, Oakfield as well as Halifax, and the Lower Sackville/Bedford areas would benefit greatly from such an Over-55 Active Lifestyle Community.

Advantages of PID0051907280 becoming home to 103 duplex style homes for over 55's:

1. Housing Crisis Support

Utilization of PID 0051907280. The property is perfectly situated for such a development. Informal questioning to residents of the Village of Waverley have proven a great demand for this type of project. An informal survey was undertaken with a small group of residents from the Village of Waverley. The majority of those responding was very positive about being able to stay in their respective community as they age. The prospect of leaving their oversized family home and retiring to a smaller, modern, new, accessible Over-55 development within their community, was overwhelmingly appealing to all who answered. Stonehedge Development Inc. believes the "right" type of development in this location would be very popular with the demands of the aging population of Waverley, Fall River, Lower Sackville/Bedford.

2. Water Supply

City water is available at this location. The Halifax Water, Water Tower is located directly on property that was once part of PID 0051907280.

3. Water Volume

The Water Volume available has sufficient quantities to accommodate a minimum of 100 additional single-family dwellings (more than adequate to allow for 100 plus senior dwellings) that has been factored into this plan. The oversized waterline was installed by Stonehedge Development Inc. at the time of construction of the Beechcrest Road extension.

4. Subdivision Emergency Exit Road

The allowance of the planned Beechcrest Road extension as per Drawing 3** and the small cul-de-sac at the top of the existing Beechcrest Road as part of the Active Lifestyle Community housing project would provide for an additional means of access and emergency egress for Frame Subdivision, the new proposed Active Lifestyle Community and the existing homes on Stonehedge Lane. Thus, providing an alternate emergency route out of these properties in the event of fire or any other catastrophic event which may require evacuation.

5. New Water Main Service Loop

The extension of the existing oversized water main to service the new proposed Senior (Over 55) duplexes would naturally travel underground along the new cul de sac, along the new road to the remainder of the new duplexes and down Stonehedge Lane and, would create a new and much desired by Halifax Water, water service "loop" to aid the village of Waverley in the event of an existing water main break.

6. Area Population Density

The population density at PID005197280, would, by nature of the Over 55 Active Lifestyle Community remain low in perpetuity. With a maximum of 212 full-time community members, (based on 2 persons per duplex "side"

7. Low Infrastructure Demands

Additional demands on existing HRM/Waverley would remain low. Primary/secondary schooling is not required for the Over 55 demographic. Public transportation is not offered nor is it expected in this area. Potable water infrastructure is available and in sufficient quantities. Typically, developments of this type are frequently serviced by 1(one) septic system per duplex building (2 sides). Smaller lots may be possible than many of the lots depicted in Drawing No. C-CP03 due to the decreased need for individual septic systems to service single family dwellings.

8. Assist HRM's low Residential Housing Pool

With current older citizens moving to the new Active Living Community, there could be the possibility of 106 older affordable single-family homes coming available for sale in Waverley, Fall River, Lower Sackville and Bedford. This would add immensely to the residential housing pool in the HRM area meeting the needs of over 200 families. The provision of 106 new Over-55 Duplex's would be a wonderful addition to HRM.


9. Support of Recreation and Parkland Requirements

The remaining lands could be designated and designed as walking paths and hiking trails and recreational areas servicing the Frame Subdivision community, Stonehedge Lane Community, as well as the new Over 55 Active Living Community's. It might also be considered as additional Waverley Recreational space, should it be considered. The land's adjacent to Silvie Lake (the Pond) and Sprigs Lake offer the advantage of lake frontage park land. Additional Community planning might allow for added Community interaction by further utilizing the Electrical Power Corridor also within PID 005197280.

10. Please refer to Conceptual Drawing C-CP03 (attached).

Thank you. Please consider PID 0051907280 for re-evaluation or re-zoning for Phase 5 of the Urban Design.

Regards,


Stephen Theriault

Stonehedge Development Inc.


PIID 0051907280 Storehedge Development Waveley



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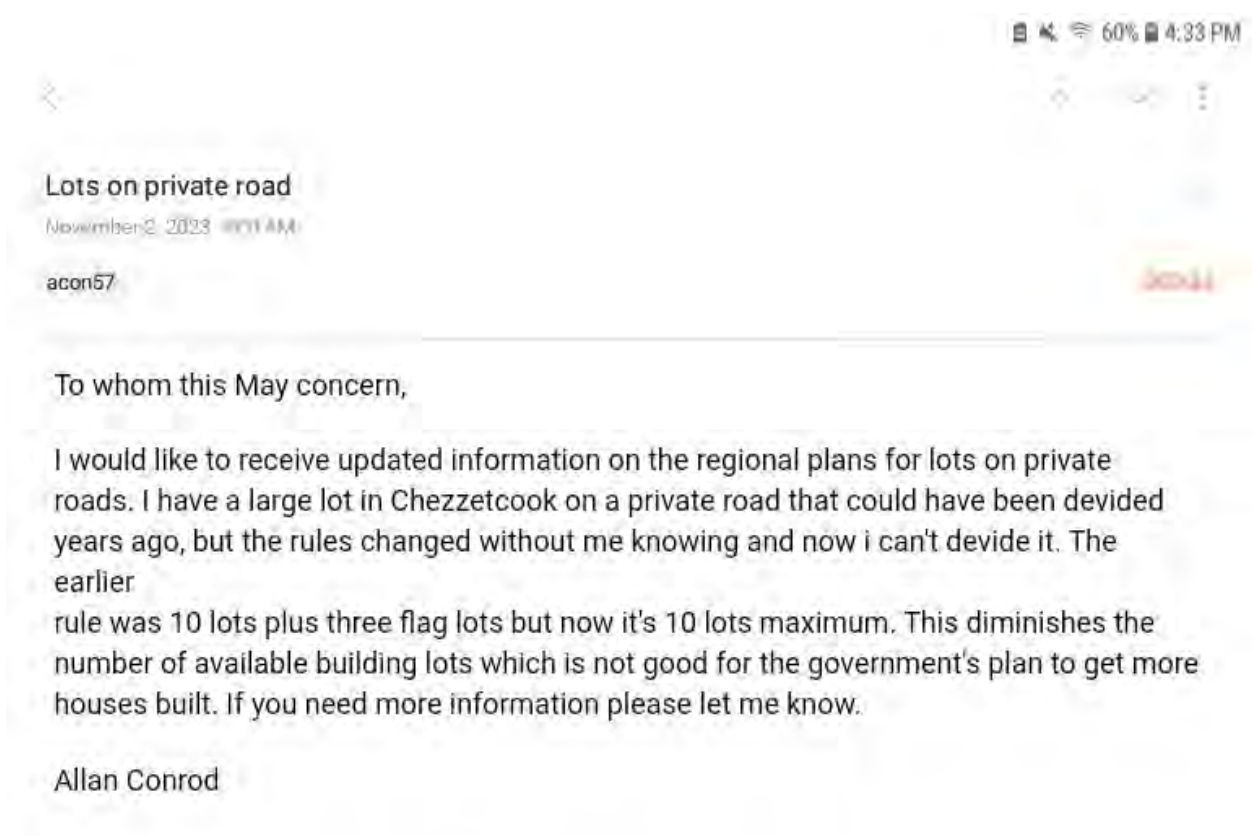
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				<p>DATE: 10/10/2010</p>	<p>CLIENT: C-CP03</p>

C989

Anne,

Thank you for contacting me. The lot is in Head Of Chezzetcook with PID 41094657 and is about 4 acres in size. I am attaching a letter I sent earlier regarding this issue that i hope will be of help. Please let me know if You need any further information.

Allan Conrod



Attachment A-8:

Recommended Approach for Margeson Drive Area, Middle Sackville

BACKGROUND

In December 2018, Regional Council initiated [Case 21639 - Middle Sackville Master Plan](#), a comprehensive secondary planning process for the Middle Sackville Urban Local Growth Centre on lands surrounding the Highway 101 – Margeson Drive interchange in Middle Sackville. The project included 3 phases (see Map 1 below). The project scope included only consideration for municipal water service.

In October 2021, Armco Communities submitted [a request to the Regional Plan Review](#) to consider the lands around the Highway 101 Interchange, including those initiated under Case 21639, for consideration for municipal wastewater service, in addition to municipal water service. As this would require a change to the Regional Plan and a major amendment to the Urban Service Area boundary, this request was directed to be considered as part of the Regional Plan Review. Regional Council [directed](#) that the request be considered as part of Phase 5 of the review, which is the approach being taken for all similar requests for expanding the Urban Service Area.”

On March 19, 2024, Regional Council [passed a motion](#) requesting “a staff report on urgently advancing the Middle Sackville Master Planning Process, Case 21639, to allow extension of urban service boundary for water and sewer, and addition of the following PIDs to allow planning for connectivity, schools, egress, housing and commercial developments: 40281461; 40123614; 41461450; 40123788; 40695504; 41315946; 41093725.

In May 2025, Armco and Marchand Homes submitted an update to their request given changes in ownership on PID 40281479, and new potential uses commercial uses for PIDs 40123598 and 40123606 (see Appendix 2).

Subject Sites (See Map 1 below)	<ul style="list-style-type: none">• Properties included in the Middle Sackville Master Plan + Site Specific Request + Referenced in March 19/24 Council Motion: 41287129, 40123598, 41287137, 40123606, 40281479, 41293036• Properties Site Specific Request + Referenced in Motion: 40281461, 40123614, 41461450, 40123788, 40695504, 41315946• Additional property referenced in motion: 41093725 (HRM park parcel)• <i>Total land area of all sites is approximately 243 acres (98 hectares)</i>
Location	<ul style="list-style-type: none">• Located to the southeast of Highway 101 interchange at Margeson Drive, between Highway 101 and Webber Lake, and located off Lindforest Court and Old Sackville Road
Regional Plan Designation	<ul style="list-style-type: none">• Rural Commuter
Community Plan Designation	<ul style="list-style-type: none">• PIDs 40281461, 40123614, 41461450: Mixed Use C (MU-C) and Floodplain (FP) Designations under Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy;• PIDs 40123788, 40695504, 41315946, 41093725: Rural Residential (RR) Designation under Sackville Municipal Planning Strategy
Zoning	<ul style="list-style-type: none">• PIDs 40281461, 40123614, 41461450: Mixed-Use Two (MU-2) and Floodplain (FP) Zones under the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law;• PIDs 40123788, 41315946, 41093725: Rural Residential (R-6) Zone under Sackville Land Use By-Law;• PID 40695504: Comprehensive Development District (CDD) Zone under Sackville Land Use By-Law

Regional Plan Context

Under the 2014 Regional Plan and the proposed Regional Plan, the subject lands are primarily designated Rural Commuter, which envisions a rural pattern of low-density residential development. The 2014 Regional Plan designated Middle Sackville as an Urban Local Growth Centre, supporting a mix of low and medium-density housing, walkable streets, active transportation and transit connections. Despite its categorization as an “Urban” growth centre in 2014, the lands are located outside the Urban Service Area boundary (Schedule B of the Regional Subdivision By-Law), and outside of the Urban Transit Service Boundary. The location of the Urban Service Area boundary is shown on Map 2.

2014 Regional Plan Policy SU-14 (Policy IM-63 in the proposed Regional Plan) allows new Water Service Areas to be established in Rural Commuter designation where it has been determined through a secondary planning process that new growth is to be encouraged in the area.

It should also be noted that amendments to planning documents for the Sackville Floodplains, approved by Regional Council on April 29, 2025, have adjusted floodplain zoning to lands north of Webber Lake, which has impacts on PID 40281461.

History of the Middle Sackville Master Planning Process

From 2013 to 2017, Armco Capital Inc. submitted multiple separate planning applications (Cases 19305, 19307 and 19521) to enable various development proposals around the Highway 101 – Margeson Drive interchange, including the Sunset Ridge subdivision, and some of which later formed the Middle Sackville Master Plan study area.

In 2018, Regional Council [initiated](#) the Middle Sackville Master Planning Process on lands surrounding the Highway 101 – Margeson Drive interchange, comprising 7 parcels totaling 59 hectares (146 acres). As a comprehensive planning exercise, the Middle Sackville Master Planning process would create planning policies and regulations to allow mixed residential, commercial, institutional, and recreational uses. The project was to consider a water-service only extension and what infrastructure upgrades may be required to the subject lands and pedestrian linkages. Due to constraints in the Sackville wastewater collection system, this process did not contemplate extending municipal wastewater services.

The Master Plan project was to be divided into 3 phases. It was expected that a staff report with recommended planning policies and regulations would be brought to the Council for each phase. Through this process, amendments would be considered for:

- The Regional Plan and Regional Subdivision By-law;
- The Sackville Secondary Municipal Planning Strategy and Land Use By-law; and
- The Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law.

Project key events

- In 2011, a community visioning exercise was completed and the [Middle - Upper Sackville & Lucasville Vision](#) adopted by the Council to guide future planning and development in this area. This exercise placed significant focus on the Highway 101 – Margeson Drive interchange lands.
- In 2014, the Regional Plan designated lands surrounding the Highway 101 – Margeson Drive interchange as the Middle Sackville Urban Local Growth Centre.
- On December 4, 2018, Regional Council initiated the Middle Sackville Master Planning Process.

- On October 27, 2021, Armco Capital Inc. requested (C319), through the Regional Plan Review process, that municipal water and sewer be extended to lands within the Middle Sackville Master Plan study area, concurrently with the ongoing Master Planning process.
- On February 8, 2022, a public hearing was held at Regional Council for Phase 1 of the Master Planning process. This report considered removing the growth controls for the Indigo Shores subdivision, which limited subdivision of lots to 25 per calendar year. This request was refused by Regional Council.
- On March 24, 2022, Phase 1 of the Middle Sackville Master Plan (Indigo Shores Subdivision) was designated by the Minister of Municipal Affairs as a Special Planning Area. This would allow the Indigo Shores subdivision to develop with no limit on the number of lots per calendar year.

Regional Council approved direction on subject lands

Regional Council initiated the Regional Plan Review in February 2020. Previous deliverables included the [Themes & Directions Report](#), the [Themes & Directions What We Heard Report](#), and Phase 3 Quick Adjustments in October 2022. In June 2023, the [Draft Regional Plan](#) was released for public engagement, and the [“What We Heard Report”](#) was presented to Regional Council on December 12, 2023.

All subject properties except two included in the Council motion made on March 19, 2024, have been directed by Regional Council to be considered through Regional Plan Review Phase 5 for future development potential, including water and sewer service extension. In addition to requests for the area immediately adjacent to the Highway 101 interchange, there are many additional requests to be included in the Urban Service Area in Middle Sackville. In total there are 13 requests on 46 existing lots in Middle Sackville (see Map 2, and Table 4 in Attachment A-6). There are an additional 40 requests for inclusion within the Urban Service Area in other parts of the Municipality (see Attachment A-6).

Updated Request (2025)

Since the original request was submitted, a number of circumstances have changed, and in May 2025 Armco and Marchand provided an update to their request as follows (see Appendix 2):

- PID 40281479 at the northeast corner of Margeson Drive and Highway 101 has been purchased by the Province of Nova Scotia for a new school.
- PID 40123598, at the southwest corner of Margeson Drive and Highway 101, near the entrance to the Indigo Shores subdivision, has been identified as a potential site for a large commercial retailer.
- PID 40123606, at the southeast corner of Margeson Drive and Highway 101 with waterfrontage on Webber Lake, has been identified as a site for commercial retail, high density residential, and parkland dedication.
- Total proposed residential units are estimated at between 2,000 and 3,500 units.
- A public road is proposed to connect Margeson Drive and Lucasville Road, aligned with the intersection of Midnight Run. The proposal envisions active transportation and transit connections.

RECOMMENDED APPROACH

The Middle Sackville Master Plan was originally initiated as a rural development proposal with intensity, density and land use to reflect expected semi-rural character. The development was anticipated to be serviced with municipal water service only and on-site septic systems. If the area were deemed appropriate for full-service extension through Regional Plan Review, the intensity of compatible development would change substantially in many respects, including the land uses, lots sizes, densities, and therefore road and park placements. Where decisions on the placement of municipal infrastructure are amongst the most

critical and permanent decisions, the Municipality needs to ensure these decisions are made holistically with thorough consideration to surrounding land uses and costs over time. For those reasons, the original Master Plan process has been on hold while the Regional Plan Review is completed and key critical infrastructure decisions are determined.

HRM has been experiencing a period of unprecedented growth and high demand for housing. Like many growing communities across the region, the Middle Sackville area is also facing increased housing development pressure. As new growth proposed in Middle Sackville can affect existing communities and their assets (such as recreation facilities, libraries, parks, schools, and fire stations), the service extension requests should be considered with a long-term vision for the area. The Municipality will need to assess the impact of this growth and determine how investments in new and existing assets should be directed.

Urban Service Area Boundary expansions are significant municipal projects that must be considered carefully in relation to the Regional Plan's strategic growth objectives and consider long-term infrastructure. It requires a holistic approach to identify where, when and how future infrastructure and services will take place to accommodate population and employment growth across the region, including Middle Sackville. For these reasons, staff do not recommend advancing the Middle Sackville Master Plan lands as a separate project. Additional detail of this recommendation is provided below, followed by potential alternatives.

Phase 5: Future Growth

Staff recommend continuing to consider this request as part of Phase 5 of the Regional Plan Review. The same approach is recommended for all requests in the Middle Sackville area (13 requests on 46 existing lots), to ensure that the lands are being reviewed in a fair and comprehensive manner.

The previous approach recommended to Regional Council for this and all similar service boundary extension requests in Middle Sackville was as follows:

Staff will undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5. Future development potential in the Middle Sackville Area will be studied at that time, and will:

- Consider which lands in the Middle Sackville area may be appropriate for serviced development in the short term, and which should be considered in the longer term horizon;
- Study the current and future potential development pattern in the Middle Sackville area (considering existing development, ongoing as-of-right subdivision applications, ongoing enabled planning applications, and requests received through the Regional Plan Review process) to understand the area's infrastructure planning needs;
- Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in the area;
- Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan;
- Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan;
- Consider past and ongoing public engagement in the area, including the Middle – Upper Sackville & Lucasville Community Visioning program, and
- Consider what, if any additional public engagement is required.

The following sections provide additional detail explaining the rationale for this approach:

Strategic Growth and Infrastructure Priorities Plan

As the region grows, investing in infrastructure will be critically important for maintaining services and quality of life for residents. To support the region's projected growth, and the cumulative impacts of density, the Municipality will monitor growth and share the results annually with service providers. The proposed Regional Plan sets out that to support a population of one million people, a Strategic Growth and Infrastructure Priorities Plan will be undertaken to forecast needs for renewing existing infrastructure and

investing in new infrastructure to accommodate growth. The Office of Strategic Growth and Transportation Planning has been established to support this work, along with Regional Planning.

The complex nature of the Strategic Growth and Infrastructure Priorities Plan requires a holistic review of all potential Future Serviced Communities. Close collaboration and input from various infrastructure and service providers are key to a successful plan. As part of Phase 5 of the Regional Plan Review, staff must work closely with infrastructure and service providers to identify the expected settlement pattern and scenarios for future growth. In addition to all infrastructure investments needed to support growth already enabled within the existing Urban Service Area boundary and the potential Future Serviced Communities identified in the Regional Plan, Phase 5 will need to evaluate areas designated Urban Reserve, as well as all other requests for major service boundary expansion (see Attachment A-6 “Site-Specific Amendment Requests for Consideration through the Regional Plan Review Process – Phase 5” for the complete list of requests).

This work has begun and will continue into Phase 5. Below are some key inputs to be considered as part of this work:

- *Water and Wastewater Infrastructure*

A major input to the Strategic Growth and Infrastructure Priorities Plan will be Halifax Water’s long-term plan, the Integrated Resource Plan (IRP). The current IRP was adopted in 2019, and work has begun to update this plan to reflect the Municipality’s much higher rate of population growth. Halifax Water has begun scoping this work with their consultant, and received funding approval from the Nova Scotia Utility and Review Board (now the Regulatory and Appeals Board) in Winter 2025. The overall process is estimated to take two years. The findings of the IRP are presented to the NS Regulatory and Appeals Board (NSRAB).

A major component of the IRP is understanding how the growth and settlement pattern is related to key infrastructure. This process will assess regional-scale infrastructure and capacity. Regional Planning has been and will continue working with Halifax Water to identify future growth scenarios to be assessed, to understand long-term needs for servicing and any constraints and opportunities. Regional Planning has provided Halifax Water with information on all service boundary expansion requests received to date, as an input to the IRP process. The IRP will develop the “big picture”, allowing Halifax Water and HRM to understand the cumulative impact of all potential developments, understand the relative costs of required infrastructure upgrades for different potential future growth scenarios, and any potential trade-offs (for example, whether permitting development in one location over another will create new or exacerbate existing constraints).

Halifax Water has advised there are several water and wastewater constraints in the Middle Sackville area that could be supported by further infrastructure investments. For example, Halifax Water has identified that to support water system resiliency, there may be benefit in connecting the existing 600mm diameter water transmission main on Lucasville Road at Bryanston Road to the existing 600mm water transmission main on Hanwell Drive at Swindon Drive. One option for this “looping” project would cross through Middle Sackville, specifically the Margeson Drive area, and could be coordinated with any proposed development (as referenced by Armco, see Appendix 2). However, this project is currently not within Halifax Water’s five-year capital plan.

Regarding the wastewater system, the flows would ultimately enter the Bedford Sackville Trunk Sewer downstream to the Mill Cove Wastewater Treatment Facility. System upgrades to this infrastructure were identified in the 2019 IRP in both the collection and treatment systems; however, there are lands within the existing Urban Service Area where additional density was not planned for in 2019 but is now expected, such as the Paper Mill Lake lands. Advancing the Margeson Drive area in advance of other areas, including those in the existing serviced area, could result in a need for significant additional investment.

Therefore it is expected that the IRP will help provide a better understanding of what infrastructure

investments are needed where, based on the chosen future growth scenario.

- *Mobility Infrastructure*

There is a need to consider long-term mobility needs for transit, active transportation and road networks.

Link Nova Scotia (formerly the Joint Regional Transportation Agency), a provincial crown corporation established in 2021¹, is mandated with the development of a Regional Transportation Plan (RTP) that will identify the long-term transportation needs of HRM and the surrounding areas (generally encompassing a one-hour commuter shed beyond HRM). HRM Staff are actively involved with the LinkNS at the executive and staff level. The RTP is expected to consider a wide range of regional transportation infrastructure upgrades and develop recommendations based on transportation demand modeling that is informed by updated population and employment forecasting. The RTP will become an input to Phase 5 of the Regional Plan Review and the Strategic Growth and Infrastructure Priorities Plan.

HRM will also consider the needs for extending Margeson Drive south to Hammonds Plains Road and the need for the Beaver Bank By-pass (as outlined in the March 19, 2024 report: [Beaver Bank By-Pass Project](#)).

- *Community Infrastructure*

Community infrastructure includes the important components for building complete communities, including parks, community facilities, libraries, schools, and emergency services. The need for all services to support future development will need to be considered. This will involve coordination with many internal and external service providers, including Parks & Recreation, Halifax Regional Fire & Emergency, Halifax Public Libraries, the Halifax Regional Centre for Education, among others.

ALTERNATIVE APPROACH

As there are 13 requests for service expansion, as well as significant additional development enabled within the existing service boundary, staff do not recommend prioritizing the Margeson Drive lands for service expansion without first undertaking a review of overall growth scenarios and associated infrastructure demands.

However, should Regional Council wish to consider all or parts of this proposal in advance of the Strategic Growth and Infrastructure Priorities Plan and the completion of Halifax Water's IRP process, there are alternative approaches that could be considered.

Given the Provincial June 30 deadline to adopt the Regional Plan and the Minimum Planning Requirements, staff recommend that if Council wishes to proceed with an alternative approach, Council direct staff to return with proposed amendments to the Regional Plan and any applicable planning documents as necessary to implement the chosen approach.

Two main alternatives have been identified:

1. Identify the lands as a potential Future Serviced Community

¹ Please note that on March 26, 2025, the Province of Nova Scotia gave Royal Assent to Bill 24, An Act Respecting Temporary Access to Adjacent Land, and to Amend Chapter 23 of the Acts of 2021, the Joint Regional Transportation Agency Act. This Bill renames the Joint Regional Transportation Agency to Link Nova Scotia. As of the writing of this report, this Bill has not yet been proclaimed and therefore is not yet in effect.

Since 2006, the Regional Plan has established the Urban Settlement designation on lands where serviced development is anticipated (identified as “Future Serviced Communities” in the proposed 2025 Regional Plan). Lands that may be considered for serviced development after 2031 were given the Urban Reserve designation. New mixed use communities that require Urban Service Area boundary extensions are guided by policies for Future Serviced Communities (see Appendix 1). Policies HC-11 to HC-14 set out a four step process, which can be summarized as:

1. Determine whether detailed study is warranted by considering current population and employment projections in relation to the need for additional lands for new housing or employment, and the fiscal implications to the Municipality, Halifax Water, other infrastructure and service providers and their capacity to provide service and meet additional financial commitments. (Policy HC-11)
2. Where study is warranted, undertake background studies (including land suitability analysis, a waste and wastewater infrastructure study, and transportation analysis), which includes analysis of infrastructure costs to the municipality and determination of any need for oversizing or cost-sharing. (Policy HC-12 and IM-59)
3. Regional Council considers the results of the studies and determines if comprehensive planning should begin. (Policy HC-13)
4. Develop detailed land use policies and determine infrastructure charges. Adjusting the Urban Service Area boundary is one of the last steps, in coordination with establishing infrastructure charges for HRM and Halifax Water. (Policy HC-14 and IM-60)

The Regional Plan has typically applied the Urban Settlement Zone to lands that are designated Urban Settlement, but not yet within the Urban Service Area. This is a type of ‘holding zone’, which limits development so that inappropriate development does not preclude future serviced development.

Should Regional Council choose to identify the lands as a potential Future Serviced Community in the Regional Plan, staff suggest that Council should also:

- Direct whether staff should undertake any analysis in relation to Policy HC-11, regarding the need for additional lands (note that this is work that would be completed during Phase 5 under the recommended approach)²; or whether to proceed directly to background studies identified in HC-12;
- Indicate which, if any of the additional requests in the Middle Sackville area should be included within the potential Future Serviced Community area;
- Provide direction on whether the Urban Settlement Zone should be applied to limit premature development.

2. Create Site Specific Policy: Consider including lands north of Highway 101 within the Urban Settlement designation and Urban Service Area boundary; retain lands south of Highway 101 in Rural Commuter designation and consider for Water Service only

Regional Council could direct staff to proceed with an approach that differs from the Future Serviced Communities process.

Regional Planning staff have had preliminary discussions with Halifax Water to understand the location and sizing of existing infrastructure and the implications of extending water only vs. water and wastewater services to different portions of the Margeson Drive lands. Based on these discussions, Regional Planning staff can advise that:

- Expansion of water service may be possible on both sides of the Highway 101 given the location

² For the Future Serviced Communities identified in the Regional Plan (Sandy Lake, Highway 102 West Corridor Lands and Morris Land Expansion Lands), during Phase 2 of the Regional Plan Review (Themes and Directions, 2021), staff undertook the Preliminary Population and Housing Analysis, and determined that the municipality’s recent population growth warranted beginning study of these areas. This approach was consistent with existing Regional Plan Policy S-2 / proposed Regional Plan policy HC-11.

- of the existing water service;
- Expansion of wastewater service may be possible north of Highway 101 with potentially significant local upgrades; costs would need to be borne by the developer;
- Wastewater service south of Highway 101 has never been contemplated and requires further study to understand the feasibility, costs, and implications to the downstream system, with costs borne by the developer.

Therefore, it may be appropriate to consider including the lands north of Highway 101 within the Urban Service Area, and considering the lands south of the highway for inclusion within the Water Service Area only.

It is noted that this approach would not respond to the property owners' request for full services. Should Regional Council wish to proceed with this approach, staff advise there will be a need to follow up with all relevant property owners to understand their detailed requests and return to Council with a comprehensive recommendation regarding any required amendments to planning documents.

CONCLUSION

Regional Council has previously directed that staff consider all site-specific requests to include lands in Middle Sackville within the Urban Service Area boundary, including those within the Margeson Drive Master Plan Area, as part of Phase 5 of the Regional Plan Review. This remains the recommended approach, as this will best ensure that potential development of the area is considered in context of the overall regional servicing and infrastructure needs.

APPENDICES

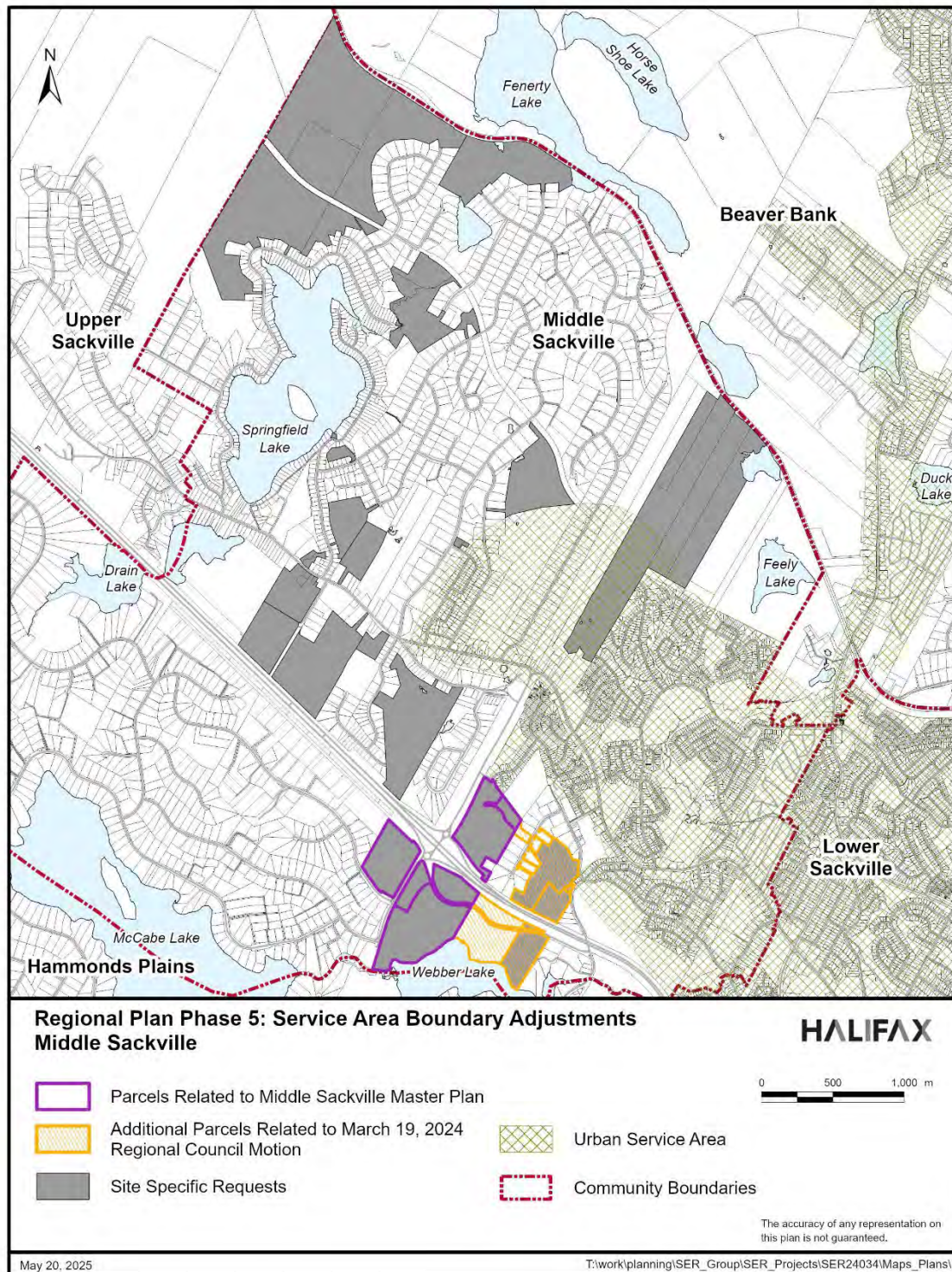
MAP 1	Margeson Drive Master Plan Study Area and Phasing
MAP 2	Service Boundary Adjustment Requests in the Middle Sackville Area
Appendix 1	Relevant Regional Plan Policy (2025)
Appendix 2	Update on Request from Armco and Marchand Homes

The map displays the Sackville Hammonds Plains and Upper Sackville Plan Areas. It features several lakes: Drain Lake, McCabe Lake, and Webber Lake. Highway 101 is shown running diagonally across the map. The development areas are color-coded: Phase 1 (yellow), Phase 2 (purple), and Phase 3 (green). The map also shows various residential streets and a legend at the bottom.

Legend:

- Phase 1 (Yellow)
- Phase 2 (Purple)
- Phase 3 (Green)

Map 2: Service Boundary Adjustment Requests in the Middle Sackville Area



Appendix 1: Relevant Regional Plan Policy (Proposed 2025)

Policies guiding the Future Serviced Communities comprehensive planning process

Chapter 2: HC-11 to HC-14

HC-11 For any of the potential Future Serviced Communities identified in Table 3.3, before choosing to initiate a planning process, the Municipality shall assess whether detailed study is warranted by considering:

- a) current population and employment projections and the implications related to the need for additional lands for new housing or employment; and**
- b) the fiscal implications to the Municipality, Halifax Water, other infrastructure and service providers and their capacity to provide service and meet additional financial commitments.**

HC-12 Where Council has determined that detailed study is warranted pursuant to Policy HC-11, the Municipality shall undertake comprehensive studies for the area providing background information needed to inform decisions about the potential development of the lands, including:

- a) Land Suitability Analysis – This study shall include the mapping and analysis of the area’s ecological features to identify lands that are constrained, partially constrained, or not constrained for development. Required considerations include:**
 - i. Watercourse and wetland habitat;**
 - ii. Forest habitat;**
 - iii. Species at risk habitat;**
 - iv. Landscape and ecological connectivity;**
 - v. Surficial and bedrock geology;**
 - vi. Steep slopes;**
 - vii. Contaminated sites;**
 - viii. Areas of cultural significance; and**
 - ix. Presence of adjacent parks, wilderness areas, conservation areas, and other similarly designated lands.**
- b) Watershed Study – This study shall identify potential impacts of development on any watersheds located in the area. The study shall comply with Policy EN-17;**
- c) Transportation Study – This study shall identify how the area can connect to the rest of the municipality and how internal mobility will be handled. The study shall include:**
 - i. Reviewing existing transportation infrastructure, demand, and policy to establish an understanding of existing mobility conditions;**
 - ii. Applying the Municipality’s regional travel demand forecasting model to determine potential impacts to regional mobility as a result of development;**

- iii. Recommending land use and network scenarios that support the mobility goals outlined in Chapter 7 and mode share targets in Policy M-4 of this Plan; and
- d) **Water and Wastewater Services Study – This study shall:**
 - i. Establish existing water and wastewater infrastructure conditions;
 - ii. Develop a macro-level servicing strategy that will establish water, wastewater, and stormwater servicing infrastructure requirements for the development, including cost estimates and allocation assessment; and
 - iii. Identify any need to oversize the water, wastewater or stormwater systems to allow for future development, consistent with Policy IM-60.

HC-13 When considering whether initiation of a comprehensive planning process is warranted for any of the potential Future Serviced Communities identified in Table 3.3, the Municipality shall consider the results of the studies as outlined in Policy HC-12, and all applicable policies of this Plan.

HC-14 Where a planning process for any of the potential Future Serviced Communities identified in Table 3.3 has been initiated pursuant to HC-13, the Municipality shall consider adopting site-specific policies and regulations in the applicable secondary municipal planning strategy and land use by-law to guide future site design, land use, density, and form of development. In developing site-specific policies and regulations, the Municipality shall consider the following:

- a) all applicable policies of this Plan;
- b) the subdivision of land;
- c) the phasing of development;
- d) protection and/or restoration of significant environmental and cultural features;
- e) directing development away from sensitive environmental and cultural features, and areas that may be hazardous to the health and safety of residents, including measures to reduce the risk and impact of wildfire, flooding, or other hazards through site and building design and infrastructure;
- f) that the integrity of federal, provincial, and municipal parks, and other protected areas that are adjacent to the lands are maintained and buffered;
- g) the movements of pedestrians and transit service are prioritized over car-oriented design, including short blocks, grid or modified grid mobility networks, pedestrian streetscapes, walking/rolling, cycling, and connections to surrounding community;
- h) the adequacy of public parks, public open spaces, and community facilities that meet the objectives of this Plan and the requirements of the *Regional Subdivision By-Law*;
- i) impacts to municipal infrastructure and the need, if any, to concurrently approve by-laws and/or amendments to the *Regional Subdivision By-Law*, to pay for growth related municipal infrastructure, consistent with Policy IM-60;

- j) the distribution of overall densities intended for the community, and between different development blocks, phases, and landowners;
- k) community-scale or site-level green infrastructure, renewable energy options and other climate mitigation and adaptation design elements;
- l) the provision of a mix of uses, community amenities, public parks and gathering areas; and
- m) provisions for incentive or bonus zoning and off-site improvements necessary to integrate the development in the neighbourhood.

Policies guiding decisions to amend the Urban Service Area boundary

Chapter 10, Policies IM-59 to IM-61

IM-59 In considering requests to amend the Urban Service Area boundary to include additional lands, the Municipality shall:

- a) study the lands to be included within the Urban Service Area consistent with Policy HC-11 to HC-14, except that this requirement may be waived where the proposed amendment represents a minor adjustment to the Area and is consistent with Policy IM-61;
- b) consider the costs and feasibility of providing municipal services and infrastructure related to the extension;
- c) consider the need to oversize the water, wastewater, or stormwater systems to allow for future development within the Urban Settlement designation; and
- d) consider the need for a charge to pay for growth-related improvements to water, wastewater or stormwater systems.

IM-60 Where new secondary municipal planning strategy policy is being considered for adoption for a Future Serviced Community consistent with Policy HC-14, the Urban Service Area boundary may be amended, provided that:

- a) a by-law has been established or is proposed concurrently to pay for growth-related municipal infrastructure, or the Municipality has determined that a by-law is not warranted; and
- b) where required, a charge needed to pay for growth-related improvements to the water, wastewater, or stormwater services has been approved by the Nova Scotia Regulatory and Appeals Board.

IM-61 The Municipality may consider minor adjustments to the Urban Service Area boundary where:

- a) the lands to be included within the boundary are adjacent to existing developed lands within the boundary that are serviced with municipal water, wastewater and stormwater

- systems and the adjustment will improve the interconnection of existing communities;
and
- (b) (i) the adjustment will clarify and align the Urban Service Area boundary with the Urban Settlement Designation where a generalized line had been drawn; or
- (ii) where Halifax Water identifies that the adjustment is needed to facilitate efficient installation of new infrastructure within the existing boundary; and
- b) the costs for installation of water, wastewater and/or stormwater infrastructure is to be borne by the proponent of the proposed development, and the Municipality and Halifax Water have determined there is no need for a municipal contribution to oversize the water, wastewater or stormwater systems to allow for future development.

Appendix 2: Update on Request from Armco and Marchand Homes

From: [Marc Ouellet](#)
To: [Perrin, Leah](#)
Cc: [Laura Masching](#); [Trevor Adams](#)
Subject: [External Email] Margeson Drive
Date: Tuesday, May 13, 2025 5:02:40 PM

Hi Leah,

As per our conversation this morning, the following should be considered for your staff report:

- The Province acquired PID 40281479 from Armco in late November 2024 for the purpose of building a public school or schools on the property. As you recall, school enrollment was the principal issue that led Regional Council to vote against Ph.1 of the Master Planning process.
- Due to the sale of PID 40281479, which was previously targeted for retail development, we are now looking at locating the retail component on the southern side of Highway 101.
- PID 40123598 is now being reserved for a big box retailer of approximately 160,000 sq.ft. in GFA.
- PID 40123606 would be earmarked for a grocery-anchored development with at least 50,000 sq.ft. of retail space, high density residential and townhouse development, and parkland dedication (includes a waterfall feature).
- The balance of the lots would be used for high density residential and townhouse development.
- We are currently proposing between 2,000 and 3,500 residential units over the lands (Armco and Marchand properties). Our consultants have conducted studies that indicate that 2,000 units could be accommodated on the lands with extension of services and road upgrades. Further studies are required to find out what infrastructure upgrades would be needed to get to 3,500 units.
- We are proposing a public road link between Margeson Drive and Lucasville Road, using a portion of the existing service road ROW, with an intersection at Margeson Drive lining up with Midnight Run. This would enhance road connectivity and provide another option for emergency egress for residents living in Indigo Shores and on Lucasville Road. This road connection would also facilitate the implementation of transit service on Lucasville Road if this option were considered in the future.
- We are also planning a series of AT connections throughout the site, as well as linking both sides of the highway. This would include the construction of one segment of the Lucasville Greenway project, between the new road connector and Old Sackville Road. We would be open to consider further contributions to the Lucasville Greenway project. This would depend on allocated density.
- We would be open to entering into discussions with HRWC on cost-sharing for the water looping being proposed by the Commission between Lucasville Road and Sunset Ridge. Without Armco and Marchand involvement, the water looping would be 100% covered by ratepayers.
- Extension of water service would permit fire hydrants to be located at the two main entrances of Indigo Shores, i.e., intersections with Midnight Run and Magenta Drive.
- We aspire to create a fully serviced, Transit Oriented Development, respecting Complete Community principles.

We look forward to working collaboratively with HRM staff in achieving common objectives and in offering public benefits to the Lucasville and Middle Sackville communities, as well as communities further afield. We can present a detailed list of the benefits we believe this project would bring forward.

If you have any questions, please feel free to reach out.

Kind regards, Marc

Marc Ouellet
Senior Planning Manager
Armco Capital Inc.

Minimum planning changes in Halifax

What We Heard Report

June 2025

HALIFAX



Contents

Background.....	3
What We Did.....	4
What We Heard.....	8
General Feedback.....	8
Requirement A.....	9
Requirement B.....	10
Requirement C.....	11
Requirement D.....	12
Requirement E.....	13
Requirement F.....	14
Requirement G.....	15
Requirement H.....	16
Requirement I.....	17
Requirement J.....	18
Requirement K.....	19
Requirement L.....	20
Next Steps.....	21
Appendix A: Correspondence Log.....	22
Appendix B: Correspondence Attachments.....	159
Appendix C: Informational Factsheets.....	258
Appendix D: Legislation.....	283

BACKGROUND

This What We Heard Report describes the public engagement process for the changes to plans and by-laws the municipality proposed to comply with the Minimum Planning Requirements legislation.

The [*Halifax Charter*](#) (*"the Charter"*) is provincial legislation that controls how the Municipality operates. The Minimum Planning Requirements are regulations that form part of the Charter. The municipality's land use plans and strategies must meet these minimum requirements.

In [August 2024, the province of Nova Scotia announced](#) 12 new minimum planning requirements regulations. These requirements are intended to make sure that the municipality's planning framework, including policies, by-laws, regulations, decisions and development approvals, recognize the current housing crisis in the Halifax region and works to support the increase in housing supply. The legislation is provided for reference in Appendix D.

This Report summarizes feedback received from the public about the Minimum Planning Requirements. The Report is accompanied by a series of appendices for reference:

Appendix A – Correspondence Log

Appendix B – Correspondence Attachments

Appendix C – Informational Factsheets

Appendix D – Copy of Minimum Planning Requirements Legislation



WHAT WE DID

Municipal planning staff completed a technical review of the Minimum Planning Requirements alongside the existing planning framework to determine how to best address the changes required and met with provincial staff to confirm the approach.

It was determined that to comply with the new regulations, the municipality had to make changes to the Regional Municipal Planning Strategy (the Regional Plan), secondary municipal planning strategies (Community Plans), and land use by-laws.

On [October 1, 2024](#), [Regional Council](#) directed staff to incorporate amendments to meet the Minimum Planning Requirements (MPR) as part of the ongoing [Regional Plan Review](#) and approved a public participation program.

In accordance with the Planning and Development Public Engagement Guidebook, the public participation program followed an 'inform' approach. This approach focuses on providing residents with balanced and objective information to assist them in understanding the topic.



HOW WE GOT THE WORD OUT

Public engagement for the Minimum Planning Requirements changes followed the public participation program approved by Regional Council on October 1, 2024. Because the changes being made are mandatory and required by provincial legislation, the public engagement materials focused on information-sharing and making the public aware of the changes.

The public was invited to share comments and questions with staff over the course of the 30-day engagement period from January 24 to February 24, 2025.

The information campaign included several digital and physical methods of communication.

Website

The [Shape Your City Webpage](#) for the Minimum Planning Requirements was launched on January 24, 2025. The webpage was a central hub for the engagement as digital and print advertisements directed the public to visit the webpage to learn more. The Shape Your City Halifax homepage included a link to the Minimum Planning Requirements project webpage.

Elements of the Minimum Planning Requirements webpage included:

- Key background details explaining the Minimum Planning Requirements legislation and how this legislation relates to the Halifax Charter;
- A timeline of key dates, including the announcement of the Requirements, relevant Council meetings, and the start and close of the public engagement period;
- Details about the purpose of the public engagement period and contact information to connect with staff;
- An explanation of what next steps can be expected after the close of the 30-day engagement period;
- A table that summarized each of the 12 Minimum Planning Requirements and the municipality's proposed approach to comply with each requirement;
- 12 informational factsheets that provide greater detail on the proposed approach for each Requirement, what plan areas are affected, and what changes residents can expect to see. The factsheets are included in **Appendix C**.



Image 1: Still from engagement video

Meetings

Staff were available to meet with residents, community, and development industry groups during the engagement period and the following weeks.

Email and Phone Correspondence

The email (regionalplan@halifax.ca) and phone number (902-943-5139) were the primary methods of communication between staff and the public. Staff returned phone calls, logged correspondence, and answered questions.

Approximately 130 pieces of correspondence, comprising emails and phone calls, were received during the engagement period. A full compilation of the correspondence is found in **Appendix A** with associated attachments included in **Appendix B**. Any formal correspondence received outside of the engagement period was forwarded to the Clerk's office for distribution to Regional Council.

Digital Screens and Posters

A short video explaining the Minimum Planning Requirement changes and how to learn more was displayed on digital screens in libraries, transit terminals, and recreational centres across the municipality during the engagement period (see Image 1 on Page 5).

Posters were distributed to all library branches and included a brief explanation of the changes and where to learn more, including a QR-code linking to the webpage. Staff contact information was included in the video and on the posters (see Image 2 below).



Image 2: Print Poster

Digital Ad Campaign

The informational nature and condensed time period for the public engagement meant that information about the municipality's approach to the Minimum Planning Requirements and how to learn more were primarily advertised digitally.

The information campaign included:

- Paid social media campaign: Ads were shown to Meta users on Facebook and Instagram across the municipality inviting residents to learn more about the Minimum Planning Requirements by visiting the project webpage.
- 'Organic' non-paid social media posts: These were posts from the municipality's Instagram, Facebook, and X accounts, and included a notification to the Regional Plan email list. The posts introduced the Minimum Planning Requirements and invited residents to learn more about the proposed changes by visiting the project webpage.

Table 1 summarizes the reach of the information campaign across all digital platforms.

Table 1: Digital Informational Campaign

Type of Content	Platforms	Impact
Paid Social Media Campaign	Meta Ads (Facebook, Instagram)	<p>Clicks: 3,948</p> <p><i>Clicks are when someone clicks on the ad</i></p> <p>Impressions: 530,532</p> <p><i>Impressions are the total number of times the ad is shown, regardless of whether anyone clicks it</i></p> <p>Reach: 181,153</p> <p><i>Reach is how many unique people saw the ad. If someone sees the ad multiple times, they are counted only once in the reach</i></p>
Organic 'Unpaid' Social Media Posts	Facebook Instagram X (Twitter)	<p>Total Engagements: 474</p> <p><i>Engagements are the number of reactions, comments, shares, and clicks on a post</i></p> <p>Reach: 69,636</p> <p><i>Reach is the number of users who saw the post</i></p>
Mailing List	Shape Your City and Regional Planning email lists	222 emails sent
Regional Plan Website	www.halifax.ca	Page views: 813
Shape Your City Project Webpage	Shape Your City	<p>Page Views: 7,800</p> <p>Document Downloads: 1,960</p>

WHAT WE HEARD

General Feedback

All emails and phone calls were recorded and analyzed by staff. In general, feedback received on the Minimum Planning Requirements (MPR) was mixed. Residents often noted support for a few of the changes and concern about others in the same correspondence. Some residents thought that the MPR were being implemented too slowly, and others found that the changes were occurring too quickly without time to fully understand the impacts. Frustration was expressed about the provincial role in requiring the changes, and the length of the public engagement period.

The main theme that emerged from feedback is that residents may be confused about the nature and scope of the Minimum Planning Requirement changes. Of the 130 pieces of total correspondence, approximately half were largely unrelated to the proposed changes.

Some community groups and residents used the opportunity presented by the MPR engagement to share thoughts on more general Regional Planning issues, such as advocating for transit service to their community. Many residents did not understand the scope of the MPR changes, or thought they were the *Housing Accelerator Fund [Urgent Changes to Planning Documents for Housing](#)* amendments from Spring 2024.

An online petition that received hundreds of signatures (*see correspondence MPR107 in Appendix A*) misunderstood the MPR and prompted correspondence that was not closely related to the scope of the proposed changes.

Confusion about the Minimum Planning Requirements is not unexpected. Residents are



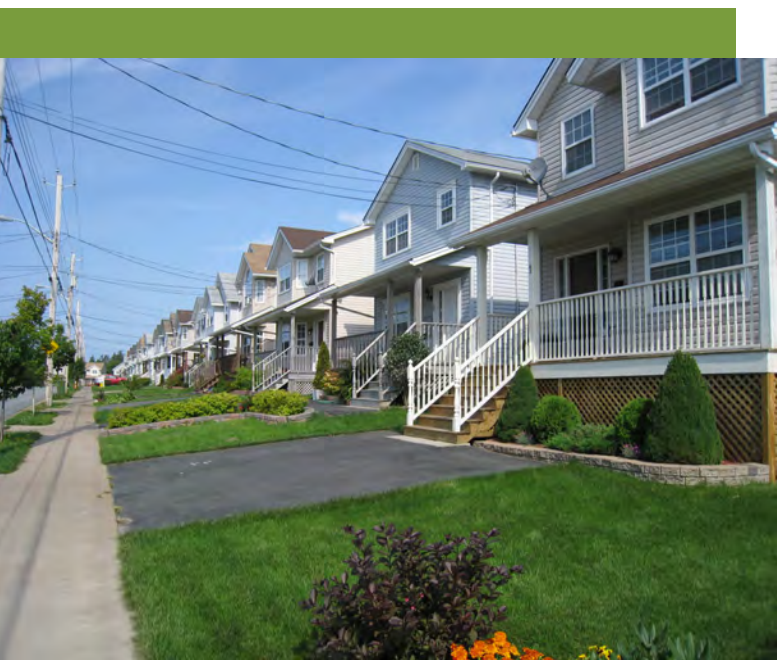
unaccustomed to technical planning changes originating from provincial legislation and expect more ability to substantially alter a proposed approach with their feedback. The rapid pace of change in the municipality may also be challenging for residents to follow and provide feedback on, leading to uncertainty around who is responsible for introducing various planning changes, whether new regulations are in effect, and who to contact with questions.

Acknowledging these challenges, staff responded to all correspondence directly, clarified the scope of the MPR changes where necessary, and referred residents to colleagues working on relevant projects for follow-up as needed.

Comments received during the public engagement period for the Minimum Planning Requirements are summarized below. Refer to **Appendix A** for a complete list of correspondence.

Requirement-Specific Feedback

Staff analyzed feedback and have provided summaries of what we heard from residents for each of the Minimum Planning Requirement regulations. There are 12 requirements.



Requirement A

Regulation Text

(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;

Proposed Approach

The Regional Municipal Planning Strategy (also called the 'Regional Plan') will include new policy that recognizes the housing shortage crisis and establishes a goal of increasing the housing supply. The Regional Plan sets out a common vision and long-range, region-wide planning policies that outline where, when, and how growth and development should take place.

What We Heard

A small amount of correspondence was received for this Requirement. Feedback that supported requirement A called it a 'common sense' change and agreed that the municipality's proposed approach sufficiently meets the intent. However, comments also expressed concerns about balancing housing need with community engagement, complete communities, and protected natural areas. There are concerns that Requirement A promotes increasing housing without any support for infrastructure and services, and that the need for affordable housing is overlooked. Residents expressed skepticism that the proposed amendments will make a real difference in the housing crisis and address the need for affordable housing.

"The crisis of housing in HRM at present is 'affordable' housing, which I do not see as being directly addressed by the Planning changes. Where is the requirement for developments to include some portion of 'affordable' units?"

- Comment from Resident, MPR97

Requirement B

Regulation Text

(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;

Proposed Approach

New language in the Regional Plan will emphasize the importance of increasing the supply of safe, sustainable, and affordable housing. The Regional Plan uses the lens of safety, sustainability, and affordability to create a framework for housing and growth that considers public health, use of existing infrastructure (e.g. water/sewer, roads, transit services, etc.) and complete communities where people can live, work, and play.

What We Heard

Some general support was received for Requirement B, but feedback was predominantly critical of the language of the requirement and the proposed changes. There are concerns about what prioritizing housing above all else will mean for the environment, infrastructure, principles of good planning, public transportation, traffic and road safety, and other services like policing.

Residents expressed that housing should not take priority over these other considerations, and would like to see 'safe, sustainable, and affordable housing' include more of a focus on creating vibrant, healthy, and empowered communities that include considerations such as accessibility.

"Housing is an urgent need and responsibility borne by municipal and provincial coffers. However, it is imperative that we do not prioritize housing over prudent decision-making that encompasses a comprehensive perspective on the quality of life.

These proposed amendments are intended to expedite residential development. Nevertheless, it is crucial that we ensure that they do not compromise responsible community-driven planning."

- Comment from resident, MPR108

There are also questions about what impacts these changes could have on communities with unique cultural and historical significance, such as African Nova Scotian communities.

Concerns were expressed that the urgency to build housing quickly could result in developments that do not align with good planning principles.



Requirement C

Regulation Text

(c) permit residential uses in all zones, except for all of the following:

(i) areas zoned for industrial, military, park, transportation reserve, and utility uses,

(ii) zones intended to protect the environment, water supply, floodplains or another similar interest;

The remaining 0.2% of the residential properties are large-scale sites (such as Shopping Malls/Plazas) that may be appropriate for new housing through current or future development projects, pending future technical review and community engagement. Regional Plan policy will direct this work through the Suburban Plan process.

Proposed Approach

The Regional Plan will include policy intent to enable residential in all zones except for those identified in the regulations. To determine if changes are needed to meet the requirements, staff reviewed all zones within the municipality. After removing zones that are exempted within the regulation (see i and ii of the regulation above), results showed that 99.8% of remaining properties already allow for a form of residential use.

What We Heard

This Requirement does not involve many changes to existing policy and regulations and did not garner as much public interest, but feedback was generally supportive of the proposed approach.

The Requirement's exclusion of environmental zones was important to residents concerned about development encroaching into environmentally sensitive areas. The development community provided feedback and requested that the scope of the proposed approach be expanded to allow more as-of-right development and to create new pathways for development in advance of the Suburban Plan.

The Lucasville Vision Committee requested that this Requirement not apply to African Nova Scotian communities, and to allow the community to direct any future zoning changes through Community Action Planning (see correspondence MPR94 in Appendix A).



Requirement D

Regulation Text

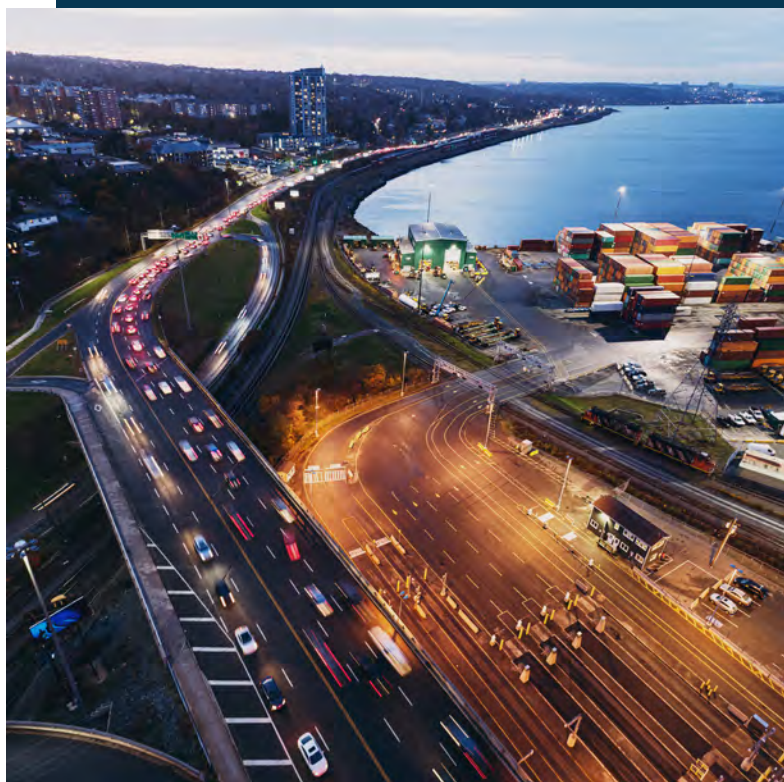
(d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;

Proposed Approach

The Regional Plan will clearly state the municipality's intent to share information about population, housing, employment conditions, and growth scenarios with the Province of Nova Scotia.

What We Heard

A small amount of feedback was received for this requirement, but comments from residents and the development community indicated general support. It was also suggested that stronger language should be used to require the sharing of information.



Requirement E

Regulation Text

(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;

Residents are interested in learning more about the Plan and future engagement opportunities. The need to consider community engagement and an accelerated timeline for Suburban Plan completion is a main theme that emerged from feedback.

Proposed Approach

The Regional Plan will include an overview of the Community Planning framework and establish intent to adopt a Suburban Plan. The development of the Plan requires comprehensive analysis, and community engagement. The Suburban Housing Accelerator Plan and Land Use By-law was adopted in 2024 and expanded in the Spring of 2025. The Municipality continues to coordinate with the Province and other stakeholders on the development of the Suburban Plan.

What We Heard

Feedback on this Requirement focused on the implementation of the Suburban Plan as part of addressing the housing crisis, and desire to see faster progress on the plan.

Residents expressed concerns that a work plan or timeline for implementation has not been released to date. Members of the development community requested that plan amendments be considered in the interim to help progress developments in advance of the plan's release.

Despite frustration with the timeline, several comments highlighted the importance of community engagement as part of developing the Suburban Plan.

"We are approaching the two year anniversary of the suburban plan's announcement and the public still has no clear idea of the work completed to date, the depth of changes anticipated, or any tentative release date for draft documents. The housing crisis is clearly an extraneous circumstance, necessitating an accelerated timeline for the suburban plan compared to other planning documents. It is not reassuring for the public to see only a work plan after nearly two years of assumed work."
- Comment from resident, MPR15



Requirement F

Regulation Text

(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;

Proposed Approach

Conservation Design Developments (CDD) are a type of residential subdivision within the rural areas of HRM. CDDs are designed to conserve open space and protect environmental features and can allow for more density than what is typically permitted in unserviced/rural communities. CDDs require development agreements to proceed, which must be reviewed and approved by Community Council.

Until April 1, 2027, a change in how density is calculated for these types of developments will be in place. There is potential for higher density to be allowed within a new CDD project. The requirements of CDDs will remain unchanged and public consultation and technical studies will still be required to ensure the environment and transportation systems are not negatively impacted.



What We Heard

The feedback to Requirement (F) was largely supportive, but the changes were critiqued as being too narrow in scope. A few residents supported the change in calculating density, while others expressed concerns that this change would increase urban sprawl by allowing more housing than previously envisioned in rural areas.

This Requirement was of most interest to the development community and those associated with the construction of Conservation Design Developments. While some members of the development community welcomed the change, it was requested that the scope of the proposed changes be expanded to remove density caps associated with different types of Conservation Design Developments. Feedback expressed that the density calculation change from Requirement (F) is not enough to increase housing, and a broader review of the Conservation Design policies is desired.

Requirement G

Regulation Text

(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;

Proposed Approach

Apartment buildings will now have their maximum heights measured in total storeys instead of in feet or metres. This will allow for more flexibility in construction methods such as timber-framed buildings. The definition of height in the land use by-law will reflect the height conversion to storeys.



What We Heard

For residents who support the changes associated with this Requirement, the change to storeys for apartment buildings makes sense and is an opportunity to have apartment units with higher ceilings.

Members of the development community welcomed the conversion from metres/feet to storeys and noted that it will help address challenges with achieving comparable densities, particularly for mass timber buildings. There were requests from members of the development community to expand the scope of the amendments to facilitate taller mid-rise buildings, and to provide greater details on the proposed height conversions to help determine impacts on projects.

Feedback was also received from members of the public who are opposed to greater building heights for environmental and heritage reasons and would prefer height to be capped at low or mid rise building typologies. Like many of the Minimum Planning Requirement changes, there was also some concern and confusion expressed around the scope of the changes and whether the amendments are changing where tall buildings are currently permitted.

Requirement H

Regulation Text

(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;

Proposed Approach

Until April 1, 2027, the land use by-law regulations for apartments are being changed to remove all bedroom count requirements. Unit mix is the number of studio, 1-bedroom, 2-bedroom units, etc. required per apartment building.

What We Heard

Feedback from residents and organizations regarding this requirement was strongly opposed to removing unit mix requirements, with many comments focusing on housing availability and affordability.

One-bedroom apartments are seen as unsuitable for many family structures and lifestyles, including young people, students, people who cannot live alone for accessibility reasons, and families with children. There are concerns that the change will worsen the housing crisis by resulting in developer preference for small studio and one-bedroom units with higher profit margins. A loss of affordable housing was highlighted as an issue, as one-bedroom apartments are typically rented at higher cost and cannot be shared with roommates to reduce costs.

Comments noted that fewer multi-bedroom units may impact residents' ability to be matched with social and affordable housing due to National Occupancy Standards maximums for bedroom occupancy, and new buildings without unit mix may prevent families from being able to live there.

Comments from Public Health – Central Zone (see correspondence MPR72 in Appendix A) noted that larger multi-bedroom units allow families to raise children in compact walkable communities, promoting healthier lifestyles and preserving ecosystem health by minimizing the need for greenfield development.



“One-bedroom units tend to cost more in rent per person compared to larger units that can be split between multiple roommates. Additionally, one-bedroom units don’t accommodate families, and fewer multi-bedroom units make the few multi-unit bedrooms much more challenging and expensive to find [...] One-bedroom units are a way for developers to increase unit counts and development feasibility, which helps increase the number of units built. But if we are focusing on people housed and not units built, then keeping unit mixes is essential”

- Comment from resident, MPR113

Requirement I

Regulation Text

(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;

Proposed Approach

Land use by-law requirements will be changed so that residential buildings that are within the Urban Service Area are not required to provide a specific number of parking spots. The Urban Service Area is the part of the municipality serviced with municipal water and sewer.

Parking spot provision requirements for all other uses (e.g. commercial, retail, office, etc.) will remain unchanged. If developments include parking, requirements for parking lot design and landscaping, loading spaces, etc. will continue to apply.

“Eliminating the need for (...) parking and story height is ridiculous! Can you imagine the congestion of the streets where these new high-rises are being built coupled with the ability to construct without parking? Where will these vehicles go? Not everyone who lives in these buildings are cyclists.”

- Comment from resident, MPR63

What We Heard

There was relatively high interest about the changes associated with Requirement I, and feedback was mixed. Residents who welcomed the change noted that parking adds to building costs, takes longer to build, and can encourage car-centered street designs. There was interest expressed in the municipality adapting its approach and commitment to planning for complete communities, supporting more public transit, and ensuring accessible parking spots remain an option. Comments also discussed opportunities for environmentally friendly parking considerations such as electric charging spots and solar panels located over parking lots.

Several residents expressed concerns about reduced parking requirements and opposed the changes. The main theme of these concerns was that developers may not provide enough parking for residents, leading to issues with on-street parking including insufficient availability, increased traffic congestion, and impacts to snow clearing. While parking minimums for residential uses are already not required in the Regional Centre, there are concerns about how areas with higher levels of car dependency, such as suburban neighbourhoods, will fare without parking minimums.

Comments from members of the development community generally sought to ensure that the new parking requirements apply to their projects or to clarify whether their projects would be impacted.

Requirement J

Regulation Text

(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;

Proposed Approach

Until April 1, 2027, land use by-laws that currently require up to 100% of the ground floor of a building to be commercial uses will now only be required to provide 20% of the ground floor to be commercial.

These changes are being applied to Pedestrian Oriented Commercial Streets in the Regional Centre and the Pedestrian Retail zone in Sackville Drive. The alternative to providing commercial uses for buildings on these commercial streets is to provide residential units at the ground level.

What We Heard

While a few positive comments about Requirement (J) were received from residents, the majority of public feedback on this change was unsupportive. Comments from some members of the development community supported the change and the flexibility it provides and requested more flexibility in how the requirement is applied.

Public feedback expressing opposition to the Requirement notes that the buildings constructed will be part of the community for many years. Residents discussed the benefits of ground floor commercial spaces, including increasing commercial opportunities for local businesses, walkability, healthy communities, and community engagement in public spaces. Commercial ground floor spaces in new buildings were noted as

desirable for local residents (besides those living in the building) and a benefit to the community at large by creating space for public amenities and services including cafes, shops, fitness studios, and daycares.

A submission from the Business Improvement Districts (*see correspondence MPR47 in Appendix A*) requested that Requirement J be rescinded, citing their interest in ensuring walkable downtowns and main streets and avoiding negative impacts to residents, small businesses, and community organizations that rely on a mixed-use urban environment. Comments from residents also highlighted similar interest in maintaining walkable, mixed-use neighbourhoods and protecting the appeal of commercial streets.

“The buildings that will be constructed will be part of our communities for decades and generations. It is short sighted to remove requirements for commercial spaces in any large new builds. Promoting a mix of usable spaces on the ground level encourages walking, community engagement and lively commercial streets”

- Comment from resident, MPR12

Requirement K

Regulation Text

(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;

Proposed Approach

There are existing regulations for temporary construction uses in all land use by-laws. Adjustments to the current language will ensure the intent of the Provincial Requirement is met across the entire municipality.

The Regional Centre, Suburban Housing Accelerator, and Downtown Halifax land use by-laws allow temporary housing uses on or near the work site, so no changes are needed in those areas.

What We Heard

This Requirement received a small number of comments and feedback was mixed. In general, feedback did not acknowledge that there are existing regulations in place that allow temporary housing. As such, while some residents saw this Requirement as a positive step and one that could help alleviate traffic congestion associated with construction crew vehicles commuting to work sites, there were concerns about overcrowding, poor living conditions, and worker exploitation.

A submission from the Lucasville Vision Committee (*see correspondence MPR94 in Appendix A*) expressed concerns that without clear guidelines and enforcement, these issues could be particularly impactful in historically



Black communities and not bring about long-term benefits for the community.

There were also concerns about the safety and services associated with temporary housing, including proximity to large machinery and blasting, how the sites will be serviced (water, waste, electricity, mail delivery, parking, etc.), and how the sites will be prevented from becoming established as permanent housing.

Requirement L

Regulation Text

(l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.

Proposed Approach

Definitions and regulations in the land use by-laws are being adjusted to allow converted shipping containers as a residential use.

What We Heard

Some feedback supported this Requirement, with the condition that people convert shipping containers properly with permits to meet building code requirements.

However, most of the feedback received on Requirement (L) was unsupportive of the idea of allowing converted shipping containers to be used as housing. The main reasons given are concerns about neighbourhood aesthetic and character, shipping containers being unsightly and lowering property value, and whether the structures are safe for human habitation. There were suggestions to allow manufactured housing or shipping containers only as backyard suites or in a designed community of the same structures, instead of in existing neighbourhoods, and to have requirements for their aesthetic appearance.

There are also concerns that converted shipping container dwellings may disproportionately affect certain areas, particularly African Nova Scotian communities, as a rapid development solution that decreases housing standards and property values.

"It is my understanding that conventional shipping containers may be treated with chemicals that may pose a hazard to human and environmental health. I am also not convinced that a shipping container makes for a nice place to live and feel that this amounts to more of an architectural gimmick than a genuinely meaningful response to the housing crisis. I support modular and ready-to-move homes, but not shipping containers as housing."

- Comment from resident, MPR75



NEXT STEPS

Staff would like to thank everyone that participated in the public engagement. Amendments to advance the Minimum Planning Requirements will be brought forward for consideration by Regional Council in Spring 2025, as part of the Regional Plan Phase 4 amendment package.

While amendments associated with the Minimum Planning Requirements are addressing mandatory provincial legislation, the feedback from residents, community organizations, and the development community provided valuable insights into opinions and attitudes about a wide range of planning issues. We heard concerns around housing availability and affordability, infrastructure capacity, and access to amenities and services.

Staff will continue to engage with communities throughout the municipality as future planning work progresses on the Suburban Plan and Regional Plan Review Phase 5.



Appendix A – Correspondence Log

MPR1	<p>I just read that the Houston government wants more small apartments. This is nuts. To help with our housing shortages apartments need to have 2-3 bedrooms to allow for sharing.</p> <p>[name redacted] [redacted] Cedar St Halifax B3H 2J5</p> <hr/> <p>Hello</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR2	<p>Hello,</p> <p>I very much disagree with the province on changes to the unit type requirement for new buildings. Requiring new buildings to include 2- and 3-bedroom units increases affordability and ensures that new housing builds meet the needs of the variety of lifestyles and family structures in Halifax. To prioritize one bedroom or bachelor apartments will decrease affordability and make it harder for families, couples, roommates, etc. to find housing that meets their needs. Families with kids typically do not want to live in a one bedroom apartment, neither do roommates, multigenerational families, etc. I would strongly encourage the provincial government to reconsider this change and return to the requirement for new buildings to include a variety of unit sizes and types.</p> <p>Sincerely, [name redacted]</p> <hr/> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring.</p>

	<p>There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>																								
MPR3	<p>A shortage in a market economy is a failure of the market to deliver useful goods to consumers. Market actors build for profit, not utility. If they can build in Halifax and sell the finished building at a profit to a pension fund in Ontario, that profit — the speed with which it is realized and its size — is the sole measure of success.</p> <p>Builders will build as many “doors” (units) on a footprint as they can, as immediate and future profits are driven by this number (“doors”), not by actual consumer need. With no market regulation, studios, one-bedroom, and one bedroom plus an office, or units ideal for only short-term rental, will be the most profitable and therefore will be over-built. No effort is or will be made to match product to need as long as a greater profit will be made by ignoring need.</p> <p>The Province’s solution to a market failure is, of course, more market freedom, which only places fewer restrictions on profitability and will encourage more market failure.</p> <p>In short, anything you can do to stop, slow, impede, deflect, disrupt, sabotage, turn a blind eye to or just ignore this one, please do it:</p> <p>for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies</p> <p>Change “unit mix” requirements to a requirement that new buildings have a bedroom number mix reflecting “average family characteristics” in the HRM and you are on-side the new law:</p> <table><tr><td>Census families in private households by family size</td><td>122,865</td><td><u>100%</u></td><td>...</td></tr><tr><td>2 persons [insert proportions requiring 1 & 2 bdrms]</td><td>68,870</td><td><u>56%</u></td><td>...</td></tr><tr><td>3 persons [insert proportions requiring 2 & 3 bdrms]</td><td>25,960</td><td><u>21%</u></td><td>...</td></tr><tr><td>4 persons [insert proportions requiring 3 & 4 bdrms]</td><td>20,675</td><td><u>17%</u></td><td>...</td></tr><tr><td>5 or more persons [assume 4 + bedrooms]</td><td>7,360</td><td><u>6%</u></td><td>...</td></tr><tr><td></td><td></td><td></td><td></td></tr></table>	Census families in private households by family size	122,865	<u>100%</u>	...	2 persons [insert proportions requiring 1 & 2 bdrms]	68,870	<u>56%</u>	...	3 persons [insert proportions requiring 2 & 3 bdrms]	25,960	<u>21%</u>	...	4 persons [insert proportions requiring 3 & 4 bdrms]	20,675	<u>17%</u>	...	5 or more persons [assume 4 + bedrooms]	7,360	<u>6%</u>	...				
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5 or more persons [assume 4 + bedrooms]	7,360	<u>6%</u>	...																						

	<p>Or surrender, resign, or quit planning altogether.</p> <p>[name redacted] [redacted] Oakdale Court Dartmouth, NS</p> <hr/> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR4	<p>Good afternoon,</p> <p>As a 38 year resident of Beaver Bank, I would like to express my concern about all the apartment buildings going up on Beaver Bank road.</p> <p>The reason for my concern is the continuous, heavy traffic congestion on Beaver Bank road every weekday morning and evening from Monday to Friday. As the only major road out of most of Beaver Bank, what would happen if there was ever a serious emergency, like a forest fire in the area. How would people be able to evacuate quickly if that were to happen. I am concerned that a lot of building is taking place without the proper road infrastructure to safely support it.</p> <p>Are there any plans to build new roads to accommodate all this growth of population in Beaver Bank?</p> <p>I look forward to your reply. Your truly, [name redacted] Greenforest Subdivision</p> <hr/> <p>Hello</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation related to housing supply and do not address traffic in Beaver Bank. However, I will keep your comments on file for future related work.</p>

	<p>You may be interested to read this HRM staff report which provides a good overview and outlines the Beaver Bank Bypass project: https://www.halifax.ca/media/85802</p> <p>Halifax Planning staff are proposing to undertake a Strategic Growth and Infrastructure Priority Plan as part of Phase 5 of the Regional Plan review. Future development in the Beaver Bank Area will be studied at that time, and will:</p> <ul style="list-style-type: none"> - Study population growth and settlement patterns to estimate which lands may be appropriate for new serviced development; - Consult with Halifax Water and HRM Infrastructure Planning to understand long-term plans for servicing and any constraints and opportunities in this area; - Consider and prioritize the need for increased community connections and emergency egress; - Consider environmental implications, such as watershed impacts, constraints such as floodplains and explore opportunities for landscape connectivity, consistent with the objectives of the Halifax Green Network Plan; - Consider mobility implications and opportunities for transit-oriented development, consistent with the objectives of the Integrated Mobility Plan. - Consider what public engagement will be required. <p>I'll also mention that the JRTA (https://jrta.ca/), is mandated with the development of a Regional Transportation Plan (RTP) that will identify the long-term transportation needs of HRM and the surrounding areas (generally encompassing a one-hour commuter shed beyond HRM). HRM Staff are actively involved with the JRTA at the executive and staff level. The RTP will consider a wide range of regional transportation infrastructure upgrades. The Plan will develop recommendations based on transportation demand modeling that is informed by updated population and employment forecasting. The Beaver Bank area falls within the study area of the JRTA, however, their report has not yet been released.</p> <p>I hope that this is informative.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR5	<p>Hey,</p> <p>I'm broadly supportive of these changes and I hope when sustainability is being legislated the findings of the 2013 Stantec report are considered.</p> <p>I think the 30% of the first floor commercial restriction is weird. I would encourage some sort of malicious compliance like basements count as the first floor or 2nd floor can be 100% commercial if there's public space on the first floor. Idk, something.</p>

	<p>Additionally, I'd love if the zoning allowed for ppl in my rural exurb to open third spaces (restaurants/cafes) in their primary residence as of right.</p> <p>[name redacted] Resident of District 2</p> <hr/> <p>Hello</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>I'll mention that the Rural planning team is starting their work, and while still in the early days, they can be reached at ruralplan@halifax.ca.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR6	<p>The Urban Transit Boundary in Beaver Bank has to be extended back to our community's largest employer Ivy Meadows - Northwood and to support the many residents, especially seniors and youth, who need viable transportation alternatives to shop, work and get to appointments.</p> <p>The fact we lost this in the first place is unconscionable and needs to be rectified. The fact we have buses which sit idling at the BBKCC when they could be picking up residents who need them is just unbelievably stupid and a waste of money.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area, however, we cannot wait for that process to happen, we need this service returned as soon as possible. Please do all within your power to make this happen quickly.</p> <p>Thank you sincerely, [name redacted] [redacted] Majestic Ave Beaver Bank, NS</p> <hr/> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will keep your comments on file for future related work.</p>

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR7	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood. Also now the home of the Northwood Career College, advancing the Careers of CCAs in the province which is a priority of the NS government.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you [name redacted]</p> <hr/> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR8	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you [name redacted]</p> <hr/> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP</p>

	<p>PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR9	<p>I hope my message does not fall on deaf ears! The bus going to Ivy Meadows a few years ago, it resulted in teens not able to get to part time jobs, nurses and other employees not having a way to get to work at Ivy Meadows. I feel no thought was given to the repercussions this would cause. It is time to get the bus running to Ivy Meadows once again.</p> <p>Respectfully submitted - [name redacted]</p> <hr/> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR10	<p>Good morning,</p> <p>We received the email below asking for feedback regarding the minimum planning requirement regulations. The changes mandated by the province are short-sighted and will most certainly have a negative impact on the future of HRM's Main Streets & Downtowns, however, I'm not sure that there is value in our organization asking business owners and the local community to take the time to send feedback. If the municipality is required to implement the changes mandated by the province, will any feedback collected as part of the 30-day public consultation change the outcome? Or is the municipality simply hosting the 30-day public engagement because it is a requirement? My question is genuine. I realize HRM's hands are tied and I'm trying to determine if our efforts are better focused elsewhere.</p> <p>Thanks, [name redacted]</p> <hr/> <p>Thanks for reaching out. The municipality is required to comply with the provincial legislation. That said, we absolutely welcome any questions or comments from the business community and residents and will bring them forward in a report to Regional Council. We're focusing on information sharing, and folks are welcome to reach out with their thoughts on the requirements, comments on our approach, or just to ask questions.</p> <p>If you have any questions or comments, please let me know.</p>

	<p>Best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR11	<p>Bring back transit services to ALL of Beaver Bank. This service should not have ever been disrupted. If you want to discuss this further with me please don't hesitate to reach out.</p> <p>[name redacted] Born and raised Beaver Banker</p> <hr/> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p>
MPR12	<p>Good Evening,</p> <p>I am writing to provide comments for the public engagement period for the Minimum Planning changes in Halifax.</p> <p>Though I am generally in agreement with the changes I have concerns about the following two items:</p> <p>(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies; The housing affordability crisis is largely a crisis of family sized housing units. If there is no requirement for developers to create 2, 3, 4+ bedroom units that can house families then we are no better off. If no requirements exist to create larger units, developers will create the smallest housing possible; ie: studio and single bedroom units. Halifax does not need the construction of studio units and one bedroom units. As can be seen in Toronto's housing market, studio and single bedroom units have struggled to sell/rent and provide stable long term housing as they do not promote families.</p> <p>(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space; The buildings that will be constructed will be part of our communities for decades and generations. It is short sighted to remove requirements for commercial spaces in any large new builds. Promoting a mix of usable spaces on the ground level encourages walking, community engagement and lively commercial streets. It also creates economic incentive for lower commercial rents which would allow non-corporate/franchise local shops to be able to start up.</p>

	<p>Thank you for your consideration of these items.</p> <p>[name redacted] Dartmouth</p> <hr/> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR13	<p>Hi. shapeyourcityhalifax. Suggestion: Re issuing building permits for new home construction. If the city would promote that people rough in a basement apartment in homes it would help reduce the housing crisis. Ex. Offer free building permits to those who will rough in a basement apartment. Thanks</p> <hr/> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>While not an HRM program, I'll also mention that the Province has a backyard and secondary suites incentive program that may be of interest to you: https://beta.novascotia.ca/apply-funding-build-secondary-or-backyard-suite-your-property-secondary-and-backyard-suite-incentive-program</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>

MPR14	<p>Hello,</p> <p>I just saw this on a facebook ad and was wondering what effect, if any, these minimum planning changes will have on land designated "urban reserve."</p> <p>Thank you</p> <hr/> <p>Thanks for your email. The minimum planning requirements are not changing the status of urban reserve designated lands. Besides the general policy changes that give future direction in the Regional Plan, the regulations have limited or no impact for unserviced lots that permit only low density dwellings (typical of lots designated urban reserve).</p> <p>If you'd like to learn more about the requirements, you can visit our website here: https://www.shapeyourcityhalifax.ca/minimum-planning</p> <p>If you have any additional questions please let me know.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR15	<p>Good evening,</p> <p>As a renter and resident of Halifax's regional centre, I'm writing to provide my feedback on the municipality's approach to implementing the updated minimum planning requirements as prescribed by the Province.</p> <p>I think that items A, B, C, D, G, I, J, K, and L are common-sense changes and the approaches outlined by the municipality will sufficiently meet the updated requirements.</p> <p>I have some concerns about items F and H relating to both the general recommendation given the province as well as HRM's approach to meeting the updated requirements. I worry that changing the density calculations for Conservation Design Developments will promote more sprawling, low-density, greenfield development in the municipality's rural areas, worsening the existing patterns of sprawl that exist on the outskirts of the serviceable boundary. The majority of HRM's policies and goals within its planning documents attempt to prevent unnecessary greenfield development and loosening the existing restrictions of the CDD pathway feels contradictory to the intent of the municipality. While we absolutely need more housing, new greenfield developments in areas that qualify for CDDs are unlikely to be of a substantial density to make a real impact on the current housing shortage while also being unlikely to be anywhere near affordable to the median prospective homebuyer.</p>

	<p>I also worry that removing the unit mixture requirements will contribute to long-term issues relating to affordability and livability as a large supply of one-bedroom apartments are injected into the current housing supply. One-bedroom units tend to cost more in rent per person compared to larger units that can be split between multiple roommates. An abundance of one-bedroom units (and a subsequent lack of multi-bedroom units) also makes it more difficult for families to find units that meet their needs, often forcing them into the few remaining (and expensive) units or outside of their desired neighbourhood.</p> <p>Finally, I am most concerned about item E and more specifically, HRM's approach to meeting the updated requirement. The province is correct to attempt push along the suburban plan as currently, unlocking additional suburban density is perhaps the best way to increase housing supply in the municipality. Unfortunately, HRM's plan to only provide a work plan rather than any draft or complete document by the spring is simply unacceptable.</p> <p>We are approaching the two year anniversary of the suburban plan's announcement and the public still has no clear idea of the work completed to date, the depth of changes anticipated, or any tentative release date for draft documents. The housing crisis is clearly an extraneous circumstance, necessitating an accelerated timeline for the suburban plan compared to other planning documents. It is not reassuring for the public to see only a work plan after nearly two years of assumed work.</p> <p>Obviously, I understand that work has been ongoing in the background that the public has not seen. I also understand that the housing accelerator fund and suburban housing documents constituted a major drain on HRM's planning resources and delayed the SP. However, I also understand that the planning department at HRM is full of dozens of competent, intelligent, and forward-thinking planners who are more than capable of drafting the suburban plan ten-times over in the time that has passed since July 2023. I hope that given the current crunch, the municipality can take an "all-hands-on-deck" approach to the suburban plan to try and draft, release, and adopt it before the end of the year.</p> <p>Thank you for taking the time to read through this feedback.</p> <p>Kind regards,</p> <hr/> <p>Hello [name redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p>
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	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR16	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our community's largest employer, Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you, [name redacted] Beaver Bank</p> <hr/> <p>Hello [name redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR17	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>Many Beaver Bank seniors have lost their freedom to travel back and forth since the service was taken away.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you</p> <p>[name redacted] [redacted] Beaver Bank Road</p> <hr/> <p>Hello [name redacted],</p>

	<p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will record your comments and keep them on file for any future work.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR18	<p>Regional Plan Team: I submitted this inquiry through 311 but it may be more properly submitted through you.</p> <p>Is there an updated deadline, from the Province of Nova Scotia, for the implementation of the Suburban Area Land Use By-law which can be updated in the Suburban Plan Factsheet? Does this deadline apply to the implementation of all the mandated changes from the Province?</p> <p>Thanks,</p> <p>Regional Plan Team: Acknowledging the most unrealistic deadline imposed on HRM to adopt a secondary municipal planning strategy and implement a land-use by-law for the Suburban Area, what is your expectation for the content of comments you may receive on the Suburban Plan and Land Use By-law during the Public Engagement period ending February 24 if there is no Suburban Plan and Land Use By-law to read?</p> <p>What is the timeline for "future planning engagement opportunities" as noted in the Suburban Plan Factsheet?</p> <p>In the Suburban Plan Factsheet, you note that "The Municipality continues to coordinate with the Province and other stakeholders on the development of the Suburban Plan.". Will these stakeholders include advocacy organizations which are focused on transforming how we move in HRM and building complete communities? Can you please provide a list?</p> <p>In the Suburban Plan Factsheet, you note that only the Regional Plan will be affected in the implementation of the Suburban Plan and Land Use By-law. Will not many plans and by-laws be affected in areas where the Suburban Plan will replace all or part of the current plans with the new Suburban Plan and By-law?</p> <p>Do you anticipate that the implementation of the Suburban Plan and Land Use By-law will occur in a phased or staged manner, geographical area by geographical area, or will the Plan and By-law be implemented all at once for the entire geographical extent of the Suburban Plan Area?</p>

You note in the Suburban Plan Factsheet that "The Suburban Housing Accelerator Plan and Land Use By-law was adopted in 2024 and is expected to be expanded in the Spring of 2025.". Does this expansion mean the rezoning of another set of site specific properties to the HA zone or similar which were not included in earlier rezonings, or, does the expansion mean comprehensive planning of selected geographical areas following the principles of the Regional Plan and HRM's Priority Plans?

The 'response' to the Minimum Planning Requirement for a Suburban Plan appears to fall short of the requirement mandated by the Province, i.e. "implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map". Acknowledging that the timeline (even as recently extended) for the mandated requirement is unrealistic, is your response satisfactory to the Province?

Thanks,

Hi [name redacted],

Thanks for your email and questions, I've heard back from my suburban team colleagues.

The current 30-day public engagement period for the Minimum Planning Requirements is intended to share information with the public about how the municipality is going to comply with the minimum planning requirements. However, the public engagement period for the MPR is not replacing any engagement for the Suburban Plan. Staff are working with the Province on how to address the Suburban Planning deadline and further information will be forthcoming when we bring a report on the Suburban Plan work plan to Regional Council this Spring. Staff are not able to share more details on that report until it is published on the council agenda but we will send an update to the mailing list for the Suburban Plan when it is available for your review.

As you noted, some additional sites are currently being considered for re-zoning to the HA zone in the Suburban Housing Accelerator Bylaw. This is responding to direction from Regional Council to consider these additional site-specific requests in the Regional Centre and Suburban Area - more information is available on this website: <https://www.halifax.ca/about-halifax/regional-community-planning/housing-accelerator-fund/urgent-changes-planning>. The suburban plan team can also be reached at suburbanplan@halifax.ca if you have any questions about those sites.

All the best,

TELINA DEBLY | MCIP, LPP
PLANNER II
REGIONAL PLANNING | PLANNING & DEVELOPMENT

	<p>Telina:</p> <p>Thanks for this further information. I may be wrong but I believe that you may still be able to provide answers to some of the other questions I asked, including these:</p> <p>In the Suburban Plan Factsheet, you note that "The Municipality continues to coordinate with the Province and other stakeholders on the development of the Suburban Plan.". Will these stakeholders include advocacy organizations which are focused on transforming how we move in HRM and building complete communities? Can you please provide a list?</p> <p>In the Suburban Plan Factsheet, you note that only the Regional Plan will be affected in the implementation of the Suburban Plan and Land Use By-law. Will not many plans and by-laws be affected in areas where the Suburban Plan will replace all or part of the current plans with the new Suburban Plan and By-law?</p> <p>Do you anticipate that the implementation of the Suburban Plan and Land Use By-law will occur in a phased or staged manner, geographical area by geographical area, or will the Plan and By-law be implemented all at once for the entire geographical extent of the Suburban Plan Area?</p> <p>Thanks again,</p> <hr/> <p>Hi [name redacted]</p> <p>To clarify the factsheet, the Regional Plan is being amended immediately in response to the minimum planning requirements to reflect the intent to develop a suburban plan. The suburban plan will come later as a separate process and impact all the current suburban area plans and bylaws, as you've described.</p> <p>I unfortunately don't have any additional information to share about the suburban plan in advance of the report being published on the council agenda.</p> <p>Best, Telina</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR19	<p>[phone call]</p> <p><i>Staff summary:</i> Reg (c) - doesn't agree with approach to include zones that allow residential by DA, wants to see a more detailed breakdown. Would have liked to see more in-person engagement as part of this.</p>
MPR20	<p>Hello Telina,</p> <p>Thanks for the call, and for all the work you and the team are doing to update policies & regulations at HRM. Truly impactful work.</p>

	<p>As discussed on the phone, I have been a bit dismayed at the idea that Development Agreement rights were considered to meet the minimum standard of “permit residential uses in all zones ...”.</p> <p>My specific requests/questions;</p> <ol style="list-style-type: none"> 1. Can you confirm that this is the position at HRM? E.g. That if a zone includes a path to residential permission via a Development Agreement or other discretionary process it was considered to already meet that minimum standard? 2. The fact sheet’s three bullet points focus on the percentage of properties (that are targeted by the new minimum standard) that currently meet the interpretation, can you advise what portion of these properties only have a path to residential allowance via a discretionary process? 3. What is the total number of properties being used in the calculation? 4. In the “percentage” referenced, is that a percentage counting gross number of properties, or a percentage of the land mass that those properties cover? E.g. is a 17 hectare site considered “equally weighted” to a 3,500 square foot site when counting the two categories that were used in coming up with the 99.8% figure? <p>Thanks for answering these questions, it will help me engage with your process.</p> <p>Regards, [name redacted]</p>
	<p>Hi [redacted],</p> <p>Thanks for your patience.</p> <p>We have presented the below approach to the Province and are happy to accept and consider any feedback during this public engagement period. It would be helpful to understand if there are specific zones or places you’re interested in, so we can compare with what we’re proposing.</p> <p>Feel free to give me a call if you’d like to discuss.</p> <p>Thanks, Leah</p> <p>1. Can you confirm that this is the position at HRM? E.g. That if a zone includes a path to residential permission via a Development Agreement or other discretionary process it was considered to already meet that minimum standard?</p> <p>The team reviewed all of HRM’s zones and identified what they permitted. Zones that require development agreements for residential are generally:</p> <ul style="list-style-type: none"> • Zones applied to areas that are required to be developed comprehensively, and typically include planning for infrastructure as part of the process

- Zones that have already developed and have existing DA's (like the Brunello subdivision in Timberlea, or Portland Hills);
- The C-3 zone in Cole Harbour applied to the existing Sobeys site on Cole Harbour Road, which could be a candidate for increased density through redevelopment once considered through the Suburban Plan.

See the table at the bottom of this email for the full list of zones, the number of the properties in each zone, plus a snip from a webmap showing where all the properties are (blue shading).

Given the complexity of our zoning framework, we are proposing that amending these zones (and determining appropriate residential densities for each) is best managed through the Suburban Plan process, or through current active planning processes (for example, Paper Mill Lake).

2. *The fact sheet's three bullet points focus on the percentage of properties (that are targeted by the new minimum standard) that currently meet the interpretation, can you advise what portion of these properties only have a path to residential allowance via a discretionary process?*
3. *What is the total number of properties being used in the calculation?*
4. *In the "percentage" referenced, is that a percentage counting gross number of properties, or a percentage of the land mass that those properties cover? E.g. is a 17 hectare site considered "equally weighted" to a 3,500 square foot site when counting the two categories that were used in coming up with the 99.8% figure?*

Total Parcels in HRM: 157,998

Total Parcels after areas zoned for non-residential uses exempted from the regulation were removed: 152,898

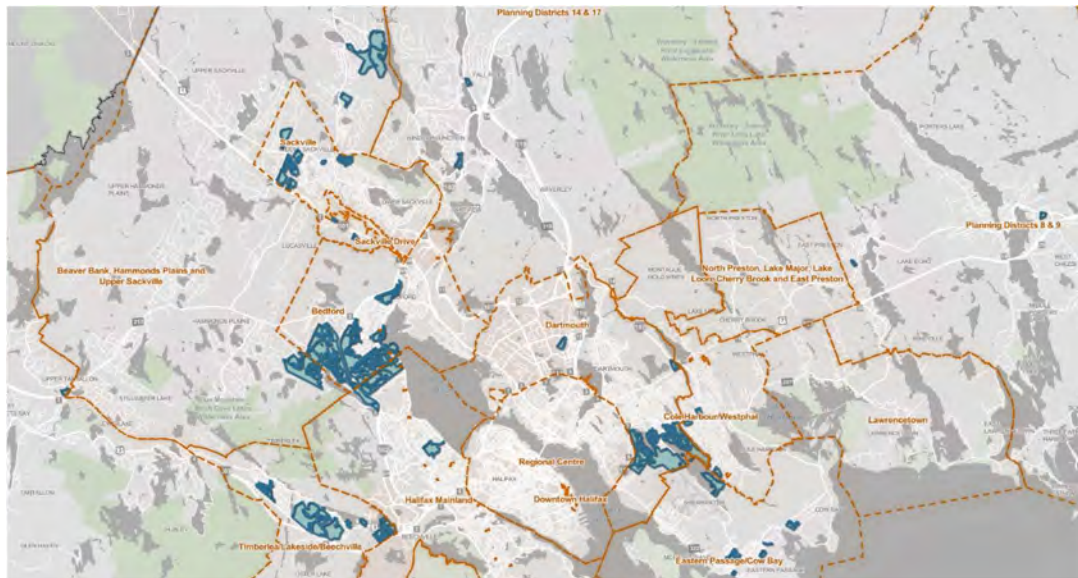
Remaining parcels that do allow residential uses: 152,661 (99.8%)

The total number of parcels of that **152,661** that allow residential only by DA is: **8,400**.

This represents about **5.5%** of total parcels that enable residential.

LUB	ZONES	Number of properties
BB, HP, US	CDD (Comprehensive Development District Zone)	98
	BWCDD (Bedford West Comprehensive Development District Zone)	620
Bedford	WFCDD (Waterfront CDD)	58
	CCDD (Commercial CDD)	49
	RCDD (Residential CDD)	733
	BSCDD (Bedford South CDD)	765
	BWCDD (Bedford West CDD)	983

Cole Harbour/ Westphal	C-3 (Shopping Centre)	5
	CDD	16
Dartmouth	CDD	1501
	BCDD (Burnside CDD)	3
Eastern Passage / Cow Bay	CDD	241
Halifax Mainland	WCCDD (Western Common CDD)	N/A
	BWCDD (Bedford West CDD)	225
	SRCDD (Seton Ridge CDD)	3
	WCDD (Wentworth CDD)	380
Lawrencetown	CDD	N/A
NP/LM/LL/CB/E P	CDD	N/A
Planning District 4	CDD	N/A
Planning Districts 1&3 (St. Marg)	CDD	3
District 14/17	VC-CDD (Village Core CDD)	1
	RCDD	6
Planning Districts 8 and 9	CDD	2
Sackville	CDD	950
Timberlea/Lake side/ Beechville	CDD	1758



LEAH PERRIN, MCIP LPP

	<p>SHE/HER</p> <p>MANAGER, REGIONAL PLANNING REGIONAL & COMMUNITY PLANNING PLANNING & DEVELOPMENT</p>
MPR21	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Regards,</p> <p>[name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not making changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR22	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank must to be extended back to our communities largest employer Ivy Meadows - Northwood. My mother currently resides at Ivy Meadows. We desperately need bus to go there. There is many staff that require transportation to and from the facility. I am also a local real estate agent that lives in Beaver Bank most homes past Kinsac are having a hard time selling because there's no bus available to the residence.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you</p> <p>Thanks [name redacted] REALTOR®</p>

	<p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not making changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR23	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you</p> <hr/> <p>Hello [name redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR24	<p>To Whom it Concern,</p> <p>I am writing you this evening in support of bringing the bus route back to Ivy Meadows in Beaver Bank. The long-term care facility hosts the home of the Northwood Career College, a Private Career College offering the CCA program to student applicants. A bus route to this facility also offers up an opportunity to host student placements for CCA students requiring practicum clinical and mentorship placements. Recruitment for students is a challenge without a bus route because of its remote community location.. The DSLTC have have a big investment in educating and employning CCAs to meet the demands of our aging population.</p> <p>Please reach out to me so we can discuss opportunities to bring the bus route back. I have watched the morning and afternoon bus route and notice that the bus sits idling</p>

	<p>at the Kinsac Community Center. The time spent sitting there, would be the same time frame to have the bus to commute the 7 minute drive to the facility.</p> <p>Looking forward to hearing from you.</p> <p>[name redacted]</p> <p>[redacted], Northwood Career College</p>
	<p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p>
MPR25	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area. Thank you</p>
	<p>Hello,</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR26	<p>Hi,</p> <p>I am writing to express my strong support for the extension of the Urban Transit Boundary to include our community's largest employer, Ivy Meadows – Northwood, in Beaver Bank. With the planned development of Margeson Drive extending to North Beaver Bank, our community is poised for significant growth, and this expansion would provide much-needed transportation options for residents and workers alike. Thank you for your time and consideration of this important matter.</p>

	<p>Kind regards, [name redacted]</p> <hr/> <p>Hi [name redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file for future work.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR27	<p>Dear council</p> <p>While I have attended many public planning events over the last year and I have spent considerable time perusing your website I find trying to get any concrete information about exactly what this city plans to do to provide suitable housing as a human right to seniors, disabled, new Canadians, students and other marginalized people is unsatisfactory. Telling people that we are missing middle buildings is not acceptable. Quit frankly that word is over used.</p> <p>What people need to know is the exact description of affordable housing within certain income brackets and then make sure you have housing for them. This city and the province have a fiduciary obligation to its citizens to be forth coming. Relying on private developers will not suffice although it is very common knowledge that they prefer to build rentals over condos because they are more profitable for them. So let's start there.</p> <p>Our provincial government has proven time and time again that they don't care about our most vulnerable population that I just mentioned above. They have shown their colors by giving absorbent rent increases that they can not afford. They have given landlords full control of evicting tenants when they want to and with no fault of the tenant. That leaves the city responsible for a lot of people with insecure housing.</p> <p>The only solution is with bylaws</p> <p>With the new housing plan the city needs to put in place restrictions on the numbers of units with bedrooms. There should be a certain percentage single, double, triple and accessible units. The most popular is a two bedroom so people can share accommodations rather than smaller units where people have to rent in their own and risk being evicted because they can't afford the high rent. Seniors need one bedrooms and there are plenty of units being built in 50 plus buildings so the larger buildings don't need as many.</p>

	<p>Market rent should have nothing to do with affordable housing. That ship has sailed as you let the rents get so high and wages have not kept up. A certain percentage of each building should have affordable units and stop letting the builders pay fines if they don't. They have shown us that a 25k fine is nothing to them and they just pass the cost to the tenants. They won't stop building because they are getting too rich to do that.</p> <p>Stop building out the city and build up and add transit, bike lanes and pedestrian streets. A new ferry from Bedford that can only hold 200 people per trip when you have thousands trying to get downtown during rush hour is not going to solve this. A commute rail would .</p> <p>Do what Helsinki Finland did and declare a state of emergency so you can bypass and fastrack processes. We did that during the pandemic why is it so difficult for housing? We are still losing lives on the streets , IPV is increasing and people are failing into despair. Landlords are taking advantage of people by using unfair practises to overinflate rents which over inflates values.</p> <p>I would also suggest you look to Switzerland for advice. They too solved a housing crisis by stepping in when landlords fall behind in repairs and following through with inspections, large fines and tracking offenders. But you have to follow through with liens and inspections.</p> <p>Open the landlord registry to the public so people can see who the offenders are and make informed decisions before they sign a lease. Protecting citizens with an open registry would stop landlords from setting up practises like setting the rent by the numbers of people living in the unit. There should be a maximum rent set per unit depending on the number of rooms and amenities .</p> <p>Building codes need to be reviewed when it comes to converting commercial to residential so more old office space can be utilized. Preservation of the front of a building due to heritage rather than house people is a thing if the past.</p> <p>Demolition of older buildings should not be given permits without issuing a building permit and vacant lot penalties should be set at high rates. Demovictions and renovictions need to be proven violations of the M200 bylaw before they are allowed and costs paid to the tenant so they can afford to move. Refunds of damage deposits to tenants needs to be enforced so landlords stop keeping peoples money for normal wear and tear. All of these things are leaving people on the streets.</p> <p>This crisis is not just supply and demand but it is man made by letting developers control the narrative on property values and the govt relying on the finacialisation of Realestate through Reits . The higher the rent the higher the value of the property and the more equity they have . Relying on reits to support pension plans govt and personal has helped create this crisis. I do recognize that this can't be controlled by the city and that's why council needs to step in with other temporary measures .</p>
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	<p>This city needs to get tough on bylaws for building rentals. No one can afford to save for a down payment on a home let alone buy one. The percentage of home owners will be decreasing as time goes on . The more people we have paying high rents the less money goes into the economy such as small businesses . more people will be falling into financial distress and the more issues the city will have.</p> <p>Housing is healthcare and that should be first and foremost in mind.</p> <p>Regards</p> <hr/> <p>Hello</p> <p>Thank you for sharing your thoughts on these issues. I will absolutely keep your comments on file. Do you wish to submit this correspondence in response to the changes the municipality is making to comply with the provincial Minimum Planning Requirements?</p> <p>Comments will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process. Please let me know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p> <hr/> <p>Yes please in response you your question.</p> <p>Regards</p> <hr/> <p>Thank you [redacted], we will be sure to include this submission in the staff report.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR28	<p>[Phone call]</p> <p><i>Staff summary:</i> Supportive of the CDD changes, works with clients who will likely benefit from the increased density calculation. Is also interested in seeing more low rise multis in the rural areas, like townhouses.</p>

MPR29	<p>Greetings,</p> <p>I have made numerous complaints to the following:</p> <ul style="list-style-type: none"> -311 -councilor of district 15 -JRT <p>I see on this plan that more housing is happening in the Beaverbank area. This is great for growth. However the one way in and out, is a major concern.</p> <p>HRM needs to be highly motivated to make a change and connect Beaverbank to other routes.</p> <p>This is unsafe for the people who live in Lower Sackville, Beaverbank and Middle Sackville. Please we are all begging you to take our concerns seriously.</p> <p>I have asked for digital traffic controls to curb speeding on the Beaverbank road. I see they have been placed on Sackville Drive. I am confused as to why this has not happened for Beaverbank road.</p> <p>There are large trucks who use air brakes, HRM busses who appear to be surpassing the 50KM speed limit as well as other drivers.</p> <p>Individuals who live off of Beaverbank road, who do not have a traffic light wait an unacceptable time to get onto the road to get to work because the traffic is insane.</p> <hr/> <p>Hello [name redacted]</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not changing regulations for roads or traffic in Beaver Bank. However, I will record your comments and keep them on file for any future work.</p> <p>I'll also mention that while you may have already seen it, this 2024 staff report about the Beaver Bank Bypass project may be of interest to you: https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/240319rci04.pdfcontinued</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p> <hr/>
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	<p>Thank you so much for your email, and clarification. I have read the document quite some time ago, and was hoping I would see changes implemented in this fiscal year. Sigh...</p> <p>I will keep asking and pursuing until the people responsible for the changes will take action to this area's concerns.</p> <p>Again, I appreciate your response. I am looking forward to growth with housing etc fingers crossed the roads will come with all of the growth.</p>
MPR30	<p>I had a couple of questions for clarification about the proposed changes to the CDD process.</p> <p>On the municipal website, it says the the changes are around density, which is fantastic. I'm curious if any of the other requirments are being removed? Most notably, the requirment that the property have existed in its current form since April 29, 2006 and if the maximum number of units outside of the growth area is still 30?</p> <p>[name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thanks for your email. At this time, we're only making the change required by the minimum planning legislation (re: using gross instead of net area to calculate density for developments commencing construction before April 1, 2027).</p> <p>I'm happy to connect you with Jess Harper, cc'd, who is a Principal Planner with our Rural Policy and Applications team. Please feel free to share any comments or feedback you have about the CDD policies in general with her team.</p> <p>All the best,</p> <hr/> <p>Without changing the ability to make lot assemblies, this change won't result in much development which I guess is the point.</p> <p>[name redacted]</p>
MPR31	<p>PLEASE!!! change the zoning laws in District 4 Prospect (specifically Hatchet Lake & lots zoned RB-1) to allow for a secondary suite in a family's home TO EXCEED 80 sq metres or 861 sq feet. There should be no restriction on secondary suites. There is no rhyme or reason for these restrictions, as Hatchet Lake is currently a mix of duplexes & single family homes, with different zones within the same zoning area. Makes no sense. I am a senior looking to have a full basement suite with my daughter, to allow for shared housing on the same lot. The lots are bigger than the city, and 1 extra person in a basement apartment will not affect the well or septic. Please consider the seniors requiring reasonable housing.</p>

	<p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation and are not making changes to regulations for secondary suites. However, I will make sure to record your comments and keep them on file for any future work.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR32	<p>[Councillor Austin January 2025 Newsletter]</p> <p>Minimum Planning Requirements</p> <p>HRM has opened public engagement on changes that the Province is mandating that HRM make to our planning bylaws. For the most part, this doesn't affect the Regional Centre that much because much of what is being mandated was already done through the Centre Plan. Changes such as counting height in storeys rather than meters so as to not disadvantage timber construction, and eliminating parking requirements have already happened in Dartmouth Centre. This mostly a bigger deal for the suburbs where HRM's Suburban Plan hasn't been completed.</p> <p>That said, there are three issues that I'm concerned with:</p> <ul style="list-style-type: none"> • A requirement to consider prioritizing housing above all else (what this might mean for environmentally sensitive areas or HRM's ability to direct development to the best locations is a bit unknown) • A temporary relaxation of the usual requirement for a mix of units in new development. Someone could build a building all of 1 bedrooms versus the usual requirements that HRM mandates 2 and 3 bedrooms as well • A temporary removal of the requirement for groundfloor commercial in new development, which could be problematic on main streets where whatever is built will be around for decades and the municipality wants an attractive streetscape <p>This public consultation is more informational on this one. HRM might be able to shift some of the details, but the overall direction isn't optional. It's being imposed by the Province. For more information, check out the Shape Your City page here.</p>
MPR33	<p>[phone call]</p> <p><i>Staff summary:</i> Comments on the requirements:</p> <p>Requirement A - The province should allow HRM to take over the housing portfolio and build its own affordable housing.</p> <p>Requirement B - Housing should be accessible as well, we have the highest rate of disability per capita in Canada</p> <p>Requirement C- Burnside should allow residential</p> <p>Requirement E - Suburban plan should address the environment and water, allow more medium size apartments</p>

	<p>Requirement F - Supportive of this change.</p> <p>Requirement H - Problem with removing the unit mix is that families, people with disabilities, single parents, etc. who are low income get turned away from CMHC support for apartments because the bedroom count is too low for the number of residents. This makes the housing crisis worse as people can't find housing that meets their needs and qualifies for support. Toronto experiencing re-selling of micro condos – this change doesn't help the housing crisis.</p> <p>Requirement I - Wants to see more electric charging opportunities for the parking that is provided. Supportive of solar panels over parking lots</p> <p>Requirement J - There are many benefits to ground floor commercial, increases commercial opportunities, walkability, healthy communities from a public health perspective</p> <p>Requirement L - As long as people have to convert shipping containers and get permits to avoid safety issues around heating/cooling, no problem with this.</p>
MPR34	<p><i>Staff Note: See MPR32 for the newsletter.</i></p> <hr/> <p>Please see Sam Austin's excellent comments on this. I would add, what is the expertise of the province to make such changes? Perhaps a simple rewording of the sections noted by Sam could fix a lot of potential problems for HRM in future?</p> <p>[name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for forwarding Councillor Austin's comments and sharing your thoughts on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I'll add that the Minimum Planning Requirements legislation is provincial, so the municipality cannot change the exact wording of the requirements. If you have any comments on our approach to meeting the requirements, or any additional thoughts to share, please let us know by Feb 24. The project website is linked here: https://www.shapeyourcityhalifax.ca/minimum-planning</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p> <hr/> <p>Thanks for getting back to me. I've yet to hear from the province.</p> <p>[name redacted]</p>

MPR35	<p>Good afternoon,</p> <p>I wanted to reach out with a few comments on the new changes. Thank you for the opportunity to participate in these changes.</p> <p>1. I fully support the regulation change on parking. By definition a municipality has high density, and services, this density can be supported and capitalized on by reducing car reliance. I look forward to how this change impacts HRM's approach and commitment to public transit.</p> <ul style="list-style-type: none"> - As a young woman who has had to go to great lengths to renovate her 1000sqst condo to be a two bedroom for a young family, I heavily encourage that unit mix is still adhered to. Apartments, condos, townhouses, and generally small spaces are not just for bachelors and couples. We need to be creative in our spaces so that families can continue to live in the core of HRM. - The height by the number of stories is a wonderful change. I hope that more buildings have greater ceiling heights! Higher ceilings is a way to increase the feel of the space when it may have a smaller footprint. <p>Lastly, a possible change to consider is reducing the conditions of completion. All safety measures should stay in place, like balcony conditions for occupancy, however, not all walls should need to be painted, cabinets up etc. In Poland, it's common practice to leave units as shells for new occupants to add their personal flair. This helps save time and materials.</p> <p>Thanks so much ! [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR36	<p>[phone call]</p> <p><i>Staff summary:</i> Questions about how the minimum planning requirements are different than the HAF amendments and the suburban plan and what areas are being impacted by the different changes and plans.</p>

MPR37	<p>Mixing a web page with PDFs makes consuming the content more difficult than needed. Including the 1-2 paragraph explanation from the pdfs on the webpage would save people headaches.</p> <hr/> <p>Hi [redacted],</p> <p>Thank you for the feedback.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR38	<p>How about Halifax and the province stop the rapid immigration then we wouldn't need high rises, low rises etc all over the place. This is all about doubling the population of Halifax and the province and then using the apartment buildings as a tool to introduce 15 minute cities. We will need 15 minute cities to address the traffic congestion which wouldn't have become an issue if we weren't doubling the population.</p> <p>[name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR39	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood. With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you</p>

	<p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR40	<p>Hello,</p> <p>The Urban Transit Boundary in Beaver Bank has to be extended back to our communities largest employer Ivy Meadows - Northwood.</p> <p>With Margeson Drive planning to North Beaver Bank, Beaver Bank will be a growth area.</p> <p>Thank you [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to transit. However, I will absolutely record your comments and keep them on file.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR41	<p>Thanks for the opportunity to respond. If used appropriately, these changes can be turned into a step toward achieving urban renewal, sustainability and affordability.</p> <p>In all such exercises, we should start from broad principles supporting the planning policies, and use planning tools supported by the best evidence. The broad principle in this context is to help create healthy, vibrant and empowered communities, and should be the common interpretation of what the document refers to as "safe, sustainable and affordable housing in the Municipality". Planning tools necessary to achieve these goals must be consistent with this principle. Wide multi-lane streets, "low" population densities, high rise buildings that block natural light and create wind tunnels, a lack of parks, playgrounds, and naturalized corridors, and public spaces, a lack of public transit options, a lack of sidewalks for people walking and rolling and protected and separate lanes for people cycling and using micro-mobility devices,</p>

	<p>vehicle noise and pollution all contradict the basic principles we agreed on. The evidence supporting this conclusion is widely available.</p> <p>So, a plan must decide whether what height restrictions should be imposed to make a neighborhood sustainable and livable. Evidence shows that high rise buildings without sufficient setbacks are not necessarily the solution here: they take longer to build, block natural light at the street level, super charge delivery truck and car traffic, and generate street level wind tunnels that can be treacherous for seniors and people with disabilities. These consequences of a high-rise building contradict the premises of the exercise. The solution is to address the "missing middle": this is not an overused cliché, but a reality in Halifax.</p> <p>A plan must also decide how much on-site parking will be required. At least in the urban centre, there should be a penalty for building on-site parking. On-site parking adds tremendously to costs of building (contradicts affordability) and takes longer to build. It encourages car-centered street designs. So, on-site and street parking contradict the main premises of this planning exercise and should be discouraged.</p> <p>A plan must recognize that people living in these buildings are humans with real needs such as affordable and nutritious food, outdoor activities, and social interactions, all of which require safe, calm, and relaxing natural and built environments, consistent with the premises of this planning exercise. A lack of commercial space to install a food outlet, a café, or a yoga studio, wide multi-lane roads, a lack of "green" spaces, a lack of protected and separated from traffic bicycle lanes undermine and contradict all these goals. So, a planning permit where such amenities do not exist must automatically trigger space reallocation, street or otherwise, to human needs commensurate with these goals. A new building should "give back" to the community.</p> <p>Planners have all the tools and evidence necessary to achieve these goals, as long as they put people before profits, cars, and greed.</p> <p>Respectfully submitted, [name redacted] (West End Halifax)</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>All the best,</p>
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	<p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR42	<p>Hello Anne,</p> <p>I am a resident of Brookside and participated in the public hearing of the future of the Halifax Exhibition Park. So, this will interfere with my commute to work tremendously. I have observed the development of Prospect Road over the past 25 years.</p> <p>At this point, I have tried to read and understand some of your published campaigns. As a general observation, I read about the housing problem for low-income citizens. Looking at the big builders in HRM, I don't see any of those projects coming up in big numbers.</p> <p>I was of the opinion that the planning commission sets the rules. Can you not enforce a certain percentage of those being built while allowing the builders to build one high riser after another?</p> <p>So far, I see a lot of commercial spaces in new construction not being used. And those have been mandated by the planning commission.</p> <p>The builders cannot stop building. Even if the outlook is bad (N.S. doomed to decline unless economic trends reverse: report, The Canadian Press · Posted: Feb 12, 2014).</p> <p>So, in other words, they will keep building even with more demands from your side. The reason for that is the wright off of the costs of new buildings against the profits of the finished buildings. My understanding is that the owners of the building companies can manage to pay very little income tax over decades.</p> <p>You can see that in the last 25 years in HRM. During the economic downturn around 2008, there was no significant slowdown (Halifax's major construction has almost tripled in value over a decade, · CBC News · Posted: Apr 18, 2016).</p> <p>I would say, now is the time to push the on your end to solve the “housing crises” in HRM (Large Halifax landlords report double-digit operating income growth in first quarter of 2024, CBC News · Posted: May 15, 2024).</p> <p>There should be some room for this in the proposed 6,800 units at the Halifax Exhibition Centre.</p> <p>Thank you for your attention, [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thanks for your email. The Minimum Planning Requirements are provincial legislation aimed at increasing housing supply and are not proposing changes to the Halifax Exhibition centre development. More information about the regulations in the minimum planning requirements can be found on our project website:</p>

	<p>https://www.shapeyourcityhalifax.ca/minimum-planning. If you have any comments or questions about those requirements please let us know.</p> <p>I am copying Meaghan Maund (maundm@halifax.ca) who is the planner for the Halifax Exhibition centre development, to share your comments about that project.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR43	<p>Hello,</p> <p>I have a few questions about the Municipal response to the new Minimum Planning Requirements outlined by the Province. I am referencing the information sheets on the Shape Your City Halifax page on this matter.</p> <p>Firstly, please note, this particular page https://www.shapeyourcityhalifax.ca/minimum-planning/ was not actually possible to find directly from the Shape Your City page, I only saw it through an Instagram ad and could not find it directly through the website as a non-registered visitor (which is probably the majority of site visitors). This is a note for those managing the Shape Your City website to be fixed. If there IS a way to navigate there, it's not readily accessible enough.</p> <p>On the Minimum Planning Requirements: Item (c) references 99.8% of properties already meeting the new requirement, with 0.2% of properties not meeting the requirement. Is there a link to this particular report so I can see which properties are in the 0.2%? It seems likely the intent of the Provincial regulation may be to force the Municipality to properly enable development of this small number of properties, taking control out of the hands of local special interest groups. Sharing which properties the Municipality may be trying to skirt this deregulation effort for is an important accountability piece here.</p> <p>Item (g) states that the Municipality should "not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;" this seems like an explicit call to remove maximum height requirements, and yet the Municipal response appears to simply be a change to measuring height in storeys instead of metres. Are height limits being removed or just measured differently? And if it's the latter, how does this even pretend to meet the Provincial Minimum Requirement?</p> <p>Item (h) requires that "no requirement related to unit mix applies". Does "unit mix" in the Provincial regulation only refer to unit mix by number of bedrooms, or does it also disallow unit mix requirements for, say, X number of "affordable" units?</p> <p>Thanks for your time. I look forward to further engagement, it seems higher levels of Government are finally taking the experts seriously on how to fix the housing shortage.</p>

	<p>Kindly, [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process. If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>Thank you for mentioning the shape your city page issue, we've had that fixed.</p> <p>For requirement (c), the 0.2% are these land use bylaws and zones:</p> <ul style="list-style-type: none"> -Dartmouth, C-3 -Halifax Mainland, C-2 -Planning District 4 (Prospect), CR-2 -Sackville Drive, LS, DC-1, DC-2 <p>These are properties that are currently zoned for commercial use and could have the potential to also have high density residential. These sites will be studied further as part of the Suburban Plan and will require technical studies to understand the infrastructure needed to support future growth prior to enabling additional uses.</p> <p>To meet requirement (g), height for medium and high density residential buildings will be measured in stories instead of metres or feet. This helps achieve more density and makes mass timber more feasible as a construction method, as it tends to require more space per storey. The change allows mid and high density buildings to achieve their full allowed height in storeys, instead of (for example) having to omit an entire storey because the building would exceed a metric height maximum by a metre.</p> <p>Requirement (h) refers specifically to the mix of 1, 2, and 3+ bedrooms in an apartment building.</p> <p>Please let me know if you have any additional questions or comments.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR44	<p>Good morning. In regards to the minimum planning changes in Halifax, and this statement:</p> <p>“require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal</p>

	<p>planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;”</p> <p>How will the Municipality and / or the Province police the availability of “affordable” housing, and what financial criteria is being used to determine what is “affordable”. My concern is not for the low income or vulnerable people specifically, as I believe much is being done to assist them. My concern is for people (particularly younger people) on one income or below the income level that makes it possible to acquire a home. Even at \$80,000 to \$100,000 / year, the time required to save enough for a down payment could be many, many years. We are in an affordability crisis and I believe we have left an entire generation stuck paying outrageous rents in HRM, with no hope or ever buying a home.</p> <p>So, to clarify, who is determining what is “affordable” with all this planned construction? And how is this being managed? Will we consider alternatives such as co-op housing? Much smaller homes (maybe tiny homes as starters?). Etc.</p> <p>Many thanks. [name redacted]</p>
	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process. If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>The HRM Charter defines ‘affordable housing’ as “housing that meets the needs of a variety of households in the low to moderate income range,” and the Canada Mortgage and Housing Corporation (CMHC) defines ‘core housing need’ as households who cannot access housing that meets standards for adequacy (housing condition), suitability (enough space), and affordability (less than 30% of before-tax income). The draft Regional Plan refers to both of these terms. You may also be interested in reading the draft regional plan chapter on housing.</p> <p>In terms of the municipal role in supporting the development of affordable housing, there are a few initiatives to share:</p> <ul style="list-style-type: none"> • There are currently density bonusing regulations, which allow the municipality to require developments to provide public benefits or cash-in-lieu in exchange for additional development rights or relaxing certain requirements. The intent of this tool is to supplement other municipal investments so that new density is accompanied by the amenities and public benefits (including contributions to affordable housing) that can contribute to complete and inclusive communities. The density bonusing fees help support our affordable housing grant program.

	<ul style="list-style-type: none"> • Many municipal-related construction fees for residential development by registered non-profits or charitable housing organizations have been waived since 2020. • Staff are continuing to work on inclusionary zoning for the upcoming year and are expecting a study to conclude that will provide more data on inclusionary zoning from a financial perspective. Inclusionary zoning is a tool that allows affordable units to be required within new developments. • I'll also mention that we can only zone for land use, not ownership type, so co-ops are zoned in the same way as same as single-owner buildings. Tiny homes are also permitted across the municipality – the land use bylaws do not have a minimum dwelling size. • Additional information about past and ongoing initiatives for affordable housing is available on this website: https://www.halifax.ca/about-halifax/regional-community-planning/affordable-housing <p>Please let me know if you have any additional questions.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR45	<p>Regional Plan Team:</p> <p>The Minimum Planning Regulations includes this clause:</p> <p>(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;</p> <p>You are proposing that the clause be implemented as follows:</p> <p>Include policy intent in the Regional Plan and adjust land use by-laws to convert height from metres and feet to storeys for medium and high density residential buildings.</p> <p>In the relevant Fact Sheet, you plan to make the following changes to Land Use By-laws for Bedford, Mainland Halifax, Dartmouth and other plan areas :</p> <ul style="list-style-type: none"> • Apartment buildings will now have their maximum heights measured in total storeys instead of in feet or metres. This will allow for more flexibility in construction methods such as the timber-framed buildings. • The definition of height in the land use by-law will reflect the height conversion to storeys. <p>Will 'Apartment Buildings' include Apartment containing 3 or 4 dwelling units within the Urban Service Area as amended into the by-laws as part of the Housing Accelerator Fund amendments?</p> <p>Let me know if you have any questions.</p> <p>Thanks, [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>The changes for reg (g) would apply to buildings with 5+ units.</p>

	<p>Kind regards, Telina</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p> <hr/> <p>Telina: Thanks for the prompt reply, which I'm not surprised at. Acknowledging that your response is the current thinking of HRM officials, yet to be confirmed or adopted by HRM Council or the Province, how does that 5+ minimum square with the language of existing By-laws and what reason is there for a 4 unit building not to have the same height unit of measure as a 5 unit building? [redacted]</p> <hr/> <p>Hi [redacted],</p> <p>Our approach to meeting the requirement focused on medium and high-density residential zones where height is a main controlling factor for achieving density and where we see challenges due to differences in construction methods. For instance, these changes make mass timber more feasible as a construction method, as it tends to require more space per storey than steel or concrete. The change to by-laws will enable mid and high-density buildings in zones that envision higher densities to achieve their full allowed height in storeys regardless of the construction method.</p> <p>Buildings in low-density zones do not typically encounter the same challenges in achieving density due to height differences in construction methods, and the main controlling factors for achieving density are other land use regulations such as lot coverage, setbacks, access, etc.</p> <p>I hope that this provides some more insight into our approach. We're happy to include any feedback you have on this in the report to Regional Council this spring.</p> <p>All the best, Telina</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR46	<p>Hello,</p> <p>I have been reading the 12 Minimum Planning Requirements. I have questions before offering feedback:</p> <p>Of the 12 Requirements, it would seem that all but e) Regional Municipal Planning Strategy (Regional Plan) for the suburban area are put into by-law/legislation or</p>

	<p>wherever they fall under and public feedback will not/cannot change it. Can you confirm this?</p> <p>Regarding e) it is a lot to take in and perhaps the best way for me to understand is for you to tell me what changes are possible on my street now. And, what changes will be implemented in the Spring as per the following in the fact sheet:</p> <p>“What will this change mean for me?</p> <ul style="list-style-type: none"> • The municipality will be undertaking a comprehensive planning process for the Suburban area (areas outside of the Regional Centre, where municipal water, wastewater, and transit services are available). Stay tuned for future planning engagement opportunities.” <p>I am on Summer Field Way in Portland Hills, Dartmouth. Present zoning is CDD. My single family small 2 bedroom bungalow is on a 5150sqft lot. Neighbours on my side of the street have similar size lots. So, at the moment or after the plan is finalized in The Spring as above will owners be permitted to:</p> <ol style="list-style-type: none"> 1) put in a backyard suite or shipping container suite in the backyard? Same question if you are on the other side of the street where lots are 11,000sqft +? 2) demolish your existing single family home and build a 4 unit investment/rental property? 3) for the scenarios above, will there be zero requirement to provide parking for the increased density? <p>Can you please confirm that these 3 changes I anticipate on my street are in fact already in place in the Centre Plan in previous R1 zoned neighbourhoods like Crichton Park?</p> <p>I look forward to a speedy and clear reply, [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thanks for your email and questions. The municipality is required to comply with the provincial legislation, but as part of the 30-day public engagement period we welcome any questions or comments and will bring them forward in a report to Regional Council.</p> <p>For requirement (e), the only change we are making at this point is adding language to the Regional Plan that states the intent to do the Suburban Plan – the actual suburban plan is not being released this spring. Staff are working with the Province on how to address the Suburban Planning deadline and will be bringing a report on the Suburban Plan work plan to Regional Council this Spring. More information will be available then, and if you wish to receive an email update when that work plan is released, please email suburbanplan@halifax.ca.</p>
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	<p>I will also note that some of the items you've mentioned are impacted by the Minimum Planning Requirements:</p> <ul style="list-style-type: none"> • Requirement (L) requires that modular units and converted shipping containers be permitted as residential dwellings across HRM. Municipal land use by-law regulations for dwellings and secondary/backyard suites will still apply. For instance, while a converted shipping container will be eligible for use as a backyard suite, it is still subject to existing regulations for backyard suites like setbacks or lot coverage. Many areas of HRM permit backyard suites – click here to learn more. • Requirement (I) requires that residential buildings that are within the Urban Service Area (area serviced with municipal water and sewer) not be required to provide parking. Developers and owners of residential buildings may still voluntarily choose to provide parking spots, but the municipality's by-laws can no longer require a specific number of parking spots. <p>Since both of those requirements are part of the provincial legislation, all the municipality's existing and upcoming plans (like the suburban plan) will need to comply with them.</p> <p>If you have any additional questions or comments about the minimum planning requirements please let me know. You are also welcome to contact suburbanplan@halifax.ca for more information on that project.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR47*	<p><i>*Includes attachment.</i></p> <hr/> <p><i>[Letter text copied below]:</i></p> <p>February 5, 2025 Halifax Regional Municipality Council Halifax City Hall 1841 Argyle Street Halifax, NS B3J 3A5</p> <p>Dear Mayor Fillmore and Members of Regional Council:</p> <p>We are writing to seek your support in advocating to the Provincial Government to rescind the recent amendment to the Municipal Charter Minimum Planning Requirements Regulations that will significantly reduce the percentage of ground-floor commercial space required in residential buildings. As you know, the vitality of our downtowns and main streets is integral to the character and success of our communities, and this change could undermine our efforts.</p>

	<p>With a growing population, increasing densification, and reductions in available parking, it is essential to continue providing walkable amenities that serve the needs of our communities. Ground-floor commercial space is vital in sustaining small businesses that drive neighborhood growth and create a sense of place for residents and visitors alike. Reducing the percentage of commercial space in new developments would not only limit access to essential services but also directly impact our ability to fund critical programs that help our downtowns and mainstreets thrive. While the goal for all is to lessen our dependence on cars, this amendment will force residents to travel for goods and services.</p> <p>The 9 Business Improvement Districts (BID) of Halifax Regional Municipality are currently working to support over 3,300 local businesses, which together account for approximately 23% of HRM's total commercial assessment—valued at \$10,556,646,400. Through private funding of \$4,005,281, BIDs are able to deliver essential services such as marketing, advocacy, placemaking, and events. These services are crucial not only for helping businesses survive and grow but also for enhancing the overall quality of life in Halifax and contributing to the local economy.</p> <p>By reducing the required amount of commercial space at ground levels, we risk making it more difficult for small businesses to establish themselves and thrive in areas where they are most needed. Furthermore, it limits the funding available for the programs and initiatives that create lively, well-maintained, and attractive downtown areas—places that everyone in the community can enjoy.</p> <p>We respectfully urge you to take a stand and advocate on behalf of the residents, small businesses, and community organizations that rely on a mixed-use urban environment. By pushing the Provincial Government to reconsider this amendment, you can help ensure that Halifax's downtowns and main streets remain welcoming for everyone.</p> <p>Thank you for your attention to this matter. We look forward to your support.</p> <p>Submitted by the Business Improvement Districts of: Downtown Dartmouth Downtown Halifax North End Halifax Porters Lake Quinpool Road Mainstreet Sackville Spring Garden Area Spryfield Village on Main</p>
MPR48*	<p><i>*Includes 2 Attachments.</i></p> <hr/> <p>Good evening all,</p>

	<p>It is a snowy, cold and windy night. Currently minus 7 with a windchill of minus 14. Every time I let my two dogs outside , I stand near the door to let them in right away so as to not allow them to become cold.....then the guilt sets in knowing people are in tents. My dogs are getting better care than our own citizens.</p> <p>Some serious concerns have been raised regarding the CBC article which covered the eviction of a veteran from his Motor home in Wellington NS. This is just one of thousands of people desperate to stay warm, well and productive. Allowing people to remain in their affordable "home" takes the horrendous strain off of shelters, health care and community services.</p> <p>It is clear there is much good work being done by government, non profit and business sectors in response to the housing crisis. I am grateful, however, It is not enough and it is not timely and it is unacceptable.</p> <p>I have taken some time to review the regional plan, research some historical data and stay informed on the housing and shelter needs in my rural area of HRM, the province and also North America.</p> <p>A few points that I have added in the attachments, help to fortify the changes needed now. We do not have more time. Our citizens are facing absolute cruel circumstances, most of which can be alleviated by simple changes to our bylaws.</p> <p>I request that recreational vehicles be included in the bylaws to allow for residential use. Now.</p> <p>I request that tiny homes be included in the bylaws to allow for residential use. Now.</p> <p>Respectfully, [name redacted]</p>
	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process. If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.</p> <p>Requirement (L) of the Minimum Planning Requirements requires that manufactured housing, including modified shipping containers, be permitted in all residential zones. However, this requirement is not changing the regulations for recreational vehicles. There is a staff report on this topic headed to Regional Council in the coming months. I can pass your comments along to staff working on that report. I've also copied the Regional Council motion below:</p> <p>THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report considering land use zoning changes to allow the use of Recreational</p>

	<p>Vehicles (RV's) for residential use. This report should include and consider: 1. Temporary accommodations for construction, seasonal rentals, backyard suites and emergency sheltering. 2. Compatibility within Urban, suburban and rural areas. 3. Best practices from other jurisdictions where RV's are utilized for residential use.</p> <p>I'll also add that as part of Phase 3 of the Regional Plan review in 2022, any remaining barriers to tiny homes in land use bylaws were removed. Tiny homes are currently permitted anywhere a larger residential dwelling is permitted, and subject to the same requirements. Tiny homes can also be used as backyard suites, subject to meeting zone requirements for backyard suites.</p> <p>Thank you again for your email, and if you have any additional comments or questions on the Minimum Planning Requirements or Regional Plan Review please reach out anytime. I've added you to our mailing list, per your request.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR49	<p>Hi! Would you please let me know what the status of this matter is and how I may keep informed of any progress and make a submission to Council?</p> <p>Thank you for your help!</p> <hr/> <p>[Phone Call]</p> <p><i>Staff summary:</i> Resident represents a group of concerned people who will be submitting a formal letter before the engagement period closes on Feb 24.</p>
MPR50	<p>Hello,</p> <p>I'd like to give feedback on the Minimum Planning Changes. While the need for housing is great, I didn't see the documents address the infrastructure needed within the municipality in order to accommodate our growing numbers, such as schools and roads.</p> <p>For example, our roads are already quite congested, and only getting worse with growing numbers of people, return to office mandates, and traffic calming measures/transit prioritization. Removing parking space requirements would certainly encourage people to do without a vehicle, but sometimes that's not possible. Where will residents park? Is the city going to fast-track or prioritize building municipal lots? New or wider roads?</p> <p>Housing is one aspect of a complex issue. It's great to see changes to remove barriers, but there are other aspects that will need to be addressed too, so that the</p>

	<p>people who move to our wonderful city have the resources that they need. How will these secondary services (roads, schools, grocery stores, transit, etc.) be brought up to speed?</p> <p>Thanks for your consideration.</p> <p>Best wishes, [name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I can provide some more context and information to respond to your questions. The Minimum Planning Requirements are legislation introduced by the provincial government in August 2024 and require the municipality to update land use plans and strategies. The province's stated intent with these requirements is to increase housing supply in the municipality. The requirements do not address what future improvements are needed to support infrastructure and services.</p> <p>However, there is ongoing municipal work that will look at this issue. As a separate project from the Minimum Planning Requirements, the municipality is in a phased review of the Regional Plan, which is an HRM plan that sets out a common vision, principles, and long-range, region-wide planning policies outlining where, when and how future growth and development should take place. Staff have identified that the upcoming Phase 5 will involve the creation of a Strategic Growth and Infrastructure Priorities Plan. This plan will identify needs and future investments in infrastructure, transportation, and consider community assets like recreation facilities and libraries, etc.</p> <p>I'll also mention that the Joint Regional Transportation Agency (JRTA) is a provincial Crown corporation tasked with developing a long-term transportation plan for Halifax and the surrounding area (within a one-hour driving distance). They are expected to release a Regional Transportation Plan in the future. The outcomes of that Plan will also inform HRM planning's work. In terms of other services, while some services are fully within HRM's jurisdiction, the province has authority over the development of schools. HRM shares information such as population projections with the Halifax Regional Centre for Education, Conseil scolaire acadien, and the Province to help inform their decisions around locating schools and other public facilities.</p> <p>I hope that this is helpful. If you have any other comments or questions about the minimum planning requirements, please let us know. If you're interested in following updates on Phase 5 of the Regional Plan, let me know and I can add you to our mailing list.</p>
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	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p> <hr/> <p>Thank you so much for the information, Telina.</p> <p>I really appreciate your thorough and thoughtful response.</p> <p>Best wishes, [name redacted]</p>
MPR51	<p>[Phone Call]</p> <p><i>Staff summary:</i> Interested in opportunities for internal conversion of existing commercial buildings to residential, particularly CGB Zone in Bedford LUB. Will send in formal comment by email.</p>
MPR52	<p>Good afternoon Councillor Steele,</p> <p>I'm a resident in your ward and want to share my thought re. the proposed development plan for 117 Kearney Lake Rd.</p> <p>I am thrilled to hear the proposal would build significant new housing in our area. We're in a prolonged housing crisis, and what we need most are more units.</p> <p>However, I would strongly advocate for the inclusion of retail or other mixed use space on the ground floor. As it stands, that plaza is home to an NSLC, Tim Hortons, Optometrist, School facility, grocery store, pizza shop, and more. It is some of the only retail that is available in walking distance from our house and something my wife, kids, and I make regular use of. I would advocate for the inclusion of ground-floor retail/business use at that site.</p> <p>Thank you Councillor and all the best, [name redacted]</p> <hr/> <p>Hi [redacted],</p> <p>Thank you for your email. I appreciate receiving your comments about the need for more housing and the importance of having a complete community where you can walk to access retail and services. I should note that, depending on when this project goes forward, it may be subject to the new minimum planning regulations that the Province of Nova Scotia will require of HRM effective after June 2025. These minimum planning regulations will reduce the ground floor commercial use requirements.</p>

	<p>The municipality is legally required to meet the Provincial requirements and is running a 30-day public engagement period which started January 24 and will run until February 24, 2025. Land use by-laws that currently require up to 100 percent of the ground floor of a building to be commercial uses will now only be required to provide 20 percent of the ground floor to be commercial. This new Provincial requirement is scheduled to be in effect until April 1, 2027.</p> <p>Here is the link to the consultation documents related to the minimum planning requirements:</p> <p>https://www.shapeyourcityhalifax.ca/minimum-planning</p> <hr/> <p>Hi HRM Regional Planning Team,</p> <p>I received the below email from [redacted], a resident of District 12. (Thanks to Councillor Morse who wisely suggested that I forward it to you.)I have included my reply to the resident below his incoming email.</p> <p>Thank you,</p> <p>Janet</p> <hr/> <p>Hello Councillor Steele,</p> <p>Thank you for sending this along. I'll also copy the Suburban Plan team for their records, as 117 Kearney Lake Rd is included in the Urgent Changes to Planning Documents for Housing Additional Suburban Sites Final Recommendations.</p> <p>Best, Telina</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR53	<p>To whom it may concern,</p> <p>Thank you for giving Halifax inhabitants the opportunity to share their views about how Halifax answers to the housing crise.</p> <p>First, I would like to say that, I am very disappointed by the way Halifax is being developed : it is destroying Halifax Peninsula ,making it like any modern suburb of large North American cities: I don't really care for a copy of downtown Toronto where the sun and the sky are disappearing or Mississauga suburb style. When I moved to Halifax, we were able to see the sea from the Citadel... I have been living in many cities around the world and Halifax is a disaster in terms of development , architecture and transportation.(the development around the Communes could have</p>

make it an architectural landmark, same with the Richmond yard and no green space, building to close to each other , the rejection of a long term solution for the Windsor exchange...)

So here are my comments:

- Halifax peninsula historically was not designed to be a high rise city.
- lost of identity such as wanting to demolish the Alehouse on Brunswick st,
- the building height should be no more than 6 storeys high. Developers have too much say in the style of what they build, profit decides. Obviously, they do not live in what they build.
- there should be underground parking for every high rise building.
- the square footage of units should be livable: a bedroom should fit more than a bed. The noise pollution should also be considered.
- in each project, there should be a mixed of apartments size from bachelor to 3 bedrooms , townhomes and individual homes to induce a good population mix.
- the new subdivisions outside the peninsula are not walkable neighborhoods, you need 2 cars. The roads and infrastructures are not planned properly. Look at what happened with the fire in Sackville. It is a missed design opportunity .
- the idea of ground floor businesses is a good idea in principle but in reality people go to big stores to shop. The population is not dense enough to have too many of those places.
- Also since the infrastructure is not always available outside the peninsula, it is cheaper for developers to build on the Peninsula than in the suburbs, so they make more profit...
- there should be more green spaces.

I sincerely think the criteria to develop a city should include not only housing needs but also an architectural plan which would be an asset to attract visitors and enhance the inhabitants quality of life by preserving and creating history and character.(ex: the Hydrostones neighborhood)

So I am sorry about not supporting the face of the new Halifax, but I thank the people whose it is their job to develop the city. It is not easy , and also not easy to please everyone.

Regards

[name redacted]

Hello [redacted],

Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.

If you wish to submit additional comments or withdraw your submission, please let us know by Feb 24.

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR54	<p>Hello,</p> <p>As a young professional in Halifax looking to get into the housing market, I am all for accelerating housing development. However, I hope that transit and interconnected communities are being considered along with these proposed changes. Increasing density and eliminating parking requirements are great first steps, but mean those housing developments need to have fast, frequent, and connected urban transit options nearby; and/or the associated utilities and services people need within a few minutes walk. Considering where grocery stores, medical facilities, offices, and other services are located in relation to these new housing options is critical for reducing traffic congestion and pollution within HRM. I hope this is also being planned for when these changes are happening!</p> <p>Thank you [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I'll also add that as a separate project from the Minimum Planning Requirements, the municipality is in a phased review of the Regional Plan. The Regional Plan is an HRM plan that sets out a common vision, principles, and long-range, region-wide planning policies outlining where, when and how future growth and development should take place. Staff have identified that the upcoming Phase 5 will involve the creation of a Strategic Growth and Infrastructure Priorities Plan. This plan will identify needs and future investments in infrastructure, transportation, and consider community assets like recreation facilities and libraries, etc.</p> <p>The upcoming Suburban Plan may also be of interest - that project will update zoning and community plans for the suburban area (areas outside of the regional centre and serviced with water and sewer). Building complete communities with good access to amenities and services is certainly part of that work. If you're interested in learning more please email suburbanplan@halifax.ca to be added to their mailing list for updates.</p>

	<p>If you have any other comments or questions about the minimum planning requirements, please let us know. If you're interested in following updates on Phase 5 of the Regional Plan, let me know and I can add you to our mailing list. The regional planning website is linked here: https://www.shapeyourcityhalifax.ca/regional-plan.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR55	<p>I think it's imperative that HRM and the province consider adding a school on the Halifax peninsula maybe by the Seaton lands that are being developed. I also think with all the new development going up we need to ensure that the bottom floor has business areas for daycare for community centres for stores so that people can easily access necessities without driving.</p> <p>[name redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I can provide some more information that may be of interest to you. The Minimum Planning Requirements are legislation introduced by the provincial government in August 2024 and require the municipality to update land use plans and strategies. The province's stated intent with these requirements is to increase housing supply in the municipality. The requirements do not address what future improvements are needed to support infrastructure and services.</p> <p>However, there is ongoing municipal work that will look at this issue. As a separate project from the Minimum Planning Requirements, the municipality is in a phased review of the Regional Plan, which is an HRM plan that sets out a common vision, principles, and long-range, region-wide planning policies outlining where, when and how future growth and development should take place. Staff have identified that the upcoming Phase 5 will involve the creation of a Strategic Growth and Infrastructure Priorities Plan. This plan will identify needs and future investments in infrastructure, transportation, and consider community assets like recreation facilities and libraries, etc.</p> <p>While some services are fully within HRM's jurisdiction, the province has authority over the development of schools. HRM shares information such as population projections with the Halifax Regional Centre for Education, Conseil scolaire acadien,</p>

	<p>and the Province to help inform their decisions around locating schools and other public facilities.</p> <p>The upcoming Suburban Plan may also be of interest - that project will update zoning and community plans for the suburban area (areas outside of the regional centre and serviced with water and sewer). Trying to create complete communities with good access to commercial areas and amenities is certainly part of that work. If you're interested in learning more about that project, please email suburbanplan@halifax.ca to be added to their mailing list for updates.</p> <p>I hope that this is helpful. If you have any other comments or questions about the minimum planning requirements, please let us know.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR56	<p>[phone call]</p> <p><i>Staff Summary:</i> phone call re: unit mix. Resident had questions about how unit mix reg would be applied and how it is different than a cap on bedrooms.</p>
MPR57	<p>[phone call]</p> <p><i>Staff Summary:</i></p> <ul style="list-style-type: none"> - Concern about the proposal at 1226 Cole Harbour Rd (Special Planning Area). Doesn't think 12 storeys is appropriate for the community. - Discussed the planning process and differences of site plan approval vs. regular as-of-right or discretionary planning applications. - Concern about the number of applications happening in his community (Cole Harbour), particularly along Portland Street. How will Portland Street and Main Street (Hwy 7) handle 10,000+ units? <ul style="list-style-type: none"> o Discussed various infrastructure studies happening – IRP, Suburban Plan, Regional Plan (Phase 5), and Strategic Growth and Transportation Planning team. - Question related to MPR (g) – what did it mean and is HRM addressing it in the proposed amendments? <ul style="list-style-type: none"> o Clarified interpretation and how our approach will meet the requirement. - Question related to MPR (b) – how do we prioritize housing above all else? <ul style="list-style-type: none"> o Clarified our approach through Regional Plan policy language, but also that the Regional Plan is meant to be read and interpreted in its entirety so that infrastructure, environment, transportation, etc. are also all accounted for in our decision making processes.
MPR58	<p>With respect to:</p> <p>(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;</p>

	<p>Given that EVs are to be the future for PMVs, on-site parking should be a mandatory requirement so that charging can be done in a safe manner without running charging cables out to the curb.</p> <p>Best Regards</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR59	<p>I am writing to express my opposition to the so-called Minimum Planning Changes, and to call for a genuine period of public engagement.</p> <p>While I support responsible approaches to densification in the interests of alleviating the current housing shortage, the changes as they now stand are crude and destructive.</p> <p>Moreover, the window for public engagement that expires today is a fraud. The relevant document at Minimum Planning changes in Halifax Shape Your City Halifax explicitly identifies the changes as a fait accompli, and defines the purpose of public engagement as being to "notify" city residents of what is taking place so that they can "learn about" what is being imposed on them. This is no way to treat citizens of the city and of the province.</p> <p>I look for immediate reconsideration of this arbitrary process.</p> <hr/> <p>Hello,</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best, TELINA DEBLY MCIP, LPP</p>

	<p>PLANNER II</p> <p>REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR60	<p>February 20, 2025</p> <p>Dear City, Planning Department, Mayor;</p> <p>We all recognize that our city is in dire need of affordable housing. But the unruly approach to densification we're now witnessing is concerning and has had a negative impact on</p> <ul style="list-style-type: none"> - city services - traffic - parking - heritage preservation - and green space <p>What's frustrating is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over what you would call affordable. Even smaller scale developments like four or eight unit buildings are being proposed to be built right in middle of established single family home neighbourhoods. These go well beyond building a "granny flat" in the backyard.</p> <p>What's worse in our particular case, is the CAO may have the power to eliminate approximately 85 year old restrictive covenants restricting development that are common among a subdivision of eight lots in favour of one lot whose owner wants to sell and get the maximum possible price given the new zoning but doesn't even live in the City anymore!</p> <p>The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to:</p> <ul style="list-style-type: none"> - mitigate potential harms arising from developments; - encourage more consultation with existing communities before developments are approved; - address infrastructure pressures; - ensure public safety with updated evacuation routes <p>There's rising dissatisfaction throughout the city because people feel their voices aren't being heard. Their communities are being radically altered without their input.</p> <p>We understand our new mayor and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.</p> <p>That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project.</p>

	<p>Thanks, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in your land use by-law zone. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR61	<p>Hello Mayor Fillmore, Premier Houston, Councillor White and members of the HRM planning staff —</p> <p>I'm writing in strong opposition to the new HRM zoning bylaws that have been pushed through without adequate public consultation.</p> <p>We all recognize that Halifax has a housing shortage. We want and need development — but it has to be safe, sustainable, affordable and respectful of existing communities. The reckless blanket rezoning of almost all of Halifax is already jeopardizing our overburdened infrastructure, our urban forest, our historic streetscapes and our neighbourhoods.</p> <p>There are currently 12,000 vacant lots in HRM. Why are more buildings being taken down? Why have these not been prioritized for development?</p> <p>Many of us came to Halifax — or, in my case, returned home — because of the lifestyle it offered. We chose to live and work in a beautiful, historic city with family-centred neighbourhoods, walkable streets and east coast charm. Many of us also</p>

	<p>spent countless hours over the years at meetings to develop the Central Plan. All that work was apparently for naught.</p> <p>Before Halifax is destroyed beyond recognition, I'm asking that zoning bylaws mandate a three-month period of active community engagement before the approval of any development project.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in your land use by-law zone.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR62	<p>Dear Halifax Regional Planning Committee,</p> <p>The Liveable Halifax Coalition is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing.</p> <p>But the unruly approach to densification we're now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews. And no wonder.</p> <p>The breakneck speed of development has already had a negative impact on</p> <ul style="list-style-type: none"> - city services - traffic - parking - heritage preservation - and green space

What's worse is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.

The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to

- mitigate potential harms arising from developments;
- mandate real consultation with existing communities before developments are approved;
- address infrastructure pressures;
- ensure public safety with updated evacuation routes; and
- align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

There's rising dissatisfaction throughout the city because people's voices aren't being heard. Their communities are being radically altered without their input.

We understand our new mayor and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.

That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.

Yours Sincerely,
[redacted]

Hello [redacted]

Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.

For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in your land use by-law zone.

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR63	<p>Hello:</p> <p>In my opinion many of the 12 adjustments the Provincial Government insists HRM include within its planning process are extremely short sighted and will have long term, unintended consequences which those who live and work within the HRM will have to deal with.</p> <p>I understand that there is a need for housing, and that having affordable housing is critical. Nothing within these 12 adjustments appears to focus on the affordability part.....</p> <p>I was always under the impression that HRM took planning seriously. I thought that our municipality and provincial government took pride in creating a well, planned city and rural/suburban area. These changes threaten all of the good work that has gone on before.</p> <p>If all of these items are allowed to proceed, we will end up with a municipality with areas of total inconsistency. Existing neighbourhoods may be negatively impacted by developers snatching up the odd parcel of land and creating housing that does not fit the existing requirements. Can you imagine a converted shipping container being placed in a South End neighbourhood? Doubtful...Why then should these types of homes be allowed in any other neighbourhood, unless there is a specific new neighbourhood (like a mini home park) created? I can only imagine the outcry, unless there are rules around how these "homes" must look.</p> <p>In my opinion, these changes have been created simply to allow developers a "wild west" atmosphere for building. If the province really wanted to help with the housing shortage, they would engage with those organizations which already deal with "affordable housing" such as Dartmouth Non-Profit Housing etc.</p> <ul style="list-style-type: none"> • These new rules will allow some of the less scrupulous developers (and we do have those) to run a-muck in our city using the cheapest materials, design etc., instead of building quality apartment buildings and homes. • Ignoring previous zoning requirements, regard for exterior cladding, height requirements and future developments will negatively affect the areas where these buildings are being constructed. • Eliminating the need for on-sight parking and story height is ridiculous! Can you imagine the congestion of the streets where these new high-rises are being built coupled with the ability to construct without parking? Where will these vehicles go? Not everyone who lives in these buildings are cyclists.

	<ul style="list-style-type: none"> • What about the lack of other infrastructure such as existing schools? - HRM has gone from an era of shuttering schools to bringing back the "portable" classrooms we had in the 70's and 80's. Has the province thought about this? <p>In conclusion, great cities are well thought, planned out spaces. They take into consideration the living, working, recreational, educational, health and transit/infrastructure needs of the people who live there. These changes DO NOT conform to how HRM should be proceeding with its' future developments.</p> <p>Given the other new bills being introduced by the PC Government lately I firmly believe that Tim Houston, and The Province of Nova Scotia need to STAY IN THEIR LANE!</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR64	<p>I will not rant as I know you have a lot of mails.</p> <p>First off I'm 80 and was a small developer from 1960s till my last project. I have traveled in third world countries. With no rules just too many people. Like HRM is becoming. To the point.</p> <p>Back yard no parking , no real restrictions other then size , built by anyone mini homes is a bad idea trust me on this. Where do the cars park , this is not a climate for street parking, and the, they will bike to work in our winters, who came up with that idea. Bike lanes will help with traffic another pipe dream. I'm a biker yes at 80 also snowboarder , kite boarder and wing foiler . Love bike lanes , but they do noting to help traffic ,in fact , they slow down on my return home.</p> <p>City planing should be planning , not bowing down to big developers with gov drag. Like for example , the people of Dartmouth should not be treated different them people of Halifax. Halifax NW arm a no in fill by law. But Dartmouth cove , none. Why ,a big developer can make a ton of money destroying it and has Tim H on his side. This</p>

	<p>forget the wishers of the people soon as you get a foot hold on power, as long as we can make money for developer friends has to stop.</p> <p>I could add more but you get my drift I'm sure.</p> <p>[redacted]</p> <p>Dartmouth cove .</p> <p>Well maybe Dartmouth dump if Tim and Atlantic paving get their way. Dartmouth cove needs someone in council to stand up for the people, and stop the filling of some people's pockets with money over what right and best for our oceans.</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>While not part of the Minimum Planning Requirements changes, as a separate project, the Municipality is considering amending the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law to prohibit most water lot infilling activities in Dartmouth Cove. You can learn more and get in touch with staff working on that file at this link: https://www.halifax.ca/business/planning-development/applications/plproj-2024-01075-dartmouth-cove-dartmouth</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR65	<p>Dear Mayor Fillmore and Regional Planning staff,</p> <p>As a resident of Halifax, I understand the need for urgent initiatives to increase our housing supply, and in particular our affordable housing supply.</p> <p>The proposed Halifax zoning changes, however, need reconsideration in several important areas.</p> <p>Firstly, they fail to protect/provide urban green spaces and greenery, which are integral to the health and wellbeing of Haligonians. As you know, trees are one of the only municipal assets which generally increase in value over time. In many cities around the world, anyone requiring a mature tree to be destroyed — even one on private property — must pay a significant fee in order to do so. Proceeds from these</p>

	<p>fees can be used towards re-greening the vicinity in other ways or subsequent to construction. Such a system would internalize the economic value of the natural assets to the project requiring their removal. This factor is absent from the rezoning proposal as it stands.</p> <p>Further, more density demands more green areas. So developers need to be incentivized/required to incorporate green space in accordance with the number of units their projects are adding.</p> <p>Secondly, Halifax's irreplaceable heritage should be preserved as much as is possible. Even trees re-grow over a number of decades. But historically significant buildings can never be regained once they are demolished. Our history is a significant part of our identity, and it shouldn't be wiped out in any kind of rush.</p> <p>Thirdly, significant safety and liability issues need to be properly thought out. Emergency evacuation plans need to be feasible, not just for the peninsula as a whole, but also for individual areas.</p> <p>Here on Belmont on the Arm, for instance, the only means of ingress/egress is a single lane bridge. Fortunately, at the moment, the traffic flow is light enough that has not yet been a bottleneck, although it has come close on a few occasions when there has been a lot of construction on the street. (On at least one recent occasion I understand that municipal services have not been able to gain access due to congestion.)</p> <p>Additionally, unlike most areas on the peninsula, there are absolutely no sidewalks, not even on one side of the street. This is already hazardous for any pedestrians walking here and poses an enhanced risk for the many children on the street and their visiting friends.</p> <p>If the density here doubled, these risks would be significantly higher. If it tripled, or quadrupled, there could be tragic consequences to both pedestrians and also folks needing emergency medical or firefighting assistance in the case of a blocked bridge.</p> <p>This street is at least one area in Halifax whose infrastructure cannot safely accommodate the proposed increase in density. The municipality could face liability exposure if this is not adequately addressed before adjusting the zoning here.</p> <p>Kindly advise how you plan to address liability and other issues as outlined above.</p> <p>With my best regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring.</p>
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	<p>There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in your land use by-law zone. A summary of the proposed changes to comply with the Minimum Planning Requirements can be found here: https://www.shapeyourcityhalifax.ca/minimum-planning/news_feed/minimum-planning-requirements-summary</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR66	<p>To whom it may concern,</p> <p>My name is [redacted]. I'm writing you about the consultation period surrounding the ER-3 zoning changes.</p> <p>A few years ago I worked in pre-development in Halifax. I was leading a community engagement initiative in the Gottingen community for the Victoria Hall DA. We were proposing various scenarios of affordable housing units relative to building height.</p> <p>Having worked previously as a developer, and as a young person who cares about the affordability crisis, I'm generally pro-development.</p> <p>Also, the more I have travelled the world, the more Halifax stands out as a treasured jewel. There is nowhere else on the planet that feels like Halifax.</p> <p>Change is part of life, and sometimes change is painful. My only hope is that as you steward the change that is needed at this time, that you and your team bring a deep level of presence and thoughtfulness in considering the layers of impacts around whichever direction you choose. If we get more units, but we lose what makes Halifax Halifax, that would feel like something sacred being lost.</p> <p>Thanks, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and</p>

	<p>they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in <u>August 2024</u>, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR67	<p>Hello HRM,</p> <p>I'm a resident on Victoria Road in Halifax, and have just found out this past week through a neighbour that our neighborhood is being considered for rezoning to R3.</p> <p>I was not aware of this development, and therefore not have had an opportunity to participant in any public consultations. I therefore request that the deadline for feedback be extended, along with a more robust communications package from HRM that is made available to all residents potentially impacted, alongside a concerted effort to raise awareness of the opportunity to provide feedback.</p> <p>Regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in <u>August 2024</u>, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made</p>

	<p>as part of the <i>Urgent Changes to Planning Documents for Housing</i> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR68	<p>Dear HRM planners;</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of the neighborhood around Le Marchant School, I strongly believe that these projects are not in line with the character and intent of our community, and I urge you to reconsider allowing such developments in strictly residential areas.</p> <p>The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability. 2. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for residents to park near their homes. 3. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods.</p> <p>I urge you to enforce zoning regulations that protect residential communities from incompatible high-density construction and preserve the neighborhood character.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. And I would appreciate the opportunity for public consultation or public meetings for residents to voice their concerns.</p>

	<p>Sincerely,</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in <u>August 2024</u>, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR69	<p>On Connaught Ave ...and .norwood</p> <p>Attention mayorkindly read ...[redacted] Please connect with me having been o [redacted] street for 50 YEARS..plus Please help me ...Thank you</p> <p>Leave as residence NOT squeezing apartments on to one lot ..</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in your land use by-law zone.</p>

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR70	<p>February 22, 2025</p> <p>Ms. Jacqueline Hamilton Director HRM Planning and Development</p> <p>Attention Ms. Hamilton,</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of Halifax District 9(Woodlawn Terrace- lower end of Quinpool Road) I strongly believe that these projects are not in line with the character and intent of our community, and I urge members of the HRM Council as well as you to reconsider allowing such developments in strictly residential areas.</p> <p>The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods.</p> <p>I urge you to enforce zoning regulations that protect residential communities from incompatible high-density construction.</p>

	<p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR71*	<p><i>*Includes Attachment.</i></p> <hr/> <p>We have been working to develop a master plan for the Woodlawn Mall site for over a year, but we currently have no pathway for development. The report is here:</p> <p>Woodlawn Mall Report Jan 16.pdf</p> <p>Item C of the minimum planning changes could really help us move forward with a pathway:</p> <p>(c) permit residential uses in all zones, except for all of the following: (i) areas zoned for industrial, military, park, transportation reserve and utility uses,</p> <p>The land is currently zoned as C-3 which permits all "C-2 uses as herein set out, excepting therefrom any residential uses". The C-2 zone permits R-3 uses which allow multi-family developments by development agreement. If the Dartmouth LUB and</p>

	<p>MPS were amended to allow residential uses in the C-3 zone (which are currently not permitted), then we would have a pathway to a DA for the mall site.</p> <p>We would like to see the Dartmouth LUB C-3 zone amended to remove the “excepting therefrom any residential uses” in compliance with Item C of the Minimum Planning Changes. Please accept this email as input into your process of responding to the Province’s minimum planning change requests.</p>
MPR72*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Good morning,</p> <p>Please see the attached PDF with comments from Public Health-Central Zone on the proposed Minimum Planning changes.</p> <p>Thank you for the opportunity to provide feedback. [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded the comments from Public Health-Central Zone, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR73*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Please include the following comments on behalf of the Friends of Halifax Common. Hello [redacted],</p> <hr/> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded the comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>

MPR74	<p>Hello</p> <p>I am writing to express my opposition to proposed changes to the Minimum Planning Requirements which is a direct result from the recent provincial changes . I feel that these changes are intended to speed up residential development, but we must ensure that they don't come at the expense of responsible, community-driven planning, especially the type of planning we hope to see for Dartmouth Cove.</p> <p>Also, I strongly disagree with the Province considering giving the Mayor stronger powers to override bylaws, reducing the role of council and public input in major planning decisions. While streamlining processes can have benefits, it's critical that Halifax's growth remains transparent, democratic, and community-focused.</p> <p>Thank you [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR75	<p>Hello,</p> <p>Speaking as someone who has been impacted by the housing shortage, I largely support the proposed actions.</p> <p>I have the following concerns about requirements (j) and (l):</p> <ul style="list-style-type: none"> • (j) I feel that the city should retain full power to mandate commercial uses on the ground floor of buildings in order to help create walkable, mixed-use neighbourhoods and also to protect the appeal of commercial streets, which would be diminished by the types of building frontages created by residential uses on the ground floor. • (l) It is my understanding that conventional shipping containers may be treated with chemicals that may pose a hazard to human and environmental health. I am also not convinced that a shipping container makes for a nice place to live and feel that this amounts to more of an architectural gimmick than a genuinely meaningful response to the housing crisis. I support modular and ready-to-move homes, but not shipping containers as housing.

	<p>Thank you, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR76	<p>Hello,</p> <p>I am an HRM resident and have outlined my comments on HRM's proposed Minimum Planning Requirements below:</p> <p>Regarding: "Permit residential uses in all zones, except for...(ii) zones intended to protect the environment, water supply, floodplains or another similar interest;"</p> <ul style="list-style-type: none"> • Adequate environmental protections are needed to ensure our communities are resilient to climate change and we work to halt biodiversity loss. "Protect the environment" is far too vague and must be more specific to provide clarity to community members and developers and avoid future conflict. Let's be smart about where we develop HRM lands and avoid sensitive habitats and ecosystems. HRM must be proactive in protecting ecosystem services (e.g., flood protection from coastal dunes and wetlands) and biodiversity. HRM has legal obligations to protect the environment and wildlife (e.g., critical habitat for species at risk). Please include additional details to improve clarity of this requirement. <p>Regarding: "priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests."</p> <ul style="list-style-type: none"> • I support this statement; however, I would like more transparent metrics from HRM on how affordable housing is defined and the quantity of affordable housing that developments include. <p>Regarding: "provide that no requirement for on-site parking applies to residential uses within the urban service area"</p> <ul style="list-style-type: none"> • I support this statement; however, I encourage HRM to ensure that accessible parking is included. <p>Although it's not mentioned in these planning requirements, I would like to see HRM improve planning requirements for outdoor lighting associated with developments towards reducing light pollution.</p> <p>Thank you, [redacted]</p>

	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR77*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Dear HRM Planning Team,</p> <p>Please accept the attached Cresco's feedback on the proposed amendments to the minimum planning requirements, along with our request for specific considerations regarding West Bedford/Subarea 9. We believe these insights will contribute positively to the ongoing planning initiatives.</p> <p>Please let us know if you have any questions.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you and Cresco for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR78*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Dear HRM Regional Planning team,</p>

	<p>I have attached a letter on behalf of the Fathom Studio in response to the Province of Nova Scotia's amendments to the Halifax Charter's Minimum Planning Requirements. We appreciate the opportunity to get involved and look forward to hearing the feedback that emerges from this engagement process.</p> <p>Kind regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you and Fathom Studio for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded the comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR79	<p>Hi!</p> <p>As a general comment, I find these changes a knee jerk reaction to an immigration policy that could change at any moment, and most insulting to the many years of careful planning by HRM. Most of these suggested changes are short sighted and will not enhance the quality of life for HRM citizens, certainly don't foster healthy and vibrant communities, and are not considerate of the present environment we live in.</p> <p>Rapidly increasing the number of housing units presents many challenges. Too much construction at one time leads to skilled labor availability concerns, quality material supply issues, and substandard construction of these buildings. It also leads to competitiveness in reaching occupancy dates and results in collateral damage to our water, power, natural gas and road infrastructures. It can also contribute to lack of safety procedures being followed and not enough enforcement staff available to police all these sites. Our older combination water/sewage infrastructure is not designed to handle more density, and unable to handle the extra volumes of waste and surface water. Destruction of wetlands such as Eisnor Cove must not be permitted and care must be taken to leave water retention ponds alone so as existing neighbourhoods don't get flooded, as sacrifices for developer profits. Everyone developing on their own schedule results in too many detours and construction zones, doesn't permit good traffic flow and prevents our fire, police, snow clearing, and EMS service from operating efficiently. Allowing construction to take place on all main arteries in the city, with no plan, does not allow for any kind of future plans to develop a mass transit system, or possible evacuation of the peninsula in future. Do</p>

	<p>we need to witness more construction causing gas leaks, water main breaks, cranes toppling over onto busy traffic corridors, or excessive truck traffic over our bridges. When looking at HRM's Conservation Design Development Policies, I feel it is essential to carefully design areas considering higher density, as it must include at least two exits in case of fire or access being blocked by railway tracks. Affordable housing is being torn down prematurely in random areas where present owners or landlords can see a profitable outcome. This does not provide any structured plan for a neighbourhood, and results in residents being forced into more expensive housing in areas further from the city core and available services. I feel these planning changes are certainly not designed to enhance the quality of life for families, or the mental health of individuals. High density buildings with few family units, and no plans requiring sufficient green space make for a concrete jungle with resulting wind tunnels. A higher concentration of population will require a plan for schools, which at the moment is way behind schedule, to say nothing of the lack in daycare spaces. The lack of parking spaces in new buildings is a major flaw, as the layout of our HRM and its lack of a mass transit system will continue to have people driving to our big box outlets i.e. Dartmouth Crossing and Bayers Lake. These types of planning changes cannot lead to a 5-minute city.</p> <p>I personally feel that reducing the amount of commercial space in Multi-unit residential buildings is not conducive to having a self-sufficient community where local people can find all the services they require in nearby buildings. Temporary housing for workers would help with the congestion of worker vehicles in the area. Our street, near a construction site, with a one-way segment is often unable to be cleared of snow, as too many work vehicles are parked on both sides of the street.</p> <p>Manufactured housing or converted shipping containers should only be permitted on lots as backyard suites or in a designed community of the same size structures. In conclusion, we must continue to plan with consideration to the needs of the people and not the monetary gain of developers.</p> <p>Sincerely; [redacted]</p>
	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>

MPR80	<p data-bbox="349 199 470 226">Greetings</p> <p data-bbox="349 268 1409 583">I am not totally against densification up to six stories high. I am actually in favour of this in the post-WWII new south end, where the housing stock is mainly boring and not distinctive of Halifax. Also the yards are ridiculously large! On the other hand, I am distressed at the wanton destruction of buildings which are part of HALifax's distinct character - I mean the lovely late 19th/ early 20th century buildings built up densely for the most part. The Victorians and Edwardians did not have cars, and kept their buildings close together. We should not be destroying these streetscapes to make way for mid-rises which are already losing their appeal when the glass cladding starts to fall off only ten years after construction.</p> <p data-bbox="349 625 1416 940">I need to say that it is important to keep the height of residential buildings manageable for dwelling without elevators, bearing in mind pandemics and power cuts. In Toronto, the covid contagion and death rate was highest in neighbourhoods where people had to travel the elevators in order to get to the grocery store. In the era before elevators, buildings generally did not go higher than six stories, and streetscapes were pleasant to walk along. Halifax will be ruined if we wind up with too many tall glass clad apartment buildings. Please confine this sort of development to the Almon and Robie street area, and maybe certain suburbs where the housing stock is ugly and not as dense as it should be.</p> <p data-bbox="349 982 1404 1081">So, my message is: go ahead with densification up to six stories in post-WWII Halifax, but keep your eye on preserving housing stock where the houses are close together and distinctive of HALifax.</p> <p data-bbox="349 1123 479 1192">Sincerely, [redacted]</p> <hr data-bbox="349 1228 1416 1230"/> <p data-bbox="349 1239 1356 1339">Yes to densification up to six stories, but NOT where the houses are already close together, i.e., the Victorian and Edwardian streetscapes. [redacted]</p> <hr data-bbox="349 1339 1416 1341"/> <p data-bbox="349 1381 560 1411">Hello [redacted],</p> <p data-bbox="349 1453 1416 1627">Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p data-bbox="349 1669 1396 1873">For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made</p>
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	<p>as part of the <i>Urgent Changes to Planning Documents for Housing</i> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR81	<p>Hello,</p> <p>I have been reading the 12 Minimum Planning Requirements. I have questions before offering feedback:</p> <p>Of the 12 Requirements, it would seem that all but e) Regional Municipal Planning Strategy (Regional Plan) for the suburban area are put into by-law/legislation or wherever they fall under and public feedback will not/cannot change it. Can you confirm this?</p> <p>Regarding e) it is a lot to take in and perhaps the best way for me to understand is for you to tell me what changes are possible on my street now. And, what changes will be implemented in the Spring as per the following in the fact sheet:</p> <p>“What will this change mean for me?</p> <ul style="list-style-type: none"> • The municipality will be undertaking a comprehensive planning process for the Suburban area (areas outside of the Regional Centre, where municipal water, wastewater, and transit services are available). Stay tuned for future planning engagement opportunities.” <p>I am on Summer Field Way in Portland Hills, Dartmouth. Present zoning is CDD. My single family small 2 bedroom bungalow is on a 5150sqft lot. Neighbours on my side of the street have similar size lots. So, at the moment or after the plan is finalized in The Spring as above will owners be permitted to:</p> <ol style="list-style-type: none"> 1) put in a backyard suite or shipping container suite in the backyard? Same question if you are on the other side of the street where lots are 11,000sqft +? 2) demolish your existing single family home and build a 4 unit investment/rental property? 3) for the scenarios above, will there be zero requirement to provide parking for the increased density? <p>Can you please confirm that these 3 changes I anticipate on my street are in fact already in place in the Centre Plan in previous R1 zoned neighbourhoods like Crichton Park?</p> <p>I look forward to a speedy and clear reply, [redacted]</p>

Hello [redacted],

Thanks for your email and questions. The municipality is required to comply with the provincial legislation, but as part of the 30-day public engagement period we welcome any questions or comments and will bring them forward in a report to Regional Council.

For requirement (e), the only change we are making at this point is adding language to the Regional Plan that states the intent to do the Suburban Plan – the actual suburban plan is not being released this spring. Staff are working with the Province on how to address the Suburban Planning deadline and will be bringing a report on the Suburban Plan work plan to Regional Council this Spring. More information will be available then, and if you wish to receive an email update when that work plan is released, please email suburbanplan@halifax.ca.

I will also note that some of the items you’ve mentioned are impacted by the Minimum Planning Requirements:

1. Requirement (L) requires that modular units and converted shipping containers be permitted as residential dwellings across HRM. Municipal land use by-law regulations for dwellings and secondary/backyard suites will still apply. For instance, while a converted shipping container will be eligible for use as a backyard suite, it is still subject to existing regulations for backyard suites like setbacks or lot coverage. Many areas of HRM permit backyard suites – [click here to learn more](#).
2. Requirement (I) requires that residential buildings that are within the Urban Service Area (area serviced with municipal water and sewer) not be required to provide parking. Developers and owners of residential buildings may still voluntarily choose to provide parking spots, but the municipality’s by-laws can no longer require a specific number of parking spots.

Since both of those requirements are part of the provincial legislation, all the municipality’s existing and upcoming plans (like the suburban plan) will need to comply with them.

If you have any additional questions or comments about the minimum planning requirements please let me know. You are also welcome to contact suburbanplan@halifax.ca for more information on that project.

All the best,

TELINA DEBLY | MCIP, LPP
PLANNER II
REGIONAL PLANNING | PLANNING & DEVELOPMENT

Hello Telina,

	<p>Thank you for your answers. I would like to add the following comments for consideration in Shape Your City:</p> <p>a) & b) responding to Housing Shortage Crisis - do we have updated & ongoing statistics on this? Who - What demographic and number are in Housing Crisis? Are the Shape your City Plans addressing this need? Are Developers being legislated to address the groups in need?</p> <p>Through reliable news reports and speaking with community, it is my impression that there are plenty of high-end apartment, condo and single family home developments that have very high price tags and rents. Many of these newly built developments have significant vacancies. These do not address the REAL Housing crisis which is Affordable Housing.</p> <p>c) do you have a list already of the areas designated “environmentally sensitive, water supply and flood plain? Is there a specific team looking out for and identifying these areas? This is a very important part of the Suburban Plan. Can the Province simply override any environmental concerns?</p> <p>e) I can categorically state that I am opposed to allowing demolition or modification of single family homes on quiet streets within the “suburbs” which were previously planned as R1 family communities to allow for “as-of-right” four (4) unit buildings. HRM residents who buy in these areas do so because that’s the kind of neighborhood they want to live in, not a high density neighborhood as in Urban areas. Examples of these planned existing suburbs are: Colby Village, Forest Hills, Portland Hills & Estates, Crichton Park, Clayton Park, etc. I am not opposed to having Mixed-Residential that is well planned and seamlessly blends with single family homes as in Portland Hills with a well planned areas of condominiums, townhouses and apartments. Nor am I opposed to high density buildings along corridors if they are required to provide parking and not overly impact single family abutting neighborhoods.</p> <p>i) no parking requirement for new developments- I simply cannot in any way see that this makes sense. Canadians are well and truly married to their vehicles - this will not cut back on vehicles, in truth it will simply add to our shortage of parking and to the ability to clear snow. This is a nightmare in the making. As much as we would like to believe we can be a walking or bicycle region like, say Amsterdam, our climate, hills and distance to amenities will simply not allow it.</p> <p>l) manufactured housing and shipping containers as backyard suites. I would hope that there are covenants and by-law restrictions for the esthetics of these structures. If not, we may have a proliferation of suites that are not in keeping with the existing architecture and may indeed be unsightly premises.</p> <p>Thank you for including my comments in your planning.</p> <p>Sincerely, [redacted]</p>
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	<p>Hello [redacted],</p> <p>Thank you for sharing additional comments on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>To your questions -</p> <ul style="list-style-type: none"> - Staff regularly track the statistics for housing data from various sources (Statistics Canada, CMHC, etc.) and bring reports to Council. Here's an example from 2023 of what those reports can look like: PDF - The "environmentally sensitive, water supply and flood plain" areas in the Minimum Planning Requirement (c) refer to zones designed to protect those areas, e.g. a floodplain zone applied around a river that restricts development. You may be interested in the ongoing work around the Sackville Rivers floodplains: https://www.halifax.ca/about-halifax/regional-community-planning/sackville-floodplains. - The zoning changes increasing the number of permitted units in the urban service boundary (places on municipal water and sewer) were previously made as part of the <i>Urgent Changes to Planning Documents for Housing</i> and were engaged on and adopted by Regional Council in May 2024. <p>I'd invite you to email suburbanplan@halifax.ca to be added to their mailing list and be notified when public engagement opportunities are available as part of that project. Thanks again for your comments on the Minimum Planning Requirements, we will include them in the report.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR82	<p>Dear Councilor White and Mayor Fillmore;</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of Regina Terrace, I strongly believe that these projects are not in line with the character and intent of our community, and I urge the City Council and Planning Department to reconsider allowing such developments in strictly residential areas.</p>

	<p>The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods.</p> <p>I urge the City Council to enforce zoning regulations that protect residential communities from incompatible high-density construction.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely, [redacted]</p>
	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p>

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR83	<p>Good evening:</p> <p>I am writing to formally express my concerns regarding the proposed minimum planning requirements. I am part of the Liveable Halifax /K'jipuktuk Coalition, an alliance of communities and citizens who actively support smart development and densification in HRM,</p> <p>The introduction of the proposed planning requirements in established neighbourhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting overall livability and sense of community. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>The minimum planning requirements should:</p> <ul style="list-style-type: none"> o Prioritize affordable housing (30% of income); o Mitigate potential harms arising from developments; o Mandate real consultation with existing communities before developments are approved; o Address infrastructure pressures; o Ensure public safety with updated evacuation routes; and o Align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>However, the unruly approach to densification we're now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews. This breakneck speed of development has already had a negative impact on:</p> <ul style="list-style-type: none"> • City services • Traffic

- Heritage Preservation; and
- Green Spaces

Furthermore, there's rising dissatisfaction throughout the city because people's voices aren't being heard. Our communities are being radically altered without our input. That's why we're asking that:

- Priority be given to developments meeting the planning requirements that are safe, sustainable and affordable (30% of income)
- Specific risk-management strategies be established to address the above mentioned requirements, including adding in regular evaluations to monitor impacts on these changes
- Mandate a three-month period of active community engagement and involvement to the zoning bylaws before the approval of any development project.
- Withdraw Councils (Council Meeting dated, October 1, 2024 section 15.1.4 - 2) request for legal protection by the Province.

I respectfully request that you take into consideration these concerns and requested actions.

Sincerely,
[redacted]

Hello [redacted],

Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.

For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. Zoning changes to the ER-3 zone on the Halifax Peninsula and areas serviced with municipal water and sewer were previously made as part of the *Urgent Changes to Planning Documents for Housing* and were engaged on and adopted by Regional Council in May 2024.

All the best,

TELINA DEBLY | MCIP, LPP
PLANNER II
REGIONAL PLANNING | PLANNING & DEVELOPMENT

MPR84	<p>Good afternoon,</p> <p>I disagree with the proposed changes to requirements for apartment buildings, especially that there be no parking requirements.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR85	<p>As a concerned resident of Halifax, I feel compelled to address the recent changes to our city's planning guidelines. In August 2024, the Province of Nova Scotia introduced amendments to the Minimum Planning Requirements under the Halifax Regional Municipality Charter, aiming to prioritize the rapid increase of housing supply in our region.</p> <p>These provincial directives mandate that our municipal planning strategies and land-use bylaws align with the urgent need for more housing. However, it appears that the Halifax Regional Council and municipal staff have been slow to implement these changes. Despite the province's clear instructions, the municipality initiated a 30-day public engagement period from January 24 to February 24, 2025, to discuss the upcoming changes.</p> <p>While public consultation is valuable, the pressing nature of our housing crisis necessitates swift action. The delays in adopting the required amendments not only hinder progress but also exacerbate the challenges faced by those seeking affordable housing in Halifax.</p> <p>It's essential that our municipal leaders recognize the urgency of this situation and act promptly to align local policies with provincial directives. By doing so, we can address the housing shortage effectively and ensure that Halifax remains a vibrant and inclusive community for all.</p> <p>Halifax's Planning Bureaucracy is Undermining Its Own Government</p> <p>The Province of Nova Scotia made a clear decision: housing supply needs to increase, and Halifax's planning policies must be streamlined to make that happen.</p>

	<p>The authority to make this change is entirely within the provincial government’s jurisdiction, and yet, here we are—delayed, stalled, and dragged into another round of public “consultation.”</p> <p>This is not an effort to listen to the public; it’s a deliberate attempt by Halifax’s bureaucratic and council class to resist the authority of their own government. Instead of following clear provincial direction, they are using the slow, procedural workings of municipal governance to obstruct and delay—buying time, stirring up opposition, and trying to keep control in their hands.</p> <p>It’s become obvious that Halifax’s real housing problem isn’t supply or demand—it’s a siloed city bureaucracy, both too powerful and too afraid, that refuses to be accountable. This move to appeal to the public on a settled provincial matter is not about democracy; it’s about power. It’s about unelected municipal staff and their allies on council trying to hold on to control by usurping the authority of the government that actually represents Nova Scotians.</p> <p>The bottom line? The delays, the consultations, the endless roadblocks—these aren’t accidents. They’re a strategy. And they’re costing this city its future.</p> <p>My comment: Just stop it. [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR86	<p>To Whom It May Concern,</p> <p>Like many other Haligonians, I am reaching out asking that you listen to and act on our concerns. R3 zoning is changing the character of old, established, livable, charming Halifax neighbourhoods in favour of densification with little consideration for the destructive ramifications.</p> <p>Key Concerns About the Proposed Zoning Changes</p> <ul style="list-style-type: none"> • Higher Rents: The zoning changes won’t address the affordability crisis. Developers will not be required to include affordable housing, and rents will

	<p>continue to rise. In HRM, the average rent for a two-bedroom apartment is already \$1700/month.</p> <ul style="list-style-type: none"> • Increased Traffic: Halifax's roads are already clogged, and HRM plans to add over 15,000 new housing units by 2026. What impact will this have on our already overwhelmed infrastructure? • Lack of Parking: The new zoning bylaws will no longer require developers to provide adequate parking for new buildings. This means even more cars will be forced to park on our already crowded streets. • Strained Infrastructure: Water, wastewater, schools, hospitals, and public transportation are already overburdened. Pushing through zoning changes without addressing these issues first will only make things worse. • Vanishing Green Spaces and Trees: These zoning changes will weaken protections for trees and green spaces. If a tree is in the way of development, it could be removed, leading to a significant loss of urban nature. • Endangered Heritage: Our city's historic streetscapes, including many Victorian and Georgian buildings, are at risk of demolition. Halifax's heritage is under threat. • Vacant Lots: HRM already has over 12,000 vacant lots, but new zoning bylaws do not prioritize development on these existing empty spaces. This means more buildings could be torn down instead of developing unused land. • Decreased Safety: Increased density without improvements to evacuation routes could pose serious safety risks. It's already difficult to leave the peninsula at rush hour; what happens if there's an emergency? <p>There are many examples of prosperous, destination-worthy cities being thoughtlessly overdeveloped, ending up being places to avoid rather than visit. Don't do the same to Halifax.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p>
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	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR87	<p>Hello</p> <p>Regarding: 117 Kearney Lake road redevelopment plan.</p> <p>This message is to strongly oppose the plan NOT to include ground floor shops/services as part of the new high-rise development plan here in the Wedgewood area - specifically at 117 Kearney lake road.</p> <p>We moved to the Wedgewood area (and currently live at [redacted] Halifax, Nova Scotia, [redacted]) approximately 3 years ago. One of the reasons which shaped our decision to relocate here was 1. the quality of a e'cole Grosvenor Wentworth School (minutes away) and 2. the accessibility of shops located just at the bottom of broadhome – Wedgewood Park subdivision.</p> <p>We personally use these shops and services on a daily basis and it's absolutely appalling to think that the shops will be removed and nothing implemented in there place. Removal of the shops will force residents in this area either onto the Bedford Highway to complete errands and activities on the peninsula or more likely, onto the 102 to the Larry Uteck/peakview way area which is already absolutely overloaded.</p> <p>This is Ludacris considering that that section of the highway is nearly unmanageable with multiple accidents and hold ups and disruptions several days per week. It's also appalling to realize that the existing pre-primary program, which is housed at the current Kearney Lake complex, will be removed as a result of this poorly planned redevelopment.</p> <p>This is not the way to develop specific areas of the city. There seems to be little planning and consideration into the development of healthy sustainable communities. Many residents of Wedgewood feel the same way and are concerned and have expressed their concerns to various outlets.</p> <p>Maintaining shops on the ground floor of the new development plan will enable residents in the area, which include hundreds of residents from nearby apartment buildings, to continue to complete daily shops and errands closer to home which will ultimately help decrease the already congested 102 between the Larry Uteck and Kearney Lake exits.</p> <p>The current shops include coffee, pizza, dental care, hair, a pre-primary program, liquor store, a Filipino grocery store, etc. We understand the need to provide housing for an exploding population – and we're pleased to see the height restrictions recently enforced for this development, however removing all shops and services in this one specific local area - to provide increased housing ONLY is not the answer. Removing a</p>

	<p>pre-primary program is not the answer. Removing all stores which provide outcomes to daily needs, is not the answer!!</p> <p>There was a charm to this area offering services and shops close by. Residents here do not feel part of the Larry Uteck and West Bedford areas, nor should we. We are not part of the peninsula and although many people use old Clayton Park shops and services including ourselves, many of us tend to use the current shops and services located at the bottom of broadhome, on an everyday basis. My son and I walk to Tim Hortons after school regularly with groups of his peers - to grab a hot chocolate on cold winter days; we regularly access the Filipino grocery store in order to purchase fresh produce; my husband has had his haircut at the salon within that complex; and we grab the odd bottle of wine for special occasions- all services offered at the “bottom of the hill.”</p> <p>Removing all ground floor services at 117 Kearney Lake road feels like simply creating another “urban subdivision,” which will force residents to travel beyond their local community in order to complete daily activities and tasks. This is unacceptable and farsighted.</p> <p>I feel we need to keep the services present. It’s nearly devastating that the local school our son attends is already bursting at the seams with overcrowding..... enabling this development to occur without shops or services to support the growing population, just adds insult to injury.</p> <p>We purposely [redacted] due to the great reputation of a Grosvenor Wentworth’s French immersion program. This feels like we will be robbed of our current shops and services just to accommodate housing for other residents. We understand that it is important to provide additional housing amidst a housing crisis situation and we welcome that, however, not at the expense of current residents losing ALL nearby shops and services.</p> <p>This doesn’t seem to be a very healthy approach to the growing population within specific communities. It’s illogical to push residents who already possess services into other communities and force them onto the highways which are already busting at the seams, just for a few extra apartments to be included on the ground floor of a new development project.</p> <p>We strongly oppose this decision. We are not asking that all shops and services be replaced and implemented in the new building project, however, a couple of key services should remain!!</p> <p>Extremely concerned and sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded your comments, and</p>
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	<p>they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>To add some context, the Minimum Planning Requirements introduced by the province mean that for multi-unit residential buildings that begin construction before April 1, 2027, the municipality's by-laws cannot require more than 20% of the ground floor to be commercial uses. However, property owners/developers can still choose to provide more than 20% commercial if they wish. The 117 Kearney Lake Road request is being considered as part of the Urgent Changes to Planning Document for Housing Additional Opportunity Site Requests process (https://www.halifax.ca/business/planning-development/applications/minorrev-2024-01198-urgent-changes-planning-documents). Staff working on that project can be reached at haf@halifax.ca.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR88	<p>Greetings,</p> <p>This letter is in regard to the Minimum Planning Changes that the Province of Nova Scotia has made to the Halifax Charter's Minimum Planning Requirements.</p> <p>I believe in and support affordable housing. However, many of these changes do not constitute a good solution for Halifax and Haligonians. We want sustainable, planned communities – Clayton Park is a prime example of a density design that works.</p> <p>Firstly, I am opposed to Making housing a priority over other interests identified in the municipal planning strategy for the following reasons:</p> <p style="padding-left: 40px;">As a resident and taxpayer in Halifax, I am opposed to housing taking precedence over other interests such as improvements to infrastructure, improvements to the public transportation system, improvements to traffic flows and improvements to policing.</p> <p style="padding-left: 40px;">If issues such as these become lower priorities, then does housing really matter?</p>

	<p>The housing crisis has not occurred solely because of normal, natural growth, but instead from economic shocks – the pandemic; baby-boom retirements & east coast affordability; war and aggressive immigration policies.</p> <p>The housing crisis is also a function of failures in provincial departments like Healthcare, specifically mental health and addictions, and Education or lack thereof because of its one size fits all approach and dated curriculum.</p> <p>While Canada, Nova Scotia and Halifax can benefit from migration and immigration, there needs to be a more methodical approach and more public information available on who is coming here; why are they coming here; what are they doing and how long are they staying? Are they actually contributing to a larger and a more stable tax base?</p> <p>Taxpayers are not yet seeing the benefits of interprovincial migration and aggressive immigration policies in our bottom lines, instead taxes and severe shortages, affecting many government functions, continue to increase.</p> <p>Purchasing property in Halifax, then moving to another Canadian province, being an absentee landlord or being out of the country for the maximum allowable time is NOT an economic boom for Halifax. Instead, it is a drain on things like housing affordability, housing availability, communities and the social welfare system.</p> <p>Next, I am opposed to removing on-site parking for residential uses within the Urban Service Area.</p> <p>This is absurd and will create greater street and traffic congestion. Tenants will have vehicles, so unless there are major changes to this area such as relocating government and quasi government offices off the peninsula, allowing flexible working arrangements; staggering work hours; rethinking the location of City Hall and an overhaul of the public transit system. City services such as winter maintenance operations; emergency service vehicles and buses as well as transport trucks servicing the two major Halifax ports will continue struggle to operate within the city.</p> <p>Next, I am opposed to allowing temporary housing on or near construction worksites.</p>
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	<p>This is a safety issue with large machinery and blasting taking place. Nearby residents also need to know what type of temporary housing is being proposed and how it will be serviced – water? waste? electricity? sewage? mail delivery? parking and etc?</p> <p>Finally, I am opposed to allowing converted shipping containers as a dwelling or backyard suite.</p> <p>This change overrides or “trumps” the restrictive covenants that homeowners in certain neighborhoods have legally agreed to. These covenants were put in place to protect the character and integrity of the community, and this change compromises those protections, leaving homeowners vulnerable to changes they never agreed to when they purchased their properties.</p> <p>The Province claims this is about creating affordable housing, but in reality, it places the burden on homeowners to pay for and build additional units, hook up services, and deal with rising property taxes. This is NOT affordable housing.</p> <p>In conclusion, there has been little transparency about this process, these “Shape Your City” communications are complicated and do not reach most constituents effectively – what is the response rate? Letters have not been sent out to each resident notifying them of these changes and these changes will impact the very fabric of our communities – one of the reasons cited by post secondary graduates (a few years before the pandemic) as a reason to stay in Halifax after graduating.</p> <p>These changes are far too significant to be made without a referendum.</p> <p>Many thanks, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
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MPR89	<p>Your Worship Mayor Filmore and Council:</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of the Southend of Halifax, I strongly believe that these projects are not in line with the character and intent of our community, and I urge you to reconsider allowing such developments in strictly residential areas.</p> <p>The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods.</p> <p>I urge you to enforce zoning regulations that protect residential communities from incompatible high-density construction.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely,</p>
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	<p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were engaged on and adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR90	<p>This is a lot for the average person to digest. It sounds like things are being pushed through at the same time other surveys that are closely related to this are being pushed out, causing confusion.</p> <p>After this meeting, it should come back for public consultation and review before being set in stone and implemented.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>If you have any questions about the proposed changes, we are happy to answer them over email or set up a phone call to explain further.</p> <p>All the best,</p>

	<p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR91	<p>To Whom It May Concern,</p> <p>Like many other Haligonians, I am reaching out asking that you listen to and act on our concerns. R3 zoning is changing the character of old, established, livable, charming Halifax neighbourhoods in favour of densification with little consideration for the destructive ramifications.</p> <p>Key Concerns About the Proposed Zoning Changes</p> <ul style="list-style-type: none"> • Higher Rents: The zoning changes won't address the affordability crisis. Developers will not be required to include affordable housing, and rents will continue to rise. In HRM, the average rent for a two-bedroom apartment is already \$1700/month. • Increased Traffic: Halifax's roads are already clogged, and HRM plans to add over 15,000 new housing units by 2026. What impact will this have on our already overwhelmed infrastructure? • Lack of Parking: The new zoning bylaws will no longer require developers to provide adequate parking for new buildings. This means even more cars will be forced to park on our already crowded streets. • Strained Infrastructure: Water, wastewater, schools, hospitals, and public transportation are already overburdened. Pushing through zoning changes without addressing these issues first will only make things worse. • Vanishing Green Spaces and Trees: These zoning changes will weaken protections for trees and green spaces. If a tree is in the way of development, it could be removed, leading to a significant loss of urban nature. • Endangered Heritage: Our city's historic streetscapes, including many Victorian and Georgian buildings, are at risk of demolition. Halifax's heritage is under threat. • Vacant Lots: HRM already has over 12,000 vacant lots, but new zoning bylaws do not prioritize development on these existing empty spaces. This means more buildings could be torn down instead of developing unused land. • Decreased Safety: Increased density without improvements to evacuation routes could pose serious safety risks. It's already difficult to leave the peninsula at rush hour; what happens if there's an emergency? <p>There are many examples of prosperous, destination-worthy cities being thoughtlessly overdeveloped, ending up being places to avoid rather than visit. Don't do the same to Halifax.</p> <p>[Redacted]</p> <hr/> <p>Hello [redacted],</p>

	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR92	<p>I do not agree with making housing the priority over all else.</p> <p>I also do not agree with reducing the amount of ground floor commercial space in new builds.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted]</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>

MPR93	<p>Dear City Staffer,</p> <p>Halifax needs more affordable housing and increased density. However, we must have responsible design. Regulations and zoning must preserve the heritage and character of Halifax and trees and green space are essential, forty story apartment towers that are built to the sidewalk without green space at ground level are not. Our infrastructure is not ready for huge buildings, for example, the recent escalation in traffic is very unpleasant.</p> <p>And please do not raze Beaufort Avenue Park. The park does what parks around the world do: parks contribute to the well being of citizens and cities.</p> <p>I have lived in a single family home across the street from a three story plus attic, multi-unit apartment building for 32 years. The apartment building [redacted]. Our visitors are surprised to learn that the building has six apartments because the design fits the character of the neighbourhood. The apartment building looks like the other homes on our tree-lined street. One year the student occupants were noisy and inconsiderate of their neighbours, so the landlord addressed the problem. Otherwise, the apartment building has been an excellent example of increased density in a neighbourhood.</p> <p>Please consider what has made Halifax, the city of trees, so livable. Keep up your hard work and ensure more people can enjoy our beautiful city, without removing its heritage, character, and green space.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
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MPR94*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Good Afternoon,</p> <p>I would like to submit a response letter to the 12 New Minimum Planning Requirement Regulations.</p> <p>I have attached the document as a PDF. Here is link if needed [redacted].</p> <p>Please let me know if you need anything else from me.</p> <p>I would love to know when the public hearing for this issue will be.</p> <p>Have a terrific day!</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you and the Lucasville Vision Committee for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded the comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I can add your name to the mailing list if you'd like to be notified of the public hearing – let me know.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR95	<p>Dear Mayor Fillmore</p> <p>We all recognize that our city is in dire need of affordable housing.</p> <p>But the unruly approach to densification we're now witnessing is concerning. Basic checks and balances to ensure the quality of our urban environment have been erased from planning reviews.</p> <p>The breakneck speed of development has already had a negative impact on</p> <ul style="list-style-type: none"> - city services - traffic - parking - heritage preservation - and green space

<p>What's worse, the new zoning bylaws do little to ensure more affordable housing. Historic streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to provide Haligonians with the homes they need at a price they can afford. The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to</p> <ul style="list-style-type: none"> - mitigate potential harms arising from developments; - mandate real consultation with existing communities before developments are approved; - address infrastructure weaknesses; - ensure public safety with updated evacuation routes; and - align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>Clearly even HRM council has concerns about these changes could do to the city. People are already angry at the traffic, infrastructure demands and loss of character in the city. That's why Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.</p> <p>That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
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MPR96	<p>Dear Halifax planner,</p> <p>The Liveable Halifax Coalition is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing.</p> <p>But the unruly approach to densification we're now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews. And no wonder.</p> <p>The breakneck speed of development has already had a negative impact on</p> <ul style="list-style-type: none"> • city services • traffic • parking • heritage preservation • and green space <p>What's worse is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.</p> <p>The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to</p> <ul style="list-style-type: none"> • mitigate potential harms arising from developments; • mandate real consultation with existing communities before developments are approved; • address infrastructure pressures; • ensure public safety with updated evacuation routes; and • align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>There's rising dissatisfaction throughout the city because people's voices aren't being heard. Their communities are being radically altered without their input.</p> <p>We understand our new mayor and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.</p> <p>That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.</p> <p>Thank you!</p>
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	<p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR97	<p>Good morning HRM Planning,</p> <p>After reading your Minimum Planning changes in Halifax information sheet, and having had some discussion with HRM Planning staff, it remains unclear to me that the Provincially imposed planning changes properly address the current housing crisis. I support efforts to accelerate construction of housing projects, but pace of construction must still be balanced with sustainable development which includes proper infrastructure and respect of environmental issues. The Province appears to have adopted a 'build at all costs' approach in HRM. I am concerned development will out pace infrastructure improvements. I would encourage HRM Planning to resist cutting corners with planning best practice as much as possible, given the Province's heavy handed approach.</p> <p>It appears the Province is using the broad context of 'housing crisis' to accelerate construction of any and all projects. The crisis of housing in HRM at present is 'affordable' housing, which I do not see as being directly addressed by the Planning changes. Where is the requirement for developments to include some portion of 'affordable' units? Has HRM or the Province actually defined 'affordable housing' or have a strategy to protect some portion of units at an affordable cost?</p> <p>Requirement (b) is of concern to me. It appears to push 'building more' ahead of all other considerations, which I fear sets HRM up for development errors, which once built are difficult to undo. Think Cogswell exchange. I am concerned with the nature and scale, in particular heights of buildings, of some proposals in relation to the</p>

	<p>existing communities, which if allowed to proceed will permanently alter the community. My hope is HRM continues to consider the concerns of existing communities in relation to new development.</p> <p>I appreciate the concept of removing barriers to efficient increase in housing projects, and I do consider some of the Planning Requirements as having that effect, but still needs to be implemented in balance with other development considerations.</p> <p>My comments may not be overly helpful in that they are general in nature. In summary, despite the power of the Province, my request is that HRM continue to follow planning best practice, and solicit and include community input in project approvals.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR98	<p>This rezoning in the Halifax South End makes absolutely no financial sense. It will not provide more affordable housing.</p> <p>Anyone can see that this proposal only makes sense for those who want to sell and those who want to buy. These folks will make a lot of money from building high-density housing in the South End. This will most certainly not be affordable housing. We also do not have the infrastructure to support high-density housing in the South End.</p> <p>The beauty is that we now all have access to information on the Internet. We will know who makes money from this rezoning and how many affordable units are built.</p> <p>Regards [redacted]</p> <hr/> <p>Hello [redacted],</p>

	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the Urgent Changes to Planning Documents for Housing (https://www.halifax.ca/about-halifax/regional-community-planning/housing-accelerator-fund/urgent-changes-planning-0) and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR99	<p>Hello Shawn and Planning Department,</p> <p>Please accept this submission as an objection to the proposed HAF amendments that will "UP ZONE" existing residential neighbourhoods in HRM.</p> <p>The Centre Plan has created many opportunities for new housing - many are currently under construction.</p> <p>With slowing population growth, along with the completion of recent housing projects, HRM rents have stabilized and appear to be under downward pressure, according to CMHC. This would indicate that housing may already be in equilibrium and moving towards a surplus, considering the many new housing projects currently under construction and expected to be completed within the next three years.</p> <p>Before stressing existing neighborhoods with added density and the negative issues that will follow, please consider allowing the existing "as of right opportunities" be exploited under the Centre Plan before "UP ZONING" existing residential neighbourhoods.</p> <p>Thank you, [redacted]</p> <hr/> <p>Hello,</p>

	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR100	<p>To whom It May Concern,</p> <p>I writing to you today about the public engagement phase regarding the Minimum Planning Requirements: Land-use by-laws the HRM will be adopting regarding the HRM Regional Plan.</p> <p>Engagement, should we call it that, ends today.</p> <p>This engagement consisted of a post to Facebook by HRM asking for feedback from constituents regarding the land-use by-laws.</p> <p>The public engagement appears to simply be to post and repost the announcement regarding the requirements and asking people for their feedback to an email.</p> <p>There was a link to the HRM website where one could read and attempt to understand and sift through all that was posted on the initial page as well as all the embedded links on the page to further information. However, without proper communication, knowledge or guidance regarding all of the information posted, it is hard to determine the potential outcomes of adopting the by-laws and how they could positively or negatively affect the neighbourhood in which I live.</p> <p>Therefore, it is baffling to me and of grave concern how councillors can adopt said by-laws on my behalf without proper public community engagement with the districts they are responsible to and are supposed to serve.</p> <p>Therefore, I respectfully request a delay in adoption of these by-laws to ensure that proper and robust public engagement takes place in the various districts individually</p>

and HRM as a whole. There must be town halls where the councillors can speak to the by-laws and what the adoption of them will mean for the districts they serve. Without this, as far as I am concerned, there was no public engagement regarding these by-laws – there was simply public awareness provided.

Please Note – As of Today – February 24, 2025

I just went looking to see which councillors posted about the Public Engagement regarding this on their Facebook pages, the Minimum Planning Requirements that ends today at 4:00.

Of the 16 councillors and 1 mayor. The mayor and 8 of the 16 councillors did not post about this on their Facebook communication platforms. Or anywhere that I could find.

The 8 councillors that posted the HRM post regarding this were: White, Kent, Purdy, Cuttall, Steele, Hartling, Gillis, St-Amand. A couple of them reposted a couple of times. 1 multiple times - Patty Cuttall -district 11.

The only councillor that I have been able to determine from what I have found who truly asked for and provided an opportunity to her constituents for providing feedback, getting clarification and true public engagement was Janet Steele – District 12 with a town hall that took place in her district on January 30 with her, the MLA: Iain Rankin and the MP: Lena Diab.

This is the work we need. All 3 levels of government coming together to work and meet with their constituents.

We want to ensure that as HRM grows that the various forms of development plans for our homes, our green spaces, our neighbourhoods, our municipality, provide a safe, livable community in which to live and thrive.

Thank-you,
[redacted]

Hello [redacted],

Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.

If you have any questions about the changes, staff are happy to answer them over email or phone.

All the best,

	<p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR 101	<p>Hi there,</p> <p>I'm not one to fuss much about city issues. I certainly keep a close eye on things, but my name isn't one you've seen in your inbox previously. However, I was disappointed that I didn't see any real conversation around the new blanket zoning changes. I just found out yesterday that the deadline to voice my opinion was end of day today. Now, I may have missed this previously. I certainly was aware that this was coming up to be discussed, but that was as much info as I seemed to get about it. This is why I'm writing today.</p> <p>I'm well aware that there is a housing crisis and I'm in agreement that we need more affordable housing. Living in the West-end off of Windsor Street, I've also experienced more blasting and building within a one to three block radius the past seven years than I have in my entire life living in other countries and other provinces. My old house has more stress cracks in its plaster, and now in its foundation, than I care to admit. I feel like I'm doing my part to support all of this even though the traffic, mess and congestion - not to mention wear and tear on my house and my patience - is wearing a bit thin.</p> <p>I like the current mix of housing in my area (cc'ing Shawn Cleary as he's my councillor). I purposefully bought in the west end because of it - I like the variety. We also have some tiny homes popping up in people's back yards which are looking quite nice. However, I also have a landlord across from me who kicked out long-time good tenants under the guise of moving in himself (which he didn't do) while he renovated the house and broke it into multiple rooms. Now I get to look at a row of overflowing garbage cans most days, contend with more parking issues on a busy street, and most recently there's been a fire at that house, and now someone was arrested for assaulting neighbours with one of those green laser lights. So, I am concerned with how we are densifying and I think it's important to hear all the voices before making decisions. Having people live on top of each other has some serious drawbacks and it takes away from quality of life for people who have invested in these neighborhoods for a long time when they weren't perhaps the most popular or the most convenient (but what was affordable at the time). On top of that, none of what is being built on the peninsula appears to be affordable. I couldn't afford to rent where I am now!</p> <p>All of this to say, there needs to be more opportunity for people currently living in these areas to have a voice and be made aware of when these proposed changes are going to be discussed. As I said, I'm usually pretty good at keeping up with what's going on around me, but this one seems to have totally zoomed right on by.</p> <p>Thanks for your ear. [redacted]</p>

	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. Please let us know if you have any questions about the minimum planning requirements and what the proposed changes mean for your neighbourhood.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR102	<p>The public website is very complex and I understand the public comments are likely to have little or no effect on the changes. However, in general I would just like to record my opinion that a few of the changes will have detrimental effects on neighborhoods and especially children and young people that live in them. Particularly the changes that introduce high rise apartment buildings to single family neighborhoods that won't have to have parking or commercial services that would benefit residents included will have negative effects on the existing neighborhoods. Traffic and parking will make playing outside for children more difficult and potentially dangerous from traffic and parked cars. I think you need to be thinking about the recreation facilities and schools and green space you need to include with all these high density developments. We are trusting you in the planning department and municipal government to make decisions that will keep the character of existing neighborhoods and keep them safe for the children that live there.</p> <p>[Redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p>

	<p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations (https://www.shapeyourcityhalifax.ca/minimum-planning/news_feed/minimum-planning-requirements-summary), they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR103	<p>Dear Councilors:</p> <p>The Liveable Halifax Coalition is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing and I consider this to be a top priority. However, the disorganized approach to densification we now are witnessing is of great concern. Basic checks and balances to ensure the quality of our urban environment have been erased from planning reviews and there has been a negative impact on:</p> <p>City services traffic parking Heritage preservation Green space</p> <p>Of greatest importance is that the new zoning bylaws do not increase levels of affordable housing. Relying on a "trickle-down" effect is not a well-grounded planning strategy to ensure that people have the homes that they need at a price that they can afford.</p> <p>The changes that these bylaws allow will be irreversible. Before our city is irreversibly damaged, we ask that you put in place specific risk management strategies to:</p> <ul style="list-style-type: none"> -mitigate potential harms arising from developments -mandate real consultation with existing communities before developments are approved -address infrastructure pressures -ensure public safety with updated evacuation routes <p>We are fortunate to live in this beautiful city and we are asking for a thoughtful, well considered, consultative approach to addressing densification and most importantly, affordable housing.</p> <p>We ask that zoning bylaws mandate a three month period of active community engagement before the approval of any development.</p> <p>Thank you for your consideration of this urgent request.</p> <p>Yours sincerely,</p>

	<p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR104	<p>Dear Jacqueline Hamilton</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of Quinpool Road Area I strongly believe that these projects are not in line with the character and intent of our community, and I urge you to reconsider allowing such developments in strictly residential areas.</p> <p>The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability.

	<p>4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife.</p> <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods.</p> <p>I urge you to enforce zoning regulations that protect residential communities from incompatible high-density construction.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR105	<p>Dear Esteemed Government Officials</p> <p>As a long-term resident of Halifax-Citadel (Dalhousie Neighbourhood) I have significant concerns with respect to the proposed zoning changes for our city.</p>

	<p>Like many others, I recognize that our city is in dire need of affordable housing, but the current approach to densification we are now witnessing is alarming. Many of the basic considerations to ensure the quality of our urban environment appear to have been erased from planning reviews.</p> <p>We can already see how this face-paced development has negatively impacted traffic (and traffic accidents), parking, city services, green spaces, noise pollution and heritage preservation; meanwhile doing little to ensure more affordable housing. Historic streetscapes are being razed to build apartment towers with rents well over \$2000/month. While the proposed allowance of up to ten(!) bedrooms per unit may ease some of the affordable housing deficit, the fear is that this will result in purchases of (undesignated) heritage homes by slum landlords and pockets of student ghettos in the Dalhousie neighbourhood similar to those seen in cities like Montreal, with "party neighbourhoods" causing disturbances such have been seen in the past on Jennings Street.</p> <p>The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to</p> <ul style="list-style-type: none"> mitigate potential harms arising from developments; mandate real consultation with existing communities before developments are approved; address infrastructure weaknesses; ensure public safety with updated evacuation routes; and align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>Clearly even HRM council has concerns about these changes could do to the city. People are already angry at the traffic, infrastructure demands and loss of character in the city. That's why Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.</p> <p>I support the request of other concerned residents that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project, and ask Council to withdraw this request for legal protection by the Province.</p> <p>Thank you for your consideration.</p> <p>Sincerely,</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p>
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	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR106	<p>Good afternoon,</p> <p>Due to a lack of trust in the system we are seeing today, I have bcc'd others to ensure that my response is heard.</p> <p>This "Minimum Planning changes in Halifax" policy has several problematic aspects, both in its framing and in its potential consequences. Here are my key concerns:</p> <p>This isn't the Nova Scotia I support</p> <p>I moved to Nova Scotia from Ontario 20 years ago to do my PhD at Dalhousie — I stayed to escape the kind of unchecked, reckless development that was overtaking Ontario, endless construction, disappearing green spaces, overburdened infrastructure, and a decline in overall quality of life. I built my life and business here because I believed Nova Scotia was different. I wanted my family to grow up in a place that values smart planning, innovation and sustainability, community, and high quality living.</p> <p>But if this is the direction Nova Scotia is heading, what are we staying for?</p> <p>This Minimum Planning Requirement is not a solution to the housing crisis—it's a blueprint for short-term, high-speed, developer-driven expansion that will leave municipalities, businesses, and families struggling with the consequences—further degrading the high quality of life that we once enjoyed.</p> <p>Sincerely,</p>

	<p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR107*	<p><i>*Includes 3 Attachments.</i></p> <hr/> <p>Good afternoon:</p> <p>As identified in the Shape Your City Website, a public engagement session will run until today, to notify residents of the land use planning. Many have written in concerns regarding these 12 proposed changes as outlined here</p> <p>In addition to individual emails, please accept this petition taken as of 4 pm today with signatures and comments relating to these concerns. The petition can be found at the following link:</p> <p>https://chnng.it/ttHGwQPBpH</p> <p>In brief, the group is asking the city to put in place risk mitigation strategies to:</p> <ul style="list-style-type: none"> o mitigate potential harms arising from developments; o mandate real consultation with existing communities before developments are approved; o address infrastructure pressures; o ensure public safety with updated evacuation routes; and o align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

	<p>Finally, those signing request that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw the request for legal protection by the Province.</p> <p>As citizens we look forward to working with Council on addressing these matters.</p> <p>Sincerely</p> <p>[redacted]</p> <p>Please note additional names have been added since I downloaded it at 4. Who should I send an updated list too at the end of the week?</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for your email, the attachments will be included in the report to Regional Council this spring. After the engagement close date of Feb 24, staff cannot accept additional submissions. Please send any correspondence dated after Feb 24 to the clerk's office (clerks@halifax.ca), who will circulate it to Regional Council.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR108	<p>Dear Mayor Fillmore and Council,</p> <p>I am writing to express my opposition to the Halifax Regional Municipality (HRM) proposed amendments to the Minimum Planning Requirements. Housing is an urgent need and responsibility borne by municipal and provincial coffers. However, it is imperative that we do not prioritize housing over prudent decision-making that encompasses a comprehensive perspective on the quality of life.</p> <p>These proposed amendments are intended to expedite residential development. Nevertheless, it is crucial that we ensure that they do not compromise responsible community-driven planning, particularly the type of planning we aspire to see for Dartmouth Cove.</p> <p>Reducing the role of council and public input in mayoral planning decisions undermines transparency and disrespects by-laws enacted for public protection.</p> <p>While streamlining processes can yield benefits, it is paramount that Halifax's growth remains transparent, democratic, and community-centric.</p>

	<p>Halifax deserves thoughtful, inclusive planning, not unilateral decision-making. If you require more information or have questions please reach out.</p> <p>Sincerely,</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best, TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR109*	<p><i>*Includes Attachment.</i></p> <hr/> <p>February 24, 2025</p> <p>Mayor, Council and Staff Halifax Regional Municipality 1841 Argyle Street Halifax, NS B3J 3A5</p> <p>Dear Mayor, Council and Staff:</p> <p>Re: Response to Minimum Planning Requirements Regulations</p> <p>We are writing in response to the above noted matter. We are concerned that the Province has summarily imposed these Regulations on HRM and its constituents without prior public consultation. This occurred while HRM is developing a new Regional Plan. In so doing, the Province upended essential elements of its own minimum planning principles of public participation and information gathering. The vast majority of HRM constituents are unaware of the sudden imposition of these Regulations and the impact it will have on their communities.</p> <p>Further, the Province has ignored HRM's unique legal status as set out in the Preamble to the Halifax Regional Municipality Charter:</p>

	<p>AND WHEREAS the Province of Nova Scotia recognizes that the Halifax Regional Municipality has legislative authority and responsibility with respect to matters dealt with in this Act;</p> <p>AND WHEREAS the Halifax Regional Municipality is a responsible order of government accountable to the people...</p> <p>HRM is recognized as a separate order of government unique amongst NS municipalities and has the legislative authority and responsibility for such matters as municipal planning. The Regulations are an overreach by the Province.</p> <p>Notwithstanding, the Regulations were made effective by the Province in August 2024 during the municipal election when it would be challenging for the former Council and staff to fully consider them or provide any opportunity for prior public notice or input. Even with the short extension the Province recently granted at HRM's request, there is not enough time to adequately determine if and how the Regulations can be actioned or afforded by HRM.</p> <p>The Regulations require HRM to make a series of significant Municipal Planning Strategy amendments including declaring that "...the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the municipality" [section 4A (2)(a)]. Sudden legislative change of lasting impact for HRM without adequate and meaningful public awareness and consultation is contrary to effective budgeting and planning for the increased demands on municipal infrastructure and services as outlined in the Liveable Halifax Coalition Petition which we support and as further described below.</p> <p>Council is encouraged to push back against this unfunded Provincial regulatory mandate. We are unaware of any new Provincial funding to support the rapid increase in housing supply demanded by the Regulations. HRM taxpayers will be left to solely support the expansion and repair of municipal infrastructure and services already under resourced to meet an additional housing surge. The Halifax Water Commission alone has experienced recent boil water advisories, water main breaks, water supply conservation measures, incomplete capital project schedules, water treatment plant replacement plan and an accumulated deficit of \$41 M because of capacity issues. Calgary and Atlanta are other recent examples of how rapid urban growth can cause a water supply and demand imbalance that worsens as cities grow without sufficient time in which to plan. An adequate supply of water for drinking and firefighting is not a given, nor an infinite resource.</p> <p>The dictates of the Provincial Regulations fail to address other municipal funding shortfalls caused by rapidly increasing the supply of housing in HRM including: wastewater treatment; storm water management; firefighting, police and emergency management infrastructure and trained personnel; road and sidewalk expansion and maintenance; public transit; recreation facilities; solid waste management, etc. These additional capital and operating costs will fall to HRM taxpayers yet again.</p>
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	<p>Nor should it be necessary for Council to seek legal immunity from future claims of constructive taking/de facto expropriation of private property because of the Provincial Regulations. The October 1, 2024 motion of Council that the “...Mayor send a letter to the Province of Nova Scotia requesting amendments to the HRM Charter to include immunity from constructive taking/de facto expropriation claims” is troubling and should be repealed. If a letter has already been sent to the Province, then a motion passed that the initial request be withdrawn along with the Provincial Regulations. HRM must be given sufficient time to complete the drafting and public consultation process for the new Regional Plan before more legislative changes are considered. Council and staff and their constituents must first assess what HRM’s future growth objectives and costs are, particularly given CMHC’s February report projecting a 2.5% vacancy rate (up from 1% in 2023) as immigration levels decrease, and new housing stock nearing completion is added. Additional time will also enable the Province to expand its affordable housing offerings and local universities and colleges to undertake much needed student housing initiatives.</p> <p>Thank you for your consideration of this submission. We look forward to being notified of opportunities for an expanded discussion about housing.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We’ve recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR110	<p>Hello,</p> <p>I am writing to provide feedback on the minimum planning changes. Halifax is becoming an unrecognizable city full of ugly and overly priced apartment buildings. Please stop pandering to landlords and developers and make a plan that actually supports the people of Nova Scotia. Greed has taken over this province and it isn’t a good look.</p> <p>Warm regards, [redacted]</p> <hr/> <p>Hello [redacted],</p>

	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR111	<p>Hi,</p> <p>Want to add my two cents.</p> <p>I don't want to see anyone unhoused, and believe everyone should have access to safe, secure affordable housing. At the same time, I worry that a rushed approach to solving this problem will lead to future problems - such as overcrowding, increased traffic, loss of forests and wild spaces, and many other things that make Nova Scotia so special.</p> <p>I don't believe our conservative government has the right priorities, and I they're rushing to try fix a very complex problem with our proper planning.</p> <p>Please prioritize planning, quality of life, and the environment when approaching planning in Halifax, as it's such a special place.</p> <p>Thank you, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>

MPR112	<p>I believe that many of the twelve adjustments the Provincial Government insists HRM include within its planning process will result in a city that is not well-planned, that is thrown together hastily. And this will have been done, not to create affordable housing, but mainly to generate profit for the developers. Developers who don't care what our city looks like, who have zero regard for the inhabitants of the cheap structures they are throwing together, but whose only interest is making as much money as possible. Why do we want to enable them to do that? It makes no sense.</p> <p>Great cities are well-thought out spaces where people's needs are anticipated and met, places where people can thrive and themselves prosper. Not just a few developers.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR113	<p>Hello,</p> <p>I am writing to give feedback on the proposed amendments to the Halifax Charter's minimum planning requirements. I support the majority of the proposed amendments, however, I have concerns about items H and E.</p> <p>(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;</p> <p>I take issue with removing unit mixture requirements because, in the long run, this will lead to problems with affordability and livability. It is necessary to have a mixture of unit types in order to accommodate different renters' needs, and taking away the unit mix requirements will lead to a surge in one-bedroom apartments. One-bedroom units tend to cost more in rent per person compared to larger units that can be split between multiple roommates. Additionally, one-bedroom units don't accommodate families, and fewer multi-bedroom units make the few multi-unit bedrooms much more challenging and expensive to find. This dramatically impacts young people, students, people who cannot live alone for accessibility reasons, and families. One-bedroom units are a way for developers to increase unit counts and development</p>

	<p>feasibility, which helps increase the number of units built. But if we are focusing on people housed and not units built, then keeping unit mixes is essential.</p> <p>(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;</p> <p>I understand the municipality is experiencing a lot of heat due to the Suburban Plan timeline. However, I believe it is justified, given that there still seems to be no end date in sight. Currently, almost all development in suburban areas is halted because of this, and given the current need for housing, this is an issue. It has been nearly two years since HRM announced the new suburban plan, so there should be more than just a work plan ready by this spring. If HRM does not have the capacity to see the project through, then they should be looking for ways to outsource the work because, as a member of the public looking at this project, the current timeline does not add up. I understand that HAF took a lot of staff focus away from the project; however, after two years and a dedicated team, there should be more to show to the public by now.</p> <p>Thank you for your time and understanding. I look forward to hearing what comes from this engagement process.</p> <p>Kindly, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR114	<p>Dear Mr Mayor</p> <p>I am writing to ask you to reconsider these amendments. I realize you are only one voice but perhaps you and some of the new councillors can see the problems with this money grab.</p> <p>There is no plan. It simply allows developers to do as they wish and will only result in more unaffordable apartments, more traffic, parking problems , more vacant lots , strains on our schools, hospitals and wastewater systems etc - and to what end?</p>

	<p>If we want more densification let's start by developing our infrastructure, improving transit, and building affordable housing. Let's learn from planned neighbourhoods and best architecture in other cities.</p> <p>We must be grow and accommodate more people but not using policies from the Federal government that have no sense of local context.</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> associated with the Federal Housing Accelerator Fund, and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR115	<p>Good evening,</p> <p>I am writing to formally express my concerns regarding the proposed changes to the zoning on the Halifax peninsula from ER-2 to ER-3 . While I am in support of smart development and densification in HRM and recognize that our city is in dire need of affordable housing, the current approach to densification is concerning.</p> <p>I have been a resident of District 9 in the same house on Deacon Street for the past 24 years. There no longer appears to be basic checks and balances in place to ensure the quality of our future urban environment. Multi-unit residential developments are being approved in areas that have traditionally been designated for single-family homes. I do not see anything in the new zoning bylaws to promote increased levels of affordable housing. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford. The changes these bylaws allow will be irreversible.</p>

	<p>I strongly believe that proposed bylaw changes are not in line with the character and intent of our community. The introduction of high-density housing in established neighborhoods raises several concerns, including:</p> <ol style="list-style-type: none"> 1. Increased Traffic and Parking Issues – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes. 2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers. We are currently experiencing further reduced water pressure in our area where water pressures were already below the stated Halifax Water minimum prior to recent developments. 3. Disruption of Neighborhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability. 4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>Before our city is damaged beyond repair, I ask that you put in place specific risk-management strategies to</p> <ul style="list-style-type: none"> • mitigate potential harms arising from developments, • mandate real consultation with existing communities before developments are approved, • address infrastructure pressures, • ensure public safety with updated evacuation routes, and • align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>I urge the HRM Planning Department to enforce zoning regulations that protect residential communities from incompatible high-density construction.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p>
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	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR116	<p>Project Timeline</p> <ul style="list-style-type: none"> • August 2024 Minimum Planning changes in Halifax has finished this stage Province of Nova Scotia announces new Minimum Planning Requirements • October 2024 Minimum Planning changes in Halifax has finished this stage Regional Council directs staff to bring the Minimum Planning Requirements changes forward as part of the Regional Plan Review • October - December 2024 Minimum Planning changes in Halifax has finished this stage Staff completed a technical review of the Minimum Planning Requirements alongside the existing planning framework to determine how to best address the changes required • January 24 - February 24, 2025 Minimum Planning changes in Halifax is currently at this stage 30-Day Public Engagement Period • Spring 2025 this is an upcoming stage for Minimum Planning changes in Halifax Council review and approval (includes public hearing); Provincial approval. <p>I am posting the above schedule here because I find the time line of these most consequential decision for our city and HRM being rammed through in a big hurry. I find that one month to respond to this very important question for HRM and our province is insufficient. If I did not hear about this response opportunity from a community group that I am a part of I would not have responded. I am not sure how residents hear about these response opportunities but there must be a better way to communicate.</p>

These changes may be a reaction to an immigration policy that could change at any moment. Also, we know the rural population in Nova Scotia has moved in greater numbers than in past years to the urban areas of our province. Many years of careful planning have taken place in HRM. Most of these suggested changes in this minimum planning approach are short sighted and will not enhance the quality of life for HRM citizens. These changes do not foster healthy and vibrant communities, and are not considerate of the present environment we live in.

I have been wondering with some of this push to get things done and build more housing are we in a position to actually build proper housing? We have all been aware for several years that we do not have enough skilled workers to do this building. In support of this effort to create more housing, the Provincial Government needs to support the preparation of skilled workers in all of the trades. The government must increase the support and funding to create more spaces in our Community Colleges. We have excellent schools in this province but the waiting lists for young people to enter their chosen trade is sometimes 2 to 3 years. The government must give more support to these schools so we can have Nova Scotians building the housing we need.

The other point I want to make is that in HRM and also, in many other parts of our province the current infrastructure of sewage and water and other supports to allow this increase in housing is not sufficient. Will this be safe and sustainable for the future?

There is clearly a need for housing, and having affordable housing is critical. These 12 adjustments do not focus on affordability. In the past few decades HRM has taken planning seriously. Our municipality and provincial government should take pride in creating a well planned city and rural/suburban area. These 12 changes threaten all of the good work that has gone on before.

Destruction of wetlands, such as Eisnor Cove, must not be permitted and care must be taken to leave water retention ponds alone so existing neighbourhoods don't get flooded, as sacrifices for developer profits.

If this 'Minimum Rules Plan' is allowed to proceed, we will end up with a municipality with areas of total inconsistency. Existing neighbourhoods may be negatively impacted by developers snatching up parcels of land and creating housing that does not fit the existing requirements.

For the provincial government and HRM to help with the housing shortage, they should engage with those organizations which already deal with 'affordable housing' such as Dartmouth Non-Profit Housing and other organizations that have knowledge and insight about affordable housing.

In conclusion, great cities are well thought out and planned spaces. They take into consideration the living, working, recreational, educational, health and

	<p>transit/infrastructure needs of the residents. These changes DO NOT support HRM in how to proceed with future development.</p> <p>Regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR117*	<p><i>*Includes Attachment.</i></p> <hr/> <p>I am writing to the Mayor and City Council, in regard to current actions around Provincial minimum standards for development bylaws.</p> <p>Please direct the attached letter to Mayor Filmore, and City Council.</p> <p>I am also copying my district City Councilar, Laura White</p> <p>Please do confirm receipt of the email, in good order at your earliest convenience.</p> <p>With kind regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p>

	<p>For some additional context, in August 2024, the province announced 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect some specific regulations, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR118	<p>We are writing in response to your public engagement on the changes the province has made to the Halifax Charter's Minimum Planning Requirements. Our family lives in the south end of Halifax, near the intersection of [redacted]. While we recognize that our city is in dire need of affordable housing and we support densification, we are concerned with the sweeping changes being introduced. We lived in Toronto for 20 years, from the early 2000's to 2023, and over that period witnessed an amazing city become unlivable. Although Halifax differs from Toronto in many ways, we worry that too many changes at once will lead Halifax down a similar path.</p> <p>The very things that attracted our family to Halifax - less congestion, safety, green space, easier access to services - will be under threat with the new planning requirements, or lack thereof. Even with the development to date, long-term residents have seen negative impacts to city services, traffic, parking, heritage preservation and green space.</p> <p>We also question whether the changes will achieve their purported goal of affordable housing. Having attended meetings of the Liveable Halifax Coalition ("the Coalition"), we share their concerns that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.</p> <p>The changes these bylaws allow will be irreversible. We support and reiterate the Coalition's ask that before our city is damaged beyond repair, you put in place specific risk-management strategies to:</p> <ul style="list-style-type: none"> • mitigate potential harms arising from developments; • mandate real consultation with existing communities before developments are approved; • address infrastructure pressures; • ensure public safety with updated evacuation routes; and • align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

	<p>We also understand that Mr. Fillmore and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of “constructive taking and de facto expropriation of private property” by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations. Council's belief that they require legal protection is confirmation that the potential negative impacts to current residents are real and significant. Citizens should have recourse.</p> <p>We support and reiterate the Coalition's asks that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project, and that Council withdraw its request for legal protection by the Province.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR119	<p>Dear HRM Councillors:</p> <p>I am adding my name to support the position of The Liveable Halifax Coalition, which is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing.</p> <p>But the unruly approach to densification we're now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews. And no wonder.</p> <p>The breakneck speed of development has already had a negative impact on</p>

- city services
- traffic
- parking
- heritage preservation
- and green space

What's worse is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.

The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to

- mitigate potential harms arising from developments;
- mandate real consultation with existing communities before developments are approved;
- address infrastructure pressures;
- ensure public safety with updated evacuation routes; and
- align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

There's rising dissatisfaction throughout the city because people's voices aren't being heard. Their communities are being radically altered without their input.

We understand our new mayor and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.

That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.

I trust you all care about preserving HRM as a desirable place to live, work and raise our families. The risk associated with the present proposal is too great and I appeal to you all to take a strong stand and protect our city from incompletely considered, rapidly approved changes.

Sincerely,
[redacted]

Hello [redacted],

Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be

	<p>an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR120	<p>In regards to the minimum planning changes; heritage buildings should be protected the same as parks and military space is. Our city has lost so much history to development already. We do need better quality if living spaces, but when you remove the culture and heritage of Halifax you leave us with spaces that no one will enjoy living in. [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR 121	<p>Dear Mayor Fillmore and members of Council,</p> <p>I write today with respect to the proposed minimum planning changes for Halifax. I have sympathy for the position that you are in because in large the required minimums have been forced on HRM by an unthinking provincial government that is more interested in looking like it is taking action on the housing crisis, than it is in finding solutions that will actually work to solve the problem. This is on top of the made-in-Ottawa, cookie-cutter housing solutions that were foisted on HRM by the Federal government's Housing Accelerator Fund. However, I would urge you to take the back the reins from these other levels of government who have little</p>

	<p>understanding of the reality on the ground in HRM. You have been elected by the residents of HRM to do what is best for our city, not to cowtow to those who think they know better about how our city should grow. You have the support of the residents of HRM to do the right thing and stand up for our best interests.</p> <p>I have the following concerns about the minimum planning standards and HRM proposed response to meeting the requirements.</p> <p>Minium Requirement: b)</p> <p><i>Require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy.</i></p> <p>HRM's Response:</p> <ul style="list-style-type: none"> • New language in the Regional Plan will emphasize the importance of increasing the supply of safe, sustainable, and affordable housing • While no immediate changes to zoning or land use regulations are proposed with this new policy, increasing the supply of new housing across the region will be an important consideration in future land use planning efforts. <p>My Concerns:</p> <p>Simply using language in the Regional Plan that emphasises the importance of increasing the supply of affordable housing is not enough. The time for platitudes is over. The time for concrete action to increase the supply of truly affordable housing has already passed. There is no more time to spare. HRM needs to take meaningful action to increase the supply of affordable housing, particularly deeply affordable housing. Many within the Municipality will argue that this is not a Municipal responsibility, pr within the Municipality's control. Most residents have no idea about the division of responsibilities between municipal, provincial and federal levels of government, and frankly, they don't really care. Municipal government is the closest level of government affecting the daily lives of residents, and residents want to see you take action.</p> <p>To those who say that there is little HRM can do with respect to deeply affordable housing, I say, that is a cop-out. Each time HRM sold a former school, like Bloomfield, St. Pat's-Alexandra, or St. Pat's High, to a private developer, over comparable bids from community organizations promising to construct affordable housing, HRM made a conscious decision to pick the interests of private developers over the interests the community and those needed affordable housing.</p> <p>The fact that HRM now proposes "no immediate changes to zoning or land use regulations with this new policy," but instead simply continues to reply only on "increasing the supply of new housing across the region," shows once again that</p>
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	<p>HRM is not taking seriously the need for HRM to play a role in increasing the supply of affordable housing in HRM.</p> <p>I also believe that HRM's response to this minimum requirement does not adequately push back against the province's requirement that HRM prioritize housing above all else. Everyone agrees that housing is important, but not all housing proposals are equal. Surely some consideration needs to be given to the environment and principles of good planning when making decisions on where to locate new developments.</p> <p>Minimum Requirement: h)</p> <p><i>For residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies.</i></p> <p>HRM's Response</p> <ul style="list-style-type: none"> • Until April 1, 2027, the land use by-law regulations for apartments are being changed to remove all bedroom count requirements (the amount of studio, 1-bedroom, 2-bedroom units, etc. required per apartment building), • Adjust land use by-laws to remove the bedroom count requirements until April 1, 2027. as well as allowing up to 10 bedrooms. <p>My Concerns</p> <p>Without mandated bedroom mixes, developers will construct units that are most financially advantageous to them, rather than ensuring that the units that are constructed meet the needs of the widest spectrum of residents, i.e. singles, couples, families, younger and older residents.</p> <p>If I understand it correctly, the proposed minimum standards will also allow 8-plexes on larger urban lots. Combined with an increase in the allowable bedroom count to 10, this would allow construction of eight X ten-bedroom units on small urban sites. To my mind, 80 bedrooms on relatively small urban lots is the equivalent of green-lighting tenements.</p> <p>And while I appreciate the protections afforded to heritage districts, there are many historic buildings, not in conservation districts. The proposed minimum planning standards will encourage the demolition of more of these buildings, which offer many existing affordable housing units. What we have seen taking place along Robie Street is just a hint of what is to come unless more incentives/protections are offered to ensure that historic buildings are retained, instead of demolished. Large historic buildings are ideally suited to being converted to multi-unit buildings and I believe HRM needs to do more to encourage that.</p> <p>Sincerely, [redacted]</p>
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	<p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR122	<p>This is my request for the city to reconsider development zoning and building heights: <u>zoning bylaw changes</u></p> <p>There needs to be some organic and holistic approach to all these developments. Schools? Hospitals? Green spaces? Active transport?</p> <p>All good for density, but please someone with common sense and sustainable development.</p> <p>Thanks [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR123	<p>Dear Halifax Regional Council members,</p> <p>I am writing to you about the Minimum Planning Requirements to address housing supply in HRM.</p>

I live in central Halifax, near multiple, large development projects. Within a 15 minute walk from my house, you will find new high rise buildings at:

- Almon St at both Gladstone St and Robie St
- North St at both Oxford St and Clifton St
- Agricola St near May St
- Robie St at Bilby St
- Windsor and Willow Streets
- Cork St and Bayers Rd

The impacts of such development in and around my neighbourhood include:

- Feeling the effects of blasting from all of these sites, yet with no notification by of the builders that such work was to start, that we should check our walls and foundations for any cracks and damage before that work began. An oversight that municipal laws have allowed, that residents are to simply tolerate and to continue to do so with continued development.
- Closed sidewalks
- Closed roads and redirected traffic

All of the above for months and years at a time (Richmond Yards, ongoing for over four years).

With the mayor's plan to develop the Young St "future growth node" so that 26,500 more residents can live there, we will surely experience four more years of disruptions to this same part of the city.

Given the development noted above, I would suggest that this part of Halifax already has a lot of mixed use buildings. Allowing my neighbours and me to add 4-8 units on each of our residential lots is lunacy, Before we all start building:

- How do we first establish that our sewer pipes can handle this?
- Where will the tenants of these units park their cars, even if only some of them have cars?
- Do all the of new units string a wire out to the pole on the street, or do we all dig up our driveways to lay wiring? The NS Power cables down my street have frayed wrapping that sizzles when it rains.
- Where will the new park go, now that we have all given up our backyards where our kids play?
- The trees and shrubs I planted will have to come out to make room and there are a lot of birds that live there, including some neighbourhood cardinals.
- Is EMO involved with these project plans so that they can update the emergency plans to evacuate many more peninsula residents?
- Can I charge what I want for the tenants of the new units? Can I go for the same profit margins that Killam Properties is getting?

	<p>HRM can do better than this plan, and must do better. All levels of government must cooperate and make sure that residents are not saddled with desperate measures. No thanks to ER-3 zoning.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The ER-3 zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR124*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Hello Anne and Team,</p> <p>Please see the attached feedback regarding the proposed Minimum Planning Changes. We feel a discussion and further information on detailed planning changes proposed would be beneficial when availability permits.</p> <p>Kind regards, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you and Clayton Developments for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring.</p>

	<p>One of our team members will be in touch to set up a time to discuss.</p> <p>Kind regards, Telina</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR125	<p>Hello!</p> <p>I just received this reminder of the deadline to submit my thoughts about possible changes to our planning and bylaws.</p> <p>First, please DO NOT give the mayor stronger powers. Remember not all residents voted for the present mayor. We did, however, elect councillors who we expect to speak on our behalf. It's the democratic way. Also when it comes to problems in our particular area (I live in Downtown Dartmouth) we want our councillor to be there to present our concerns to the city council. We don't want a mayor who could possibly have no interest in our concerns.</p> <p>There are a couple of items in the new recommendations for the regional planning to which I will comment. 1) I disagree with the idea of converted shipping containers being used for residential dwellings or backyard suites. Here in Downtown Dartmouth we are being inundated with highrises as you know. They are unsightly and causing traffic problems already.</p> <p>2) The new requirement says no need for on-site parking. I disagree here as well. We have parking issues in the winter for snow clearing. People need to have a space to park their car/s. Also aesthetically they open spaces making the area seem less dense and allowing for fewer wind tunnels.</p> <p>Hoping you will take my thoughts into consideration.</p> <p>With thanks, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>I'll add that as the province sets out mayoral powers, you may instead wish to share any comments about mayoral powers with your provincial MLA.</p>

	<p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR126*	<p><i>*Includes Attachment.</i></p> <hr/> <p>Dear Clerks,</p> <p>Kindly pass along the attached letter to Mayor Fillmore.</p> <p>Thank you.</p> <p>Best regards,</p> <p>[redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR127	<p>Dear City Planners,</p> <p>I am writing to formally express my concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.</p> <p>As a resident of Deacon Street in Northland Halifax, I strongly believe that these projects are not in line with the character and intent of our community, and I urge the</p>

	<p>[City Council/Planning Department] to reconsider allowing such developments in strictly residential areas.</p> <p>The introduction of high-density housing in established neighbourhoods has already raised several concerns in my neighbourhood, including:</p> <ol style="list-style-type: none">1. Increased Traffic and Parking Issues – Single-family neighbourhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes.2. Strain on Infrastructure and Public Services – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers.3. Disruption of Neighbourhood Character – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability.4. Environmental Impact – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife. <p>While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighbourhoods.</p> <p>I urge the City Council to mandate a three-month period of active community engagement and involvement for zoning by-laws and enforce zoning regulations that protect residential communities from incompatible high-density construction.</p> <p>I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello,</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced</u> 12 new minimum planning requirements regulations. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum</p>
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	<p>planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes mentioned in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR128	<p>Hi there,</p> <p>I'd like to weigh in on the regional plan.</p> <p>In item b) you talk about affordable housing. Affordable to whom? Will there be units for poverty-stricken Haligonians that are available on a sliding scale based on their income? Or is it that 80% of market value that is out of reach for a lot of people living here? I recommend that you set aside a non-negotiable number of these apartments per building, that can't be slimed out of by paying HRM some fees.</p> <p>In cii) you talk about not building on environmental sites. But the province approved the build on Eisner Cove wetlands, to start with, and then the developer did not respect the 80m buffer around wetlands. So please ensure that this DOESNT occur again, and that you enforce buffers and other factors that protect the environment. There was no consultation with Indigenous peoples either, which is criminal. You MUST obey the treaties, and work towards reconciliation. In fact, you arrested a L'nu grandmother who was enacting her treaty rights, in this case (big mistake, don't screw with treaty rights).</p> <p>About g), want to ensure that all high rises are tremor/earthquake proof, given that we are going to start FRACKING in this province, which has been proven again and again to cause earthquakes. So if a mass timber build doesn't have earthquake proofing, it should not be built, regardless of the need for housing. We want SAFE housing as mentioned earlier.</p> <p>About l), this is ridiculous. You must provide parking for these units. We are already filled to capacity with street parking, and in Halifax we have parking bans every week and more in the winter. Where do these people park? Parking is absolutely required, and it's short sighted to do this; you are creating long term problems. The developers will continue to build parking into their high rises and it won't deter them from building. Don't give too much away, you are stealing from Peter to pay Paul. No no no no no to this one.</p> <p>K) this looks a lot like the company store. I disagree with this. No company should have jurisdiction over someone's place of residence (look what is happening to agricultural workers, they are being housed in horrible conditions and fully exploited by their employers). Also, temporary homes don't have the same requirements as</p>

	<p>permanent housing so if you're gonna do this, you must ensure full compliance with safety code for permanent structures as people are going to live there! Also have a maximum period by which those temp structures must be taken down, so they don't become permanent housing.</p> <p>Overall, I want safe, dignified, accessible and truly affordable housing for those living in poverty, who are being taken advantage of by unscrupulous landlords. Please don't make the problem bigger by making short-sighted decisions like this.</p> <p>While I appreciate the ability to provide input, I question how effective this will be, based on my experience with giving input to the city. Hope you actually listen.</p> <p>Sincerely, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be anonymized and used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR129	<p>To whom it may concern,</p> <p>With regards to the new minium land use proposal for Halifax we would like to express our concerns related to the proposed changing of restrictions. These changes leading to a large increase in density will result in huge demands on aging infastructure. Also changes such as and allowing up to 8 units on a single residential lot will destroy the fabric and culture of penisular neighborhoods (many of which have been in existance for well over 100 years).</p> <p>We are concerned about these changes and the impact on peninsular Halifax and our neighborhood!</p> <p>Sincerely [redacted]</p> <hr/> <p>Hello [redacted],</p>

	<p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones. The zoning changes identified in your email were previously made as part of the <u><i>Urgent Changes to Planning Documents for Housing</i></u> and were adopted by Regional Council in May 2024.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
MPR130	<p>Dear Council,</p> <p>The Liveable Halifax Coalition is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing.</p> <p>But the unruly approach to densification we're now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews. And no wonder.</p> <p>The breakneck speed of development has already had a negative impact on</p> <ul style="list-style-type: none"> • city services • traffic • parking • heritage preservation • and green space <p>In my own personal experience, my neighborhood and Cunard and Gottingen currently has 3 big projects, 2 of which [redacted] my residence. For nearly 2 years, we've been plagued with near constant jackhammering starting at 7 in the morning and often lasting all. In addition, the area has become nearly unwalkable with all the sidewalk and street space this project take up. It is sooo unpleasant to be a pedestrian. And when those buildings become full, it will be impossible to drive a car because the city is increasing density but not bringing essential service to this higher population, forcing people to live in high-density areas but still having to drive places</p>

	<p>just to fulfill their basic needs. This city is becoming unlivable. And these new regulations will make it increasingly unlivable.</p> <p>What's worse is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.</p> <p>The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to</p> <ul style="list-style-type: none"> • mitigate potential harms arising from developments; • mandate real consultation with existing communities before developments are approved; • address infrastructure pressures; • ensure public safety with updated evacuation routes; and • align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan. <p>There's rising dissatisfaction throughout the city because people's voices aren't being heard. Their communities are being radically altered without their input.</p> <p>We understand our new mayor and many councillors have expressed nervousness about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of "constructive taking and de facto expropriation of private property" by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.</p> <p>That's why we're asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.</p> <p>Best, [redacted]</p> <hr/> <p>Hello [redacted],</p> <p>Thank you for sharing feedback on changes the municipality is making to comply with the provincial Minimum Planning Requirements. We've recorded your comments, and they will be used to inform a report to Regional Council this spring. There will be an additional opportunity for public comment at that time as part of the public hearing process.</p> <p>For some additional context, <u>in August 2024, the province announced 12 new minimum planning requirements regulations</u>. The municipality is legally required to</p>
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	<p>update land use bylaws and plans to meet these requirements. While the minimum planning requirements affect <u>some specific regulations</u>, they do not change the permitted uses (types of dwellings) or density (number of units) set out in the land use by-law zones.</p> <p>All the best,</p> <p>TELINA DEBLY MCIP, LPP PLANNER II REGIONAL PLANNING PLANNING & DEVELOPMENT</p>
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Appendix B - Correspondence Attachments



HALIFAX REGIONAL
MUNICIPALITY

FEB-05-2025

MUNICIPAL CLERK

LN LL

February 5, 2025

Halifax Regional Municipality Council
Halifax City Hall
1841 Argyle Street
Halifax, NS B3J 3A5

Municipal Clerks Office

Date Distributed: FEB-07-2025

Mayor, Councillors, CAO, Solicitor,
Communications, Public Affairs, Gov.
Relations, Mayor's Chief of Staff

Other: Anne Winters, Leah Perrin,
Kate Greene, Jacqueline Hamilton

Dear Mayor Fillmore and Members of Regional Council:

We are writing to seek your support in advocating to the Provincial Government to rescind the recent amendment to the Municipal Charter Minimum Planning Requirements Regulations that will significantly reduce the percentage of ground-floor commercial space required in residential buildings. As you know, the vitality of our downtowns and main streets is integral to the character and success of our communities, and this change could undermine our efforts.

With a growing population, increasing densification, and reductions in available parking, it is essential to continue providing walkable amenities that serve the needs of our communities. Ground-floor commercial space is vital in sustaining small businesses that drive neighborhood growth and create a sense of place for residents and visitors alike. Reducing the percentage of commercial space in new developments would not only limit access to essential services but also directly impact our ability to fund critical programs that help our downtowns and mainstreets thrive. While the goal for all is to lessen our dependence on cars, this amendment will force residents to travel for goods and services.

The 9 Business Improvement Districts (BID) of Halifax Regional Municipality are currently working to support over 3,300 local businesses, which together account for approximately 23% of HRM's total commercial assessment—valued at \$10,556,646,400. Through private funding of \$4,005,281, BIDs are able to deliver essential services such as marketing, advocacy, placemaking, and events. These services are crucial not only for helping businesses survive and grow but also for enhancing the overall quality of life in Halifax and contributing to the local economy.

By reducing the required amount of commercial space at ground levels, we risk making it more difficult for small businesses to establish themselves and thrive in areas where they are most

needed. Furthermore, it limits the funding available for the programs and initiatives that create lively, well-maintained, and attractive downtown areas—places that everyone in the community can enjoy.

We respectfully urge you to take a stand and advocate on behalf of the residents, small businesses, and community organizations that rely on a mixed-use urban environment. By pushing the Provincial Government to reconsider this amendment, you can help ensure that Halifax's downtowns and main streets remain welcoming for everyone.

Thank you for your attention to this matter. We look forward to your support.

Submitted by the Business Improvement Districts of:

Downtown Dartmouth

Downtown Halifax

North End Halifax

Porters Lake

Quinpool Road Mainstreet

Sackville

Spring Garden Area

Spryfield

Village on Main

The following is a response to the recent CBC story covering the eviction of a Canadian Armed Forces Veteran living in a Recreational Vehicle (RV) comfortably, maintaining his wellness and employment. The location is Wellington, Nova Scotia.

By laws need urgent updating to include the use of Recreational Vehicles for habitation while the ongoing housing crisis continues.

It is urgent that HRM planners and HRM council come together to make a simple change to these by laws in order to offer dignity to those who utilise RV;s as a safe warm place to call home. An RV is a safer, more dignified home than a shelter or tent. RV's are currently accepted and used in provincial campgrounds.

The following are excerpts from Halifax Regional Municipality vision, Regional Plan

Regional Plan's vision to "enhance our quality of life by fostering the growth of healthy and vibrant communities, a strong and diverse economy, and sustainable environment"

HRM is now asking residents to review the updated Regional Plan and let us know if its content and policies reflect the earlier input received from the Themes and Directions engagement, as well as the direction from the Priorities Plans.

****** Minimum Planning Requirement (b) The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws. ******

Requirement: b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy

Approach to homelessness

Adapting our approach

The municipality has adapted its approach to reflect changes that are impacting the homelessness crisis. As capacity for indoor shelters and supportive housing options continues to increase, the municipality is directing its focus away from the provision of designated locations and towards helping those experiencing homelessness to access better accommodation options. The municipality is constantly assessing the need for designated locations. As more indoor shelter spaces and supportive housing options become available, more parks will be closed, de-designated and returned to their intended purposes as spaces for everyone.

Read the [Feb. 7, 2024 Municipal statement about encampments and de-designating locations](#).

- The municipality's approach to homelessness centres on treating people experiencing homelessness in our public spaces with dignity while working to find ways to best support them within our capacity and scope as a municipality.
- ***The right to adequate housing is embedded in international law, federal legislation, and municipal strategies and frameworks. Accordingly, the municipality understands encampments to be in violation of individuals' rights to adequate housing.***
- ***For these reasons, the municipality's approach involves allowing those sleeping rough to remain in designated locations until indoor shelter spaces or housing options have been identified and offered, or until the health and safety of the occupants or public are at risk.***
- This approach does not condone or support the installation of infrastructure associated with encampments and requires that steps be taken to address demonstrated risks to the health and safety of occupants or the public.

- The municipality's response to homelessness is collaborative and community-based. The municipality is the primary funding partner for the Street Outreach Navigators, through the downtown business improvement districts. The Street Outreach Navigators help ensure those experiencing homelessness have access to appropriate supports.
- The Province of Nova Scotia, as well as community-based partners including the Street Outreach Navigators and housing support workers, continue to offer those experiencing homelessness with support – including a range of housing options and/ or temporary accommodation.

As the municipality considers its ongoing support around the issue of homelessness, ***the following principles are guiding efforts by staff:***

- ***The municipality wants everyone to have a home.***
- ***As supported by the Government of Canada in their Reaching Home initiatives, Housing First is the recommended approach to help individuals experiencing homelessness.***
- ***Every action the municipality takes in assisting people experiencing homelessness should be grounded in a harm reduction approach, consider how it supports human rights, and maintains personal dignity for those affected.***
- Relationship building, learning, education, and voluntary compliance are always preferred over an involuntary compliance action.
- Transparency and ongoing communication are essential for the development of trust.
- Whenever possible, the municipality should avoid duplicating the work of other service providers in the community and instead support them in their efforts to serve residents better.
- Nothing for us, without us – the people who will be impacted by decisions and actions should be meaningfully involved in those decisions.
- Everyone is expected to follow the law.
- Halifax Regional Police (HRP) should not be a primary response to many of the issues surrounding homelessness. HRP should be focused on the prevention and resolution of crime. Responses to issues surrounding

homelessness should whenever possible be led by Street Navigators, service providers, and civilian compliance officers.

A municipal planning strategy must do all of the following to address the issue of housing supply: • **Recognize housing is an urgent priority;** • Give priority to increasing the supply of safe, sustainable and affordable housing; • **Permit residential uses in all zones, except for: • Industrial, • Military, • Park, • Transportation reserve, • Utility uses, and • Zones for environmental sensitivities;** • Information sharing to support housing development; • Permit manufactured housing in all residential zones;

The Regional Plan will help guide future land use planning decisions and support an increase in housing supply and housing options that are safe, sustainable, and affordable. **While no immediate changes to zoning or land use regulations are proposed with this new policy,** increasing the supply of new housing across the region will be an important consideration in future land use planning efforts.

Minimum Planning Requirement (I)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, Community Plans and Land Use By-Laws.

For a full list of changes [click here](#).

Requirement:

I) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones

How will the municipality meet this requirement?

- Definitions and regulations in the land use by-laws are being adjusted to allow converted shipping containers as a residential use.

Plans Affected:

All land use by-laws

What will this change mean for me?

- You will be able to use a converted shipping container for a main residential dwelling or a backyard suite. Some by-law areas already permit this.
- Shipping containers will have to meet Building Code requirements to safely convert the shipping container into a dwelling use.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.

2025

WOODLAWN MALL REDEVELOPMENT GROWTH AREA PLAN

Prepared by

Fathom

fathomstudio.ca
40 King Street
Dartmouth, NS
B2Y 2R4

Prepared for
Kasia Tota and Ben Sivic

Submitted
Jan 14, 2025

Submitted By
Rob LeBlanc, Director of Planning

[Redacted Signature]

Table of contents

01	Background	
	The Changing Nature of Urban Mall Sites.....	6
	Woodlawn Plaza Site.....	6
	Woodlawn School Commutershed.....	8
	Athorpe/Woodlawn Intersection.....	9
	Trip Generation.....	11
	Modal Share	11
02	The Plan & Zoning	
	The Properties	17
	Resolving the Athorpe/Woodlawn Intersection.....	17
	Staples Redevelopment (Phase 1 and 2)	22
	Giant Tiger Redevelopment (Phase 3).....	22
	Harveys Redevelopment (Phase 4).....	22
	Bulk Barn (Phase 5).....	23
	Vogue Optical Site (Phase 6)	23
	Planet Fitness (Phase 7).....	23
	Phasing.....	24
	Shade Study	25
	Plan Proforma.....	26
	Open Space.....	28
	Parking.....	32
	Building Height	33
	Streetwall Height.....	33
	Rezoning Pathway	40
	Rapid Transit Plan.....	40
	Growth Area Pathway	40
	Special Planning Area	42
	The Need for a Pathway.....	42



Woodlawn Mall Redvelopment Plan

Dear Team,

Thanks for taking several meetings over the past year to try to advance this file. Our original submission back on Feb 29, 2024 focused on redeveloping the Staples site which has a rapidly expiring lease in 2026 so there has been some time pressures to secure a deal to move a new Staples into a part of this redevelopment. As such, we have met several times throughout 2024 but we still have not found a pathway that works for HRM and within the owner's time constraints.

During our last 2 meetings, staff have mentioned that they would like to see a plan developed for all of the Diab's Woodlawn land holdings; not just the Staples site. This report provides a plan that looks at the future buildout of the entire site, including the phasing, pro forma and high level traffic and servicing implications. This submission is not meant to be a fully fleshed out solution but it represents the owner's desire to advance this project in good faith to find a mutual acceptable approval pathway that will lead to a DP for the first phase sometime in 2025 to provide Staples with a viable alternative to staying at this site. We believe the plan is a win win for HRM, the developer and the community in that it creates a dense transit oriented development and resolves a significant problem at the Woodlawn/Athorpe intersection.

We recognize that the Suburban Plan team is swamped with preparation of the upcoming plan, but we also realize that the Growth Area team does have some capacity to advance a project like this. We hope you will give this submission some serious consideration and will help us find a pathway to rapidly advance the file over the next few months.

As always, we are available for questions and discussion at your convenience.

Sincerely,

Rob LeBlanc, President

mobile

Submitted
Jan 14, 2025

01

Background

Woodlawn Mall opened in the early 1970's with the anchors of Metropolitan and SaveEasy. The mall was shaped in an L-configuration as exists today and a centre court was in the middle of the concourse, with a lunch counter in it. There was also a Lawtons Drugs. Directly attached to the mall was a plaza section, which had Consumers Distributing and a medical centre.

The failing mall was converted to the Woodlawn Plaza in the early 1990s and the centre concourse was removed providing deep commercial plates that fronted onto the large parking lot. The new plaza included Lawtons Drugs, Dartmouth Regional Library, and Deluxe Laundromat, . A few years after the plaza opened, Business Depot (Later rebranded to Staples) opened a standalone location within the property. After this, the plaza was renamed to Staples Business Depot Plaza for awhile, the name was changed back to Woodlawn Plaza in 2009. In 2011, Giant Tiger opened as an anchor tenant.

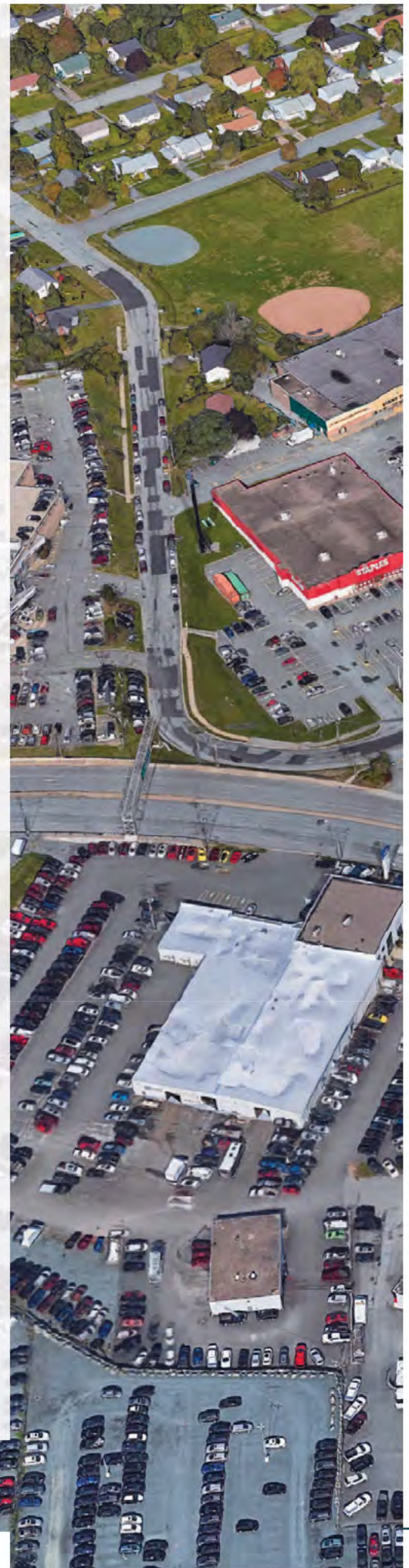




Image © 2024 Airbus

The Changing Nature of Urban Mall Sites

The evolution of shopping malls reflects broader changes in consumer behaviour, urban planning, and economic realities. Once dominant as retail destinations in the late 20th century, traditional malls have faced challenges from e-commerce, shifting demographics, and evolving preferences for experiential and community-centered spaces. As a result, many malls have transitioned into mixed-use developments, blending retail with residential, office, and recreational spaces to stay relevant in a changing market.

This shift often involves reimagining underperforming or abandoned malls to create vibrant, multi-functional hubs. Developers are incorporating elements like apartments, co-working spaces, fitness centers, and green spaces alongside traditional retail. These mixed-use projects aim to foster a sense of community, attract a diverse range of visitors, and extend the time people spend on the property, thus increasing its value and appeal.

Experiential offerings are another key feature of these transformed spaces. Dining, entertainment, cultural events, and interactive activities now play a central role. Cinemas, live music venues, art installations, and pop-up markets are commonly integrated to enhance the social and leisure aspects of these developments, making them destinations rather than mere shopping centers.

Urban planning and sustainability considerations also drive these changes. Many malls are being designed or retrofitted to include eco-friendly features like energy-efficient systems, green rooftops, and walkable layouts. The integration of public transportation and pedestrian-friendly designs further aligns these developments with modern urban lifestyles and environmental priorities.

The rise of mixed-use developments reflects broader economic trends as well. Retailers benefit from proximity to residential and office spaces, while tenants and workers enjoy convenient ac-

cess to services and entertainment. This symbiotic relationship creates a more resilient economic ecosystem, particularly as retail alone no longer guarantees a mall's success.

Moreover, these projects often serve as anchors for community revitalization. In suburban or declining urban areas, redeveloped malls can attract investment, create jobs, and provide much-needed amenities. By blending uses, they address the need for housing, leisure, and economic activity in one centralized location.

While the mixed-use model offers many benefits, it also comes with challenges, such as high development costs and the need for effective zoning and planning. Nevertheless, the trend shows no sign of slowing, as it aligns with shifting consumer demands and urban priorities, offering a glimpse into the future of commercial and community spaces.

Woodlawn Plaza Site

In the case of Woodlawn Plaza, this 10.3 acre site is highly underutilized. Over half the site is occupied by parking (4.7 acres or about 450 cars), and the remaining commercial footprint occupies about 13,950 m² (150,640 sf).

The site is strategically located at the corner of the Portland Street Arterial and the Woodlawn Road Major Collector. The site is within a 1 minute walk of 4 bus routes on Woodlawn Road (the 66, 62, 78 and 58 routes) and within a 2 minutes walk of 6-bus routes on Portland Street (the 57, 59, 61, 68, 79, 159). The site is also within 360 m (5 minute walk) of the Pernhorn Mall terminal (which has 8 bus routes), and 2.3 km (30 minutes walk) of the Portland Hills Terminal (which has 9 bus routes).

As part of the Dartmouth East AT Functional Plan, Designpoint and Fathom Studio prepared a plan for a new AT network on Athorpe and Woodlawn Road. The plan called for either a bi-directional bikeway or a multi-use path on the south side of the study area

Fig. 1. Halifax Transit Map

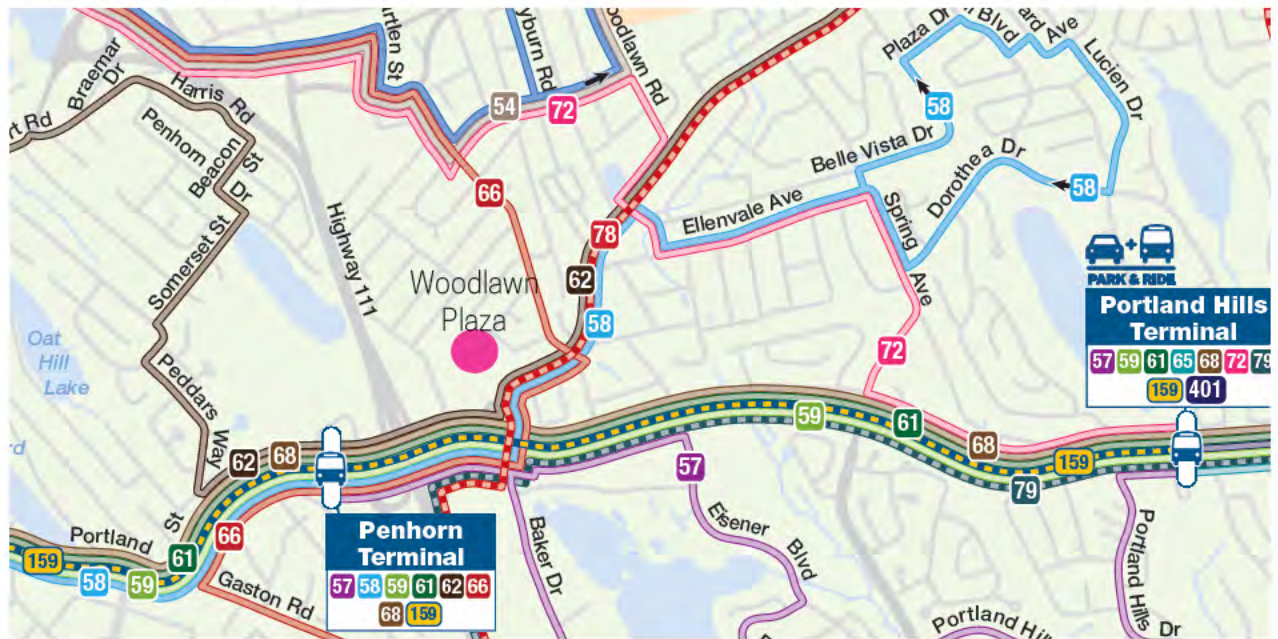


Fig. 2. Dartmouth East Functional AT Plan

SEGMENT 1

ATHORPE DR

? Which option would you prefer?

Use stickers to paste them on to the option you prefer.



Segment 1: **OPTION 1 - MULTI-USE PATH**

A MULTI-USE PATH is located on the south side of Athorpe Drive, replacing the existing sidewalk. A ramp connects the path to the Portland Street overpass.



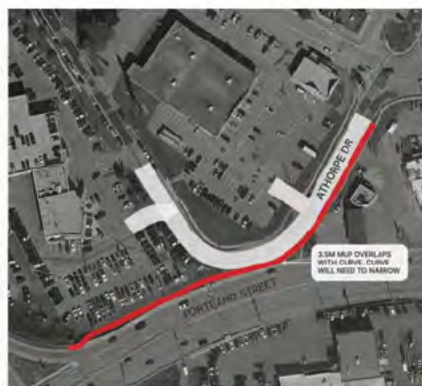
Segment 1: **OPTION 2 - BIDIRECTIONAL BIKEWAY**

A BIDIRECTIONAL BIKEWAY (two-way bike traffic) is added on the south side of Athorpe Drive. The bikeway is separated from traffic lanes with a curb. Traffic lanes are narrowed and the current sidewalks would remain for pedestrians.



KEY PLAN

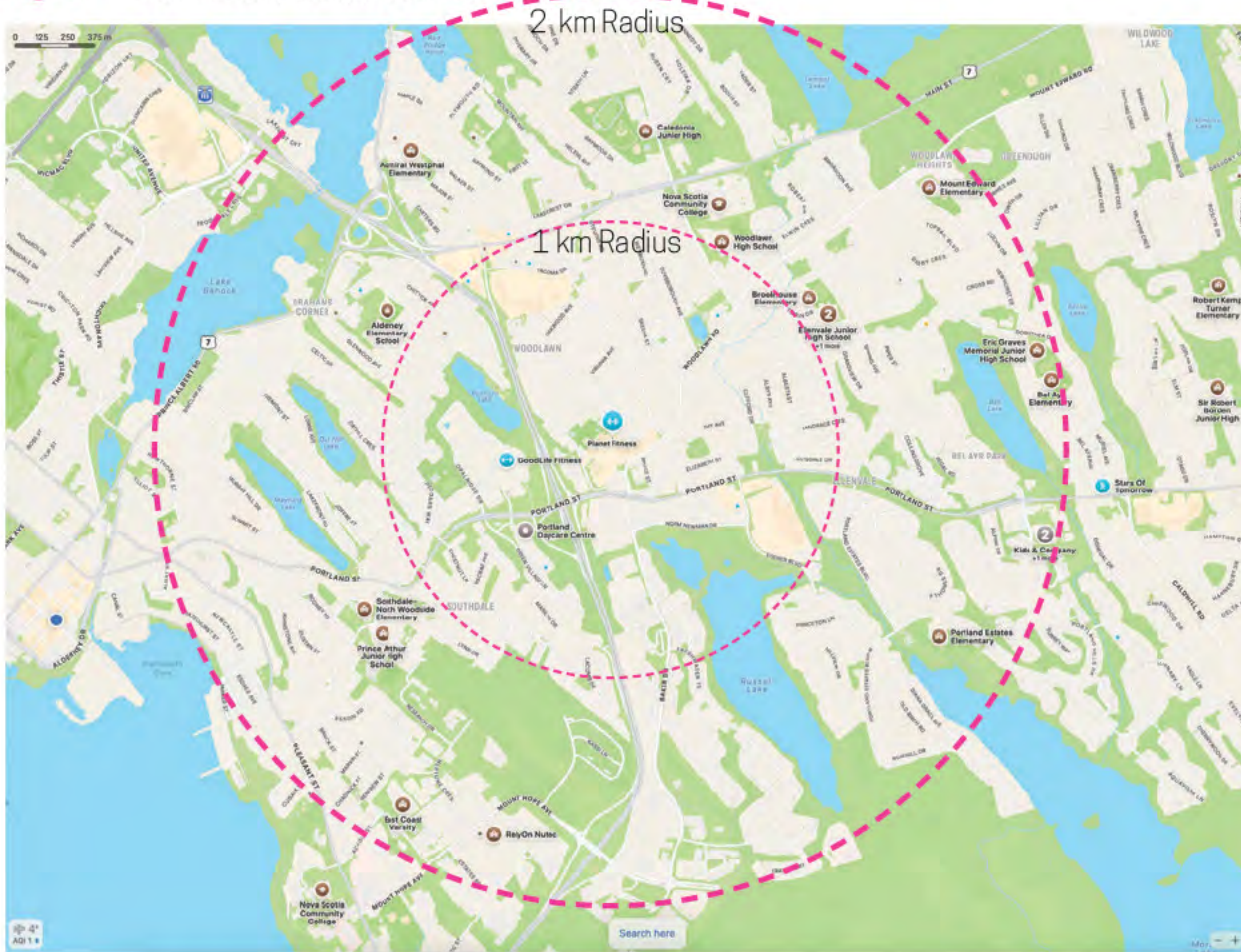
One outbound lane on Woodlawn Road is removed to create space for bike lanes. The intersection operates like it does today, but is narrowed. Smart channel right turn lanes are added to improve truck turning access. The bikeway or multi-use path from Athorpe Drive transitions to bike lanes to the north on Woodlawn Road. A multi-use path connects the intersection to Portland Street. The path is expected to continue to the multi-use path on Baker Drive.



Segment 1: **ATHORPE DR PARKING**



Intersection 1: **ATHORPE / WOODLAWN**

Fig. 3. Site School Commutershed

Woodlawn School Commutershed

This site is within 1km of Woodlawn High School, and within 2km of an additional 14 schools ranging from elementary to junior high, high schools and the NSCC Campus. According to the provincial School Transportation Policy, transportation must be provided for students in elementary grades, including children attending pre-primary programs who live more than 1.6 km from the school in their designated catchment area. Similarly, transportation must be provided for students in middle and high school grades who live more than 2.4 km from the school in their designated catchment area. As such, many of these schools are within walking distance of the Woodlawn Plaza site.



Fig. 5. Existing Road Conditions

Athorpe/Woodlawn Intersection

In the 1990's the Athorpe intersection was redesigned to shift the entrance of Woodlawn Mall from a more easterly location over to a more central location next to the old Harveys. In doing so, the simple T-intersection of Athorpe and Woodlawn Road, was converted to a much more challenging and unsafe intersection that exists today.

The idea of closing Athorpe west of this intersection simplifies the intersection back to a 3-legged T-intersection, bringing Athorpe closer to the middle of the Woodlawn Plaza site.



Fig. 4. Woodlawn Mall, Sept 1979

1.1 Mobility Network

This new proposed development is strategically situated at the intersection of key transportation routes, including:

- Portland Street/Cole Harbour Road - links Downtown Dartmouth to the Circumferential Highway, Forest Hills Parkway, and extends to Lawrencetown Beach and beyond.
- Circumferential Highway - connecting Portland Street south to Mount Hope, Pleasant Street, Eastern Passage, Shearwater, NSCC and Woodside Ferry Terminal; and north/west to the MacKay Bridge, Highway 118, Dartmouth Crossing, Burnside Business Park and many points in between.
- Woodlawn Road - connecting north/east toward Cole Harbour, Main Street and larger residential areas.

The Portland / Cole Harbour Road corridor is currently the subject of a corridor functional design study which includes three distinct sections of roadway.

The development is located in the central segment between Gaston Road and the Portland Hills Transit Terminal and is noted as having the widest cross-section, carries over 40,000 vehicles per day, and has numerous intersections that typically experience some levels of congestion. The intent of this new development project is to enhance the “people-moving” capacity of the corridor through the creation of complete streets focusing on active transportation, transit priority, and road safety.

Resolving existing challenges associated with intersections within and immediately adjacent to the development are a critical part of that study, but also integral to this proposed development. The close proximity of the existing intersections of: Woodlawn Road with Athorpe Drive; the interconnected intersection of Athorpe Drive with multiple mall access points; and, the Woodlawn / Portland / Baker intersection, create complex set of traffic movements





with a very high number of potential conflict points and a poor safety record.

Historical collision statistics for these intersections suggest about **156 collisions were reported in the vicinity of these intersections between 2018 and 2024** (about 26 collisions per year on average). Many of these collisions can be attributed to the complexities experienced by drivers through these intersections. The road network proposed for this development in combination with intersection options identified in the Portland/Cole Harbour Road functional study can, and should be integrated to help resolve these complexities and improve safety and operational performance. Such benefits are expected to improve conditions both internally to the site and through the adjacent intersections near the site.

The two figures on the facing page show the proposed preliminary intersection options included on the HRM website to address intersection and access options in the area. These options should be reviewed in the context of the proposed development and site transit requirements.

Trip Generation

Preliminary trip generation estimates were prepared for the proposed development and included the removal of existing traffic associated with the existing commercial land uses, and the addition of the new mixed-use development, which included

both residential and commercial land uses. These preliminary estimates suggest that total volumes to and from the site will be similar in magnitude and characterized by increased volumes during the AM peak hour and decreased volumes during the PMP hour.

	Daily		Weekday AM Peak		Weekday PM Peak	
Existing	2700	2700	175	100	515	255
Proposed	3874	3874	175	401	398	301
Difference	1174	1174	0		-117	+46

Modal Share

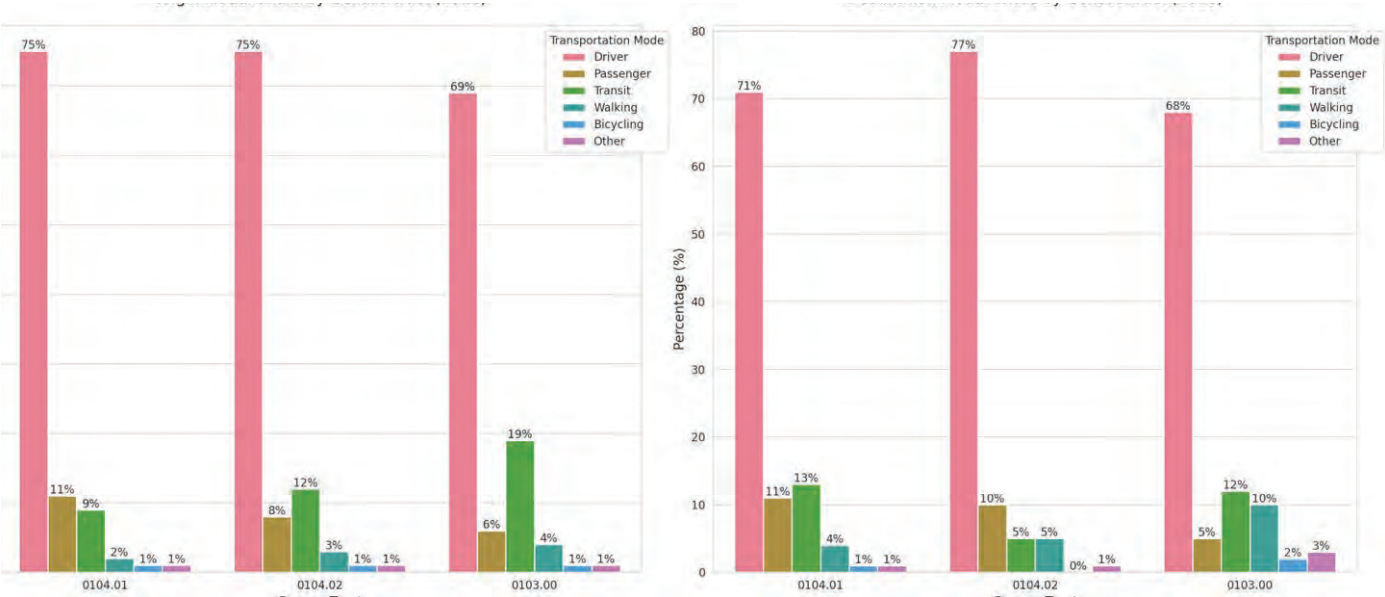
These estimates include adjustments for on site synergies and a shift in person trips to transit and active transportation modes of travel. Both have the potential to be significant given the location of the site. HRM's open data portal provides estimates of 2016 model share distribution as represented in the figures below.

Census Tract 104.01 includes the development site, and Census Tract 104.02 is situated on the south side of Portland Street, both located outside the Circumferential Highway. Census Tract 103, located inside the Circumferential Highway and experiences higher active transportation, and lower driver modal shares due to its closer proximity to

downtown and core employment areas. The higher levels of active transportation travel just inside the circumferential Highway suggest that the proximity of the development to the core areas of downtown Dartmouth has the potential to increase active transportation usage as compared to areas further outside the circumferential Highway. This assumes safe and convenient, active transportation conveyance across the Circumferential Highway, and uninterrupted AT routes to the downtown core.

This location is well located on existing Portland Street transit routes, including the BRT

“Red Line” service. The future transit priority corridors identified along Portland Street in the vicinity of the development and towards the downtown core provide increased opportunity for a higher density development such as this to access and utilize transit services. There is also potential that this site could serve as a minor transit hub, collecting ridership from Woodlawn, Baker and the abundance of surrounding commercial and residential areas near this site. As such, it will be important to identify potential transit stops and transfer locations to help support increased transit ridership.



1.2

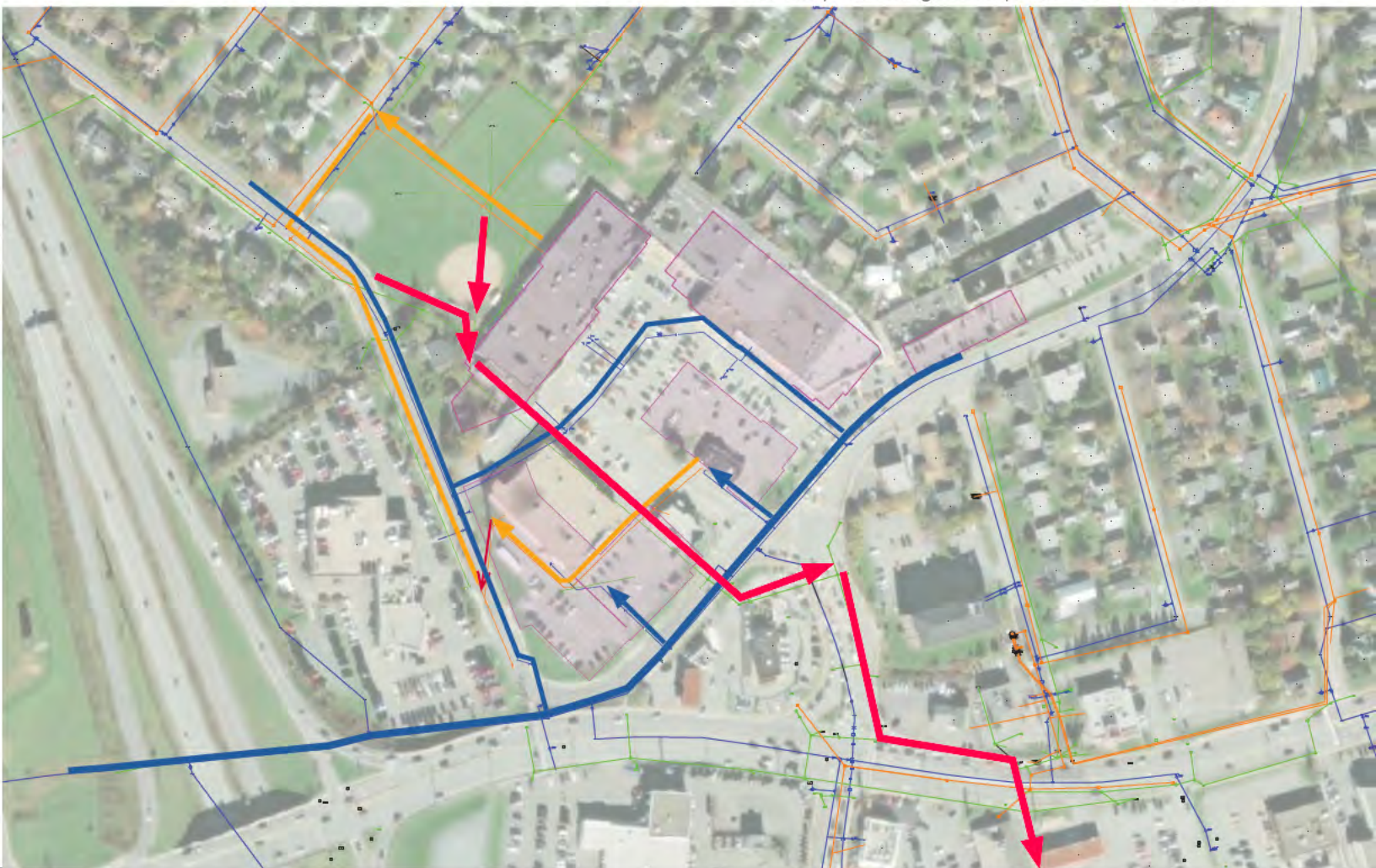
Servicing

Existing municipal servicing data was obtained from Halifax Water in order to better understand current infrastructure that is present in the vicinity of the development. The figure below shows existing and proposed building locations (MAGENTA) along with existing municipal services including Sanitary Sewer (ORANGE), Water (BLUE) and Stormwater (GREEN).

Sanitary Sewer - Two existing pipes service the existing development and are directed to the Dartmouth Wastewater Treatment Facility. This includes a connection to a 375 mm concrete pipe running north along Athorpe Drive that is pumped

from the existing site to the main, and a gravity feed from the back of the existing Giant Tiger building, across the sports field to Lawson Avenue discharging to a 450mm concrete sanitary main. The majority of pipes were installed around 1970.

Existing design flows from the site are relatively low given the primarily commercial nature of the site. Future sanitary flows are estimated to be in the range of 60 to 70 litres per second under full buildout conditions. The existing pipes in the vicinity of the development appear to be of adequate size to accommodate the proposed development. Future sanitary servicing will require the removal and



reconstruction of most existing site sanitary services and will likely still require a pumped solution for portion of the development. A detailed downstream wastewater analysis has not been completed at this time.

Domestic and Fire Water - A 600 mm cast iron transmission main (installed 1952) is present along the south side of the development running along Woodlawn and Athorpe Drive to a crossing of the Circumferential Highway. Three separate service connections are provided to the existing commercial site from this main as well as connection to a 200mm residential water distribution main (installed in 1970) running north along Athorpe Drive. The eastern most site service connection and the Athorpe distribution main connect to form a service loop through the development site. Current site design suggest that the majority of these site service could remain in place.

Municipal water design flows are generally governed by fire flow requirements and preliminary calculations suggest that design flows would likely increase from about 230 litres per second for the existing commercial development to about 250 litres per second under the proposed mixed residential / commercial development scenario.

Stormwater - The existing site is nearly completely covered by asphalt parking lots and buildings, suggesting rapid discharge of stormwater during storm events. Detailed analysis has not been undertaken at

this time to determine whether existing stormwater management features are in place on the site to manage stormwater under larger storm events.

Stormwater is generally conveyed from areas north, and from within the development site through a 1050 mm concrete stormwater main running through the middle of the site, just east of the existing Staples building. This water travels through a series of municipal pipes, south across Portland Street discharging to Russel Lake about 300 meters south of the site.

It is expected that the proposed site will incorporate significantly more green space and a variety of stormwater management features that will enhance the stormwater management capabilities of the site well beyond what is currently present or achievable on the existing site.

Conclusions

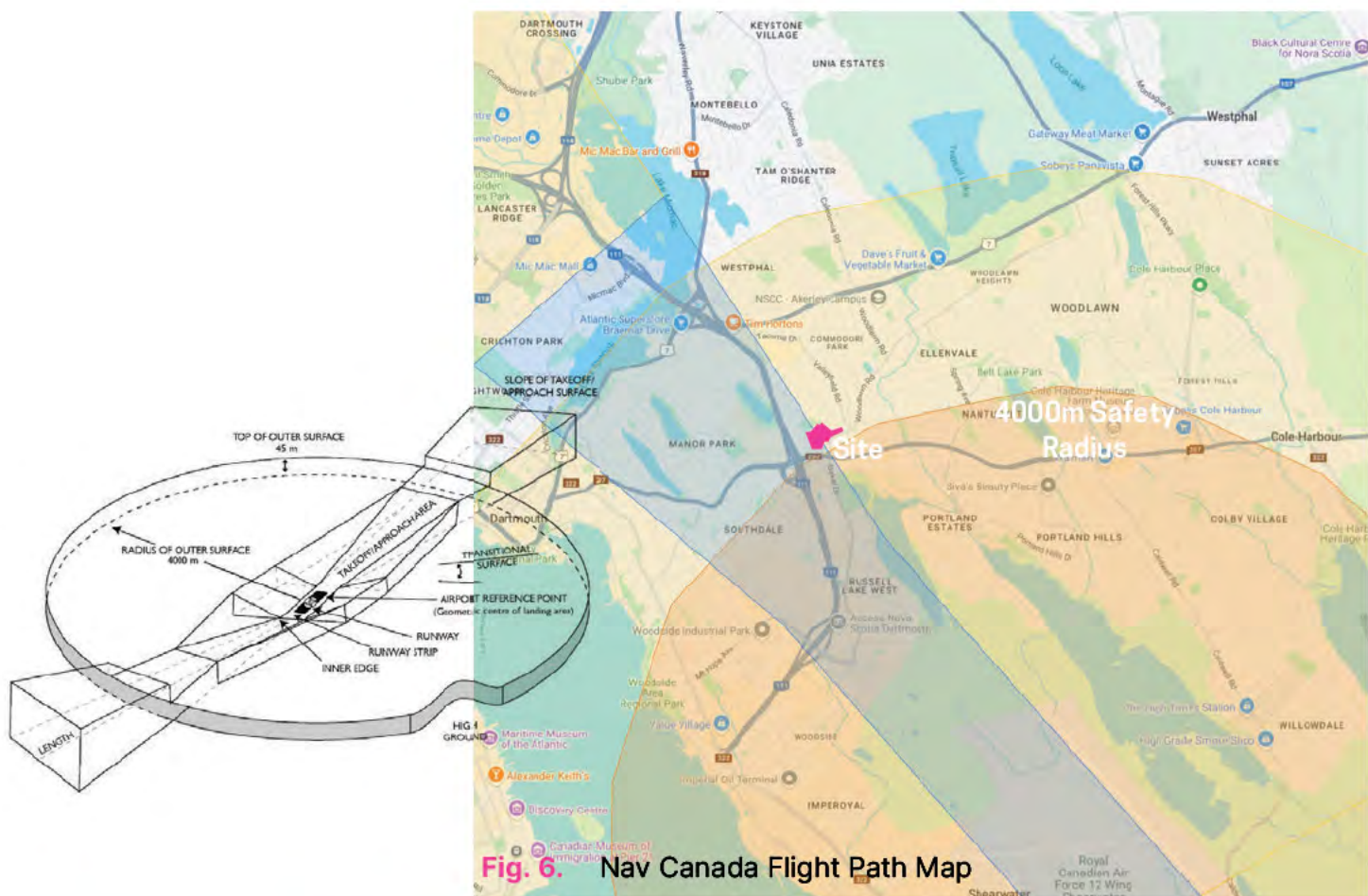
Given the site's location in an established commercial and residential area, the development is well served by existing municipal infrastructure. There do not appear to be any impediments to utilizing existing infrastructure to service the proposed development, though a number of on-site relocations or replacements of existing site infrastructure will be required. It is also anticipated that a new sanitary pumping station will be required within the site to accommodate wastewater flows from some of the new buildings.

1.3

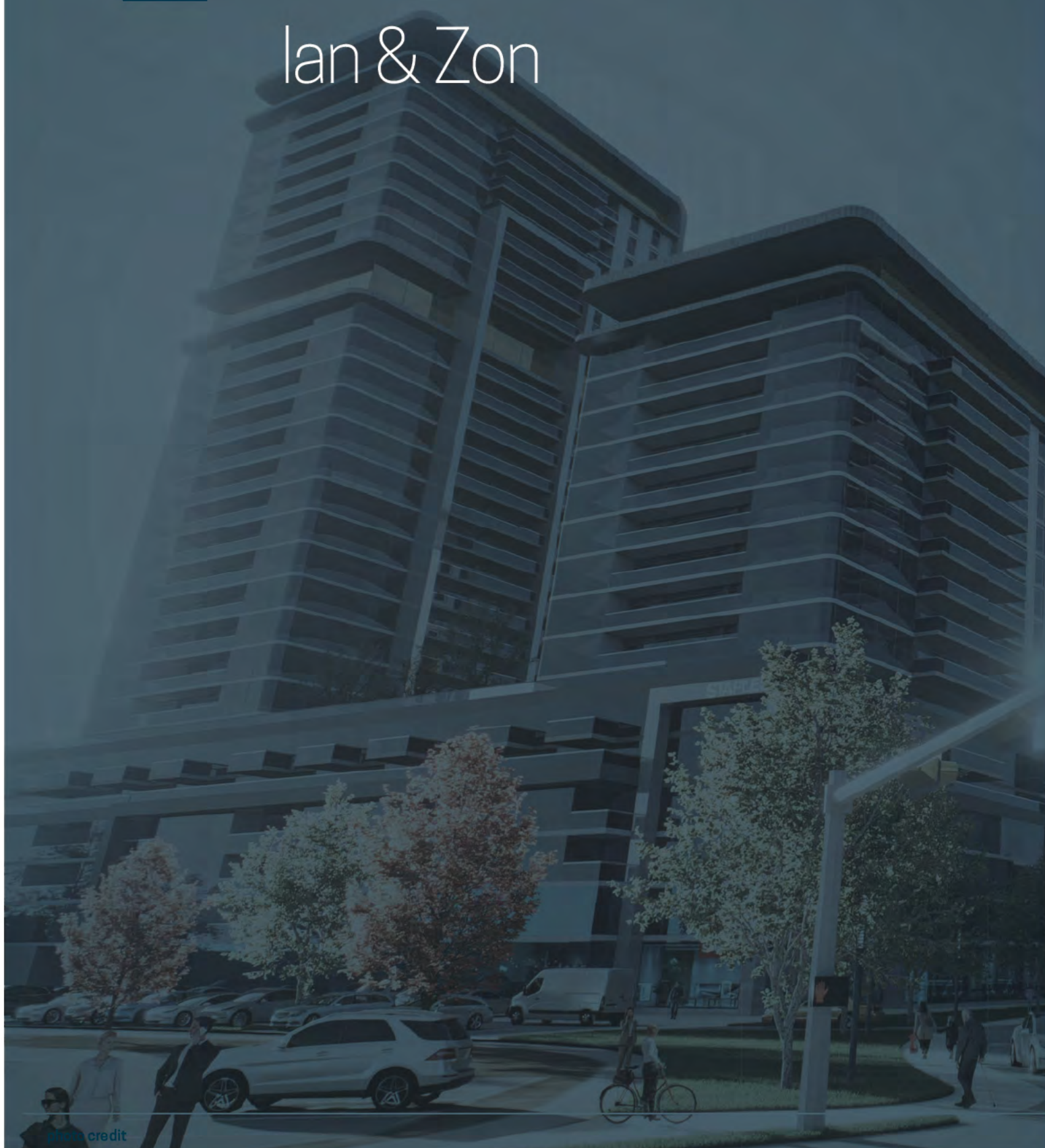
Nav Canada Analysis

A portion of the west side of Woodlawn Mall is in the flight path of the Shearwater Airport. Though the airport has been closed for many years, the flight path has not been formally dissolved. The site is approximately 3.3km from the end of the Shearwater runway and the site is within 2m of the elevation of the runway. Assuming a tallest building height of 30 storeys (100m), this represents a slope of 0.3% or 0.174 degrees. Since most planes land at an angle of 3 degrees, a 30 storey building should be well below the flight path of a landing plane.

We have submitted a formal request of Nav Canada through their Land Use evaluation process back on Jan 9 and we are awaiting final confirmation.



Ian & Zon



2.1

Existing Conditions

The Properties

The land parcels include PIDS 40610719, 41041096, 41481573, 41481565, and 00230516 (a single detached property) totalling 10.3 acres. The land would be developed in a phased fashion, as leases on existing commercial uses become due. The most pressing lease is the Staples site which comes due in 2026. Generally the site will be developed from west to east over time.

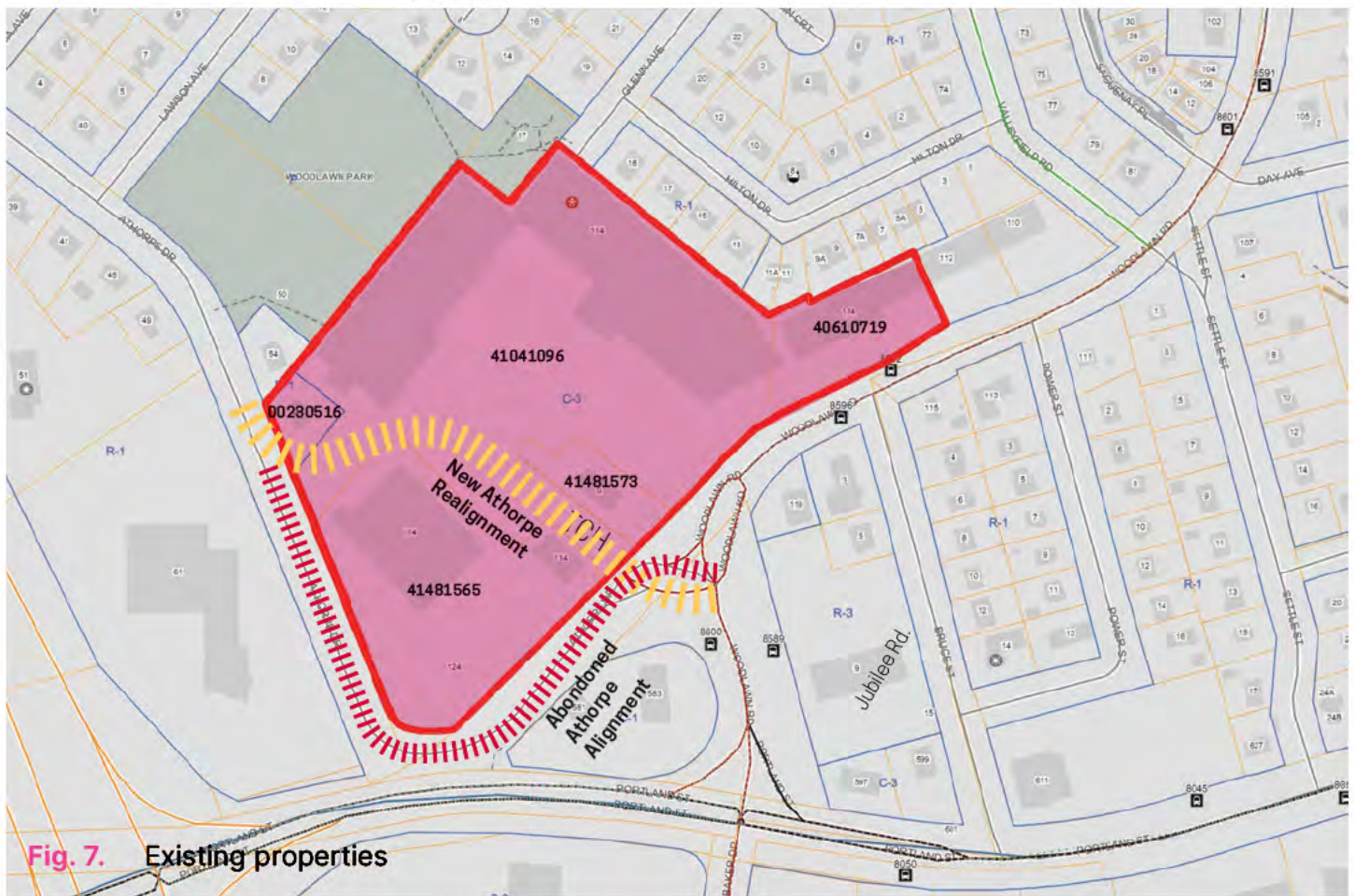


Fig. 7. Existing properties

Resolving the Athorpe/Woodlawn Intersection.

The Master plan revolves around solving the dangerous Athorpe/Woodlawn Intersection; realigning the road through the centre of the site and abandoning the U-shaped alignment which touches Portland Street. The plan imagines a land swap between HRM and the developer to realign the street on the east side of Staples. This alignment brings back a 3-legged T-intersection which creates a new urban street through the centre of the development which would include onstreet parking and wide sidewalks on both sides of the street. The AT lane could continue along Athorpe as proposed

in the Dartmouth East AT Functional Plan. Access to the Dartmouth Dodge Site could be preserved with an easement along the old Athorpe alignment, however, it would be much safer to access the dealership site from the north side of where the Athorpe re-alignment starts. The old south alignment of Athorpe would be reserved for some onsite parking for the new development and for the AT lane proposed in the functional plan.

There is some flexibility where Athorpe could be realigned and if the remaining single detached home was purchased by HRM or the developer, it would reduce the tight S-curve to the north of Athorpe. The

developer would expect HRM to build this new leg of Athorpe or partner with the developer. The road would be deeded to HRM upon completion.

It is important to note that the plan does not hinge on realigning Athorpe. The existing configuration could be maintained if HRM did not see the benefit of its realignment. Generally, the plan would be implementable as the roads are configured today, and what is proposed as a road would be converted to a private driveway. We believe that HRM will subscribe to the many benefits of its realignment.

2.2

Master Plan

The master plan images a mixed use, transit oriented development, with groundfloor commercial in a premium outlet style. The Toronto Premium Outlets (TPO) is a model development that creates an outdoor mall to access premium outlets like Nike, Dior, Louis Vutton, etc. The signature outdoor spaces form the backbone of the outlets. Unlike the TPO, this development will include substantial housing, potential for professional services office spaces like doctors or physiotherapists, and more urban format retailers like those in Liberty Village Toronto.

Fig. 8. Toronto premium Outlets



Fig. 9. Liberty Village Toronto





Fig. 10. Master Plan



Playground

Glen Avenue

Hilton Drive

Valleyfield

K

I

Service Lane

Rooftop Parking
(3 levels)

H

J

Evolve Fitness

Urban Plaza

Linear
Courtyard

G

F

Woodlawn Road

New Athorpe Alignment

A

Wendy's

Ultramar

Woodlawn Road

Bruce Street

land Street

Staples Redevelopment (Phase 1 and 2)

The Staples lease is due in 2026 and while the retailer would like to stay at this location, they need a better understanding of their future options in the very near future as this store is aging and requires investment if it is to stay in this location. The retailer is excited about a mixed use urban format as shown in this development concept. They are prepared to reduce their footprint from 28,000 sf to about 15,000 sf.

The plan shows a new Staples urban format integrated into Phase 1 of the master plan. In this phasing, the existing Staples building can be preserved until phase 1 is complete before moving into the new store location. Phase 1 includes 2 towers (28 storeys and 15-storeys) and a 5 storey midrise podium with a total unit count of 470 units plus the new Staples.

Once Phase 1 is complete, the existing Staples building can be demolished to make room for another 21-storey tower (260 units) and an additional 10,000 sf groundfloor commercial development. It may make sense to undertake phases 1 and 2 together if Staples cannot be secured in the new development. The staples site is currently 2.5 acres.

The new Athorpe realignment would not necessarily have to be completed before completing the new road.

Giant Tiger Redevelopment (Phase 3)

Giant Tiger has been an anchor retailer at Woodlawn since 2011. It draws from a large catchment throughout HRM and it is one of 5 locations in HRM. The Giant

Tiger lease will be coming due in 2028 and makes a logical third phase for redevelopment. In 2024, the Diab's secured 58 Athorpe just beside Giant Tiger and this R1 zoned parcel would likely be included in the redevelopment parcel of Giant Tiger.

This site is large enough for a 4-storey streetwall podium and two towers (16-storey and 12-storey). A 2 storey parking garage would be built under the new building. Parking access would be via 58 Athorpe. The entire groundfloor of this new development would be reserved for commercial; potentially a new urban format Giant Tiger is a temporary location can be secured. There is room for Giant Tiger to be moved into the phase 2 commercial space.

Harveys Redevelopment (Phase 4)

The old Harveys site could anchor the new re-aligned Althorpe Drive bookending the new Staples redevelopment. Like the Giant Tiger redevelopment, this site is large enough to support a 5-storey street-wall podium with two towers above it (15-storey and 25-storey). One side of the development fronts on Althorpe and Woodlawn Road and the other side of the development fronts onto the new Linear Courtyard providing a total commercial groundfloor area of 3,400 sm and a residential count of 365 units above. There would be 2 storeys of parking below this site.

Much of this site was infilled in the past as it was a lowlying area (potentially a wetland) prior to the 1950's. As such, there could be geotechnical and drainage issues. As a result, it may be beneficial to

raise the new Althorpe road by upwards of 2m above existing grade to reduce the amount of cut for the 2 storey parking garages.

Bulk Barn (Phase 5)

Bulk Barn is the largest anchor in a cluster of retail stores in this leg of the mall. This site imagines a 4-storey streetwall, with a full groundfloor of commercial and potentially some parking tucked in behind the commercial on level 1. There will be 2 storeys of Parking below this site. There will be an additional 3 storeys of parking above the groundfloor commercial but located behind the single loaded residential facade so that it is not visible from the linear courtyard or from the street. This above grade parking will likely be dedicated to all the commercial developments in this project with about 250 parking spaces over the 3 storeys. Access to the parking will be from Woodlawn Road at a location that is at least 100m from the signals at Althorpe. This location will provide access to all 5 levels of parking at this site.

This site will also support two smaller high rise towers (13 storey and 9 storey) stepping down the height from the centre of the development as it borders the single detached residential to the east. Towers are setback from the rear property line by at least 15m to reduce the impacts.

Vogue Optical Site (Phase 6)

This site will be redeveloped to bring the building closer to Woodlawn Road to make the neighbourhood more walkable and to hide the parking in behind the building further separating the new 5 storey building from the single detached residential to the north of the site.

Part or all of the groundfloor could be commercial retail to replace some of the retail lost when the site is redeveloped. We anticipate 1 or two storeys of parking below this new building with potential access from the phase 5 building to the west. This new building will support up to 46 units and 1100 sm of retail.

Planet Fitness (Phase 7)

As the newest lease at Woodlawn Mall, Planet Fitness has invested over \$1m in renovations over a 20 year lease and as such, this site will be the last to be redeveloped in phase 7. This site imagines a 2 storey streetwall podium with a single 7 storey tower near the end of Glen Avenue. There will be 2 storeys of parking below this building with access into the parking garage off the end of Glen Avenue. The future development will support 7- units and about 1800 sm of groundfloor retail.



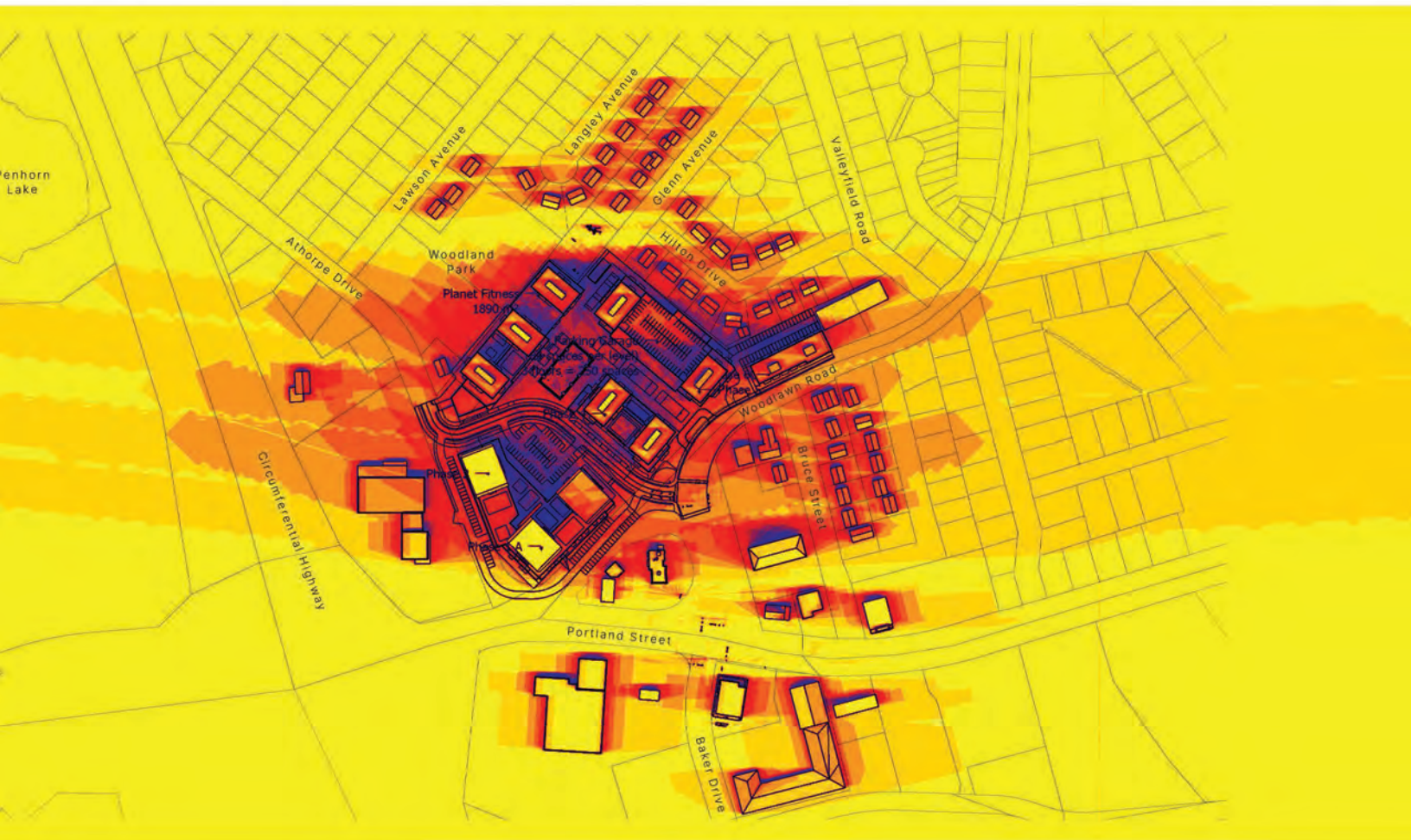
Fig. 11. Phasing Plan

Phasing

The master plan shows 7 phases of construction over the life of the project. These phases consider the existing lease periods of the existing mall tenants with the most recent lease coming due in 2026 for Staples. The Staples site has been broken into 2 phases to allow the existing Staples building to be maintained during the construction of phase 1, and then they can move into a new Staples format once phase 1 is complete. We expect phase 1 will take 3 years to complete and phase 2 will be an additional 2 years. Phase 3 could start at the same time as phase 2 if financing can be secured for both phases 2 and 3. Phase 3 will take 3 years. Each of the consecutive phases will likely take 3 years to complete with a total buildout over the 7 phases of around 20 years. This period works well with existing leases and many of the existing tenants will be given the option of moving into a previously constructed phase

prior to the demonition of their existing facilities once their leases are up. The following is a rough timeline for the phasing and buildout of the project, assuming the planning can be approved by 2026:

Phase	Years to Complete	Year of Completion
Phase 1	3 years	2029
Phase 2	3 years	2032
Phase 3	3 years	2035
Phase 4	3 years	2038
Phase 5	3 years	2041
Phase 6	2 years	2043
Phase 7	3 years	2047



Fathom

Shade Study

A shade study was performed analyzing the hourly shade impacts of the buildings proposed in this development on Sept 21 and March 21 (equinox). The results show that the Penhorn Lake shade protocol area is not impacted by the development. At the same time, many of the R1 homes to the north of the development have little or no shade impacts from the proposed development.

The diagram represents the hourly shade impacts with yellow being the least impacted (no shade impacts) and then a range of colours from orange to red to purple then blue for more significant impacts. The blue areas represent the most shade with almost 12 full hours of shade, the red represent about 5-7

hours of shade, and the orange represents 1-3 hours of shade per day.

Generally speaking, only a few homes on the south side of Hilton Drive and a few homes on Bruce Street are impacted by the development for more than a few hours a day.



Fig. 12. Pro Forma Buildings

Plan Proforma

The master plan shows a cluster of 5 buildings phased over 7 phases of construction. Some of the clusters contain multiple towers of 2 or 3 towers per cluster.

The plan includes a total gross floor area (excluding parking) of 182,437 m² which is broken down into a residential GFA of 162,686 m² and a commercial GFA of 19,751 m².

Assuming an average unit size of 80m², the total number of units in the development is about 1670 units. Each unit will include a minimum of 7 m² of amenity space which includes a minimum of 40% indoor amenity space in each building. The remaining amenity space will use outdoor space, rooftop space

and patio spaces to meet the requirement. The Floor area ratio for the entire development will not exceed 4.4 and the density of the development is about 162 units per acre. These figures are consistent with other urban mall redevelopments in HRM.

Total GFA	182,437 m ²
Total RES GFA	162,686 m ²
Total Commercial GFA	19,751 m²
Res Plate Efficiency	82%
Avg Unit Size	80 m ²
Total Units	1667
Total Lot Area	10.30 acres
Density	161.8 UPA
Surface Parking	165 no.
Parking Garage	1,400 no.
Total Parking	1,565 no.
Parking Ratio	0.9
FAR	4.4

Fig. 13. Development Pro Forma

Phase 1 - Front of Staples

Building	Total Storeys	Parking	Commercial		Lowrise (6-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-2												
A	17		2	3,168	5	1,799	8,995	10	910	9,100	18,095	185	52.5
B	29		1	268	5	1,379	6,895	23	910	20,930	27,825	285	88.5
Total				3,436			15,890			30,030	45,920	470	

Total GFA 49,356

Phase 2 - Staples

Building	Total Storeys	Parking	Commercial		Lowrise (6-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-2												
C	22		1	1,530	5	2,218	11,090	16	910	14,560	25,650	263	67.5
Total				1,530			11,090			14,560	25,650	263	

Total GFA 27,180

Phase 3 - Giant Tiger

Building	Total Storeys	Parking	Commercial		Lowrise (5-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-2												
D	17		1	3,233	4	2,416	9,664	12	760	9,120	18,784	193	52.5
E	13						0	8	760	6,080	6,080	62	40.5
Total				3,233			9,664			15,200	24,864	255	

Total GFA 28,097

Phase 4 - Harveys

Building	Total Storeys	Parking	Commercial		Lowrise (5-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-2												
F	16		1	3,377	5	2,562	12,810	10	760	7,600	20,410	209	49.5
G	26						0	20	760	15,200	15,200	156	79.5
Total				3,377			12,810			22,800	35,610	365	

Total GFA 38,987

Phase 5 - Bulk Barn

Building	Total Storeys	Parking	Commercial		Lowrise (5-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-1												
H	13		1	5,230	3	2,664	7,992	9	760	6,840	14,832	152	40.5
I	10						0	6	760	4,560	4,560	47	31.5
Total				5,230			7,992			11,400	19,392	199	

Total GFA 24,622

Phase 6 - Vogue

Building	Total Storeys	Parking	Commercial		Lowrise (5-storeys)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-1												
J	5		1	1,125	4	1,125	4,500				4,500	46	16.5
Total				1,125			4,500			0	4,500	46	

Total GFA 5,625

Phase 7 - Planet Fitness

Building	Total Storeys	Parking	Commercial		Lowrise (1-storey)			Towers			Total Res GFA (m ²)	Res Units	Height (m)
			Storeys	Total GFA (m ²)	Storeys	Lowrise Plate (m ²)	Lowrise GFA (m ²)	Storeys	Towers Plate (m ²)	Highrise GFA (m ²)			
Underground Parking	-1												
K	1		1	1,820				6	1,125	6,750	6,750	69	4.5
Total				1,820			0			6,750	6,750	69	

Total GFA 8,570



Fig. 14. Open Space Plan

Open Space

The master plan includes over 8,000 m² (2 acres) of open space which represents almost 20% of the 10.3 acre site area. This space is intended to be woned and managed as private open space rather than as parkland dedication. The open space connects the end of Glen Avenue to the centre of the development. Currently, this end of the street terminates in the back of the mall but it is psoposed to extend through to the cenrrre of the ruban space creating a courtyard into the development and a proper terminus for the street. This area will likely include collapsable bollards so that temporary access for vehicles can be secured for vehicles during certain events.

Urban Plaza

The Main urban plaza is a large central space designed

for year round events including outdoor markets, small performances, skating in the winter, fountains and splash pads, specialty lighting and seating around the edges, and a host of other facilities for special events. This area is over an acre in size, and will contain a mix of softscapes and hardscapes to allow for flexible programming. The urban plaza will be completed when buildings D-G are completed.

Linear Courtyard

The linear courtyard is 24-28m wide space with groundfloor commercial on both sides. This leanr space will be programmed for seating and smaller event spaces. It will be lined with small flowering trees to provide a shade canopy and will have ample seating and lighting.



Fig. 15. Glen Avenue Courtyard connection to the Urban Plaza



Fig. 16. Main Urban Plaza looking back at the Linear Courtyard



Fig. 17. Linear Courtyard looking towards Woodlawn Road



Fig. 18. Linear Courtyard looking north from the drop off area on Woodlawn Road



Fig. 19. Linear Courtyard and Urban Plaza looking south



Fig. 20. Main Urban Plaza with realigned Althorpe in the foreground.



Fig. 21. Parking Arrangement

Parking

With excellent transit and At service, this development is considered a "Transit Oriented Development" (TOD) and will not require typically high parking ratios. Most urban developments in HRM require 1-1.3 parking ratios (the number of parking spaces per unit), but in the case of this development, we anticipate a substantially reduced parking demand in the range of 0.6-0.9, making the development substantially more affordable. The significant groundfloor commercial in the development (upwards of 19,700m² or 210,000 sf) will require approximately 3 spaces per 1,000sf or about 650 spaces dedicated to commercial.

Most of the parking will be located underground (shown in grey above), or in the case of buildings H and I, there is an opportunity for 3 storeys of rooftop park-

ing above the groundfloor commercial, solely dedicated to commercial parking.

The underground parking entries are distributed throughout the development so that traffic in and out of the each building is distributed on the surrounding street networks including Woodlawn Road, Althorpe, and Glen Avenue. Parking entries are shown in red triangles on the plan.

The plan also shows some onstreet parking on Althorpe to reduce vehicle speeds and provide some sidewalk buffering for pedestrians.

A few other smaller surface parking lots are shown to make the groundfloor commercial feasible. Most retailers require some visible and accessible parking as a contingent lease requirement.



Fig. 22. Building Height and Streetwall Height. Tower height noted excludes streetwall height.

Building Height

The buildings range in height to create a diverse skyline but generally the heights step down to the neighbourhoods to the north of the site. The heights have been strategically designed to reduce shadow impacts on the surrounding singledetached homes to the north and east of the site.

The tower heights represent sum of the midrise plus the high rise so that Building B, the total height is 28-storeys (5 midrise plus 23 highrise). Towers B and G are the tallest in the development at 28 and 25 storeys respectively.

The maximum tower plate in the development is 1125 m² with taller towers reducing in plate size to 910 m² and 760 m². These result in more slender

towers that reduce the wind and shadow impacts. All towers will have a base, middle and top to provide vertical articulation to the tower forms. The minimum tower separation will be 23 m though most towers have a greater separation.

Streetwall Height

Every street front will have a midrise streetwall with a minimum stepback of 4m. There will be some internal stepbacks as well to reduce the impact of the tower downdraft wind on the surrounding public spaces. Streetwalls must encompass no less than 70% of the streetwall. The streetwall heights range from 2 to 5 storeys with lower heights as the buildings get closer to the north side of the site near the single detached homes.



Fig. 23. Building Massing looking north



Fig. 24. Building Massing Looking East



Fig. 25. Building Massing looking south



Fig. 26. Building Massing west from Portland Street



Fig. 27. Rendering from Woodlawn Road into the newly realigned Althorpe





Fig. 28. Rendering from the newly realigned Althorpe from the Staples site



2.3

Development Pathways

Rezoning Pathway

The land is currently zoned as C-3 which permits all “C-2 uses as herein set out, excepting therefrom any residential uses”. The C-2 zone permits R-3 uses which allow multi-family developments by development agreement. The “Commercial” chapter of the MPS sets out more traditional commercial uses, but allows for site specific mixed use developments in areas like Main Street, the Penhorn Mall site, Waverley Road, etc. MPS amendments are currently frozen until the Suburban Plan is released so there is no opportunity to create a site specific mixed use residential development on C-3 zoned land for the Woodlawn Mall site.

We believe there may be an opportunity for a simple zoning change to remove the “excepting therefrom any residential uses” from the C-3 zone. Of course this change would apply to other C-3 zoned properties in Dartmouth but there is only a handful of these properties mostly along Portland Street that would apply. From a policy perspective, there is no policy specifically restricting mixed use development in the Commercial chapter of the MPS, so we don’t believe there is a need for a plan amendment to implement this zoning wording change to the C-3 Zone in the LUB. From a land use and market feasibility perspective, many old shopping mall sites like Woodlawn Mall are advancing mixed use developments like the one proposed in this report, so many municipalities are moving away from single use commercial zoning in favour of mixed use zoning that requires groundfloor commercial uses with the opportunity for upper storey residential above.

Rapid Transit Plan

The Rapid Transit Strategy (May 2020) established 5 BRT corridors including the Red line which extends

along Portland Street close to Woodlawn Mall. Figure 37 of the RTS identifies Woodlawn Mall as a potential Transit Oriented Community. Policy 5.4 of the RTS sets out that:

“The highest mixed-use densities should be directed to areas within 400 metres of Rapid Transit stations, with moderate densities up to 800 metres. This approach will support the Rapid Transit Network by encouraging the development of compact, complete communities served by frequent transit, allowing people to work, shop, and play close to where they live.”

The Woodlawn site is within 400 metres of a rapid transit station along the Portland Red Line. It is our understanding that this policy will eventually be implemented into the regional plan and then down to the regional centre plan MPS/LUB in future amendments.

Growth Area Pathway

Growth areas like Bedford Common, Exhibition Park, Micmac Mall, Strawberry Hill, Lake Loon/Golfview Drive are special areas within the serviceable boundary of HRM that have been identified for growth that require a special type of development agreement submission format (land suitability analysis) to establish the highest and best use and arrangement of land uses and roads within a larger site. To our knowledge, there are no regional plan policies or MPS policies that establish what lands can be considered for a Growth Areas. Initially, our team had been working towards a Growth Area pathway for Woodlawn Mall, but that option seems to have fallen off the table during our last meeting. We believe this pathway is the most suitable one to address the range of issues that would arise from this redevelopment.

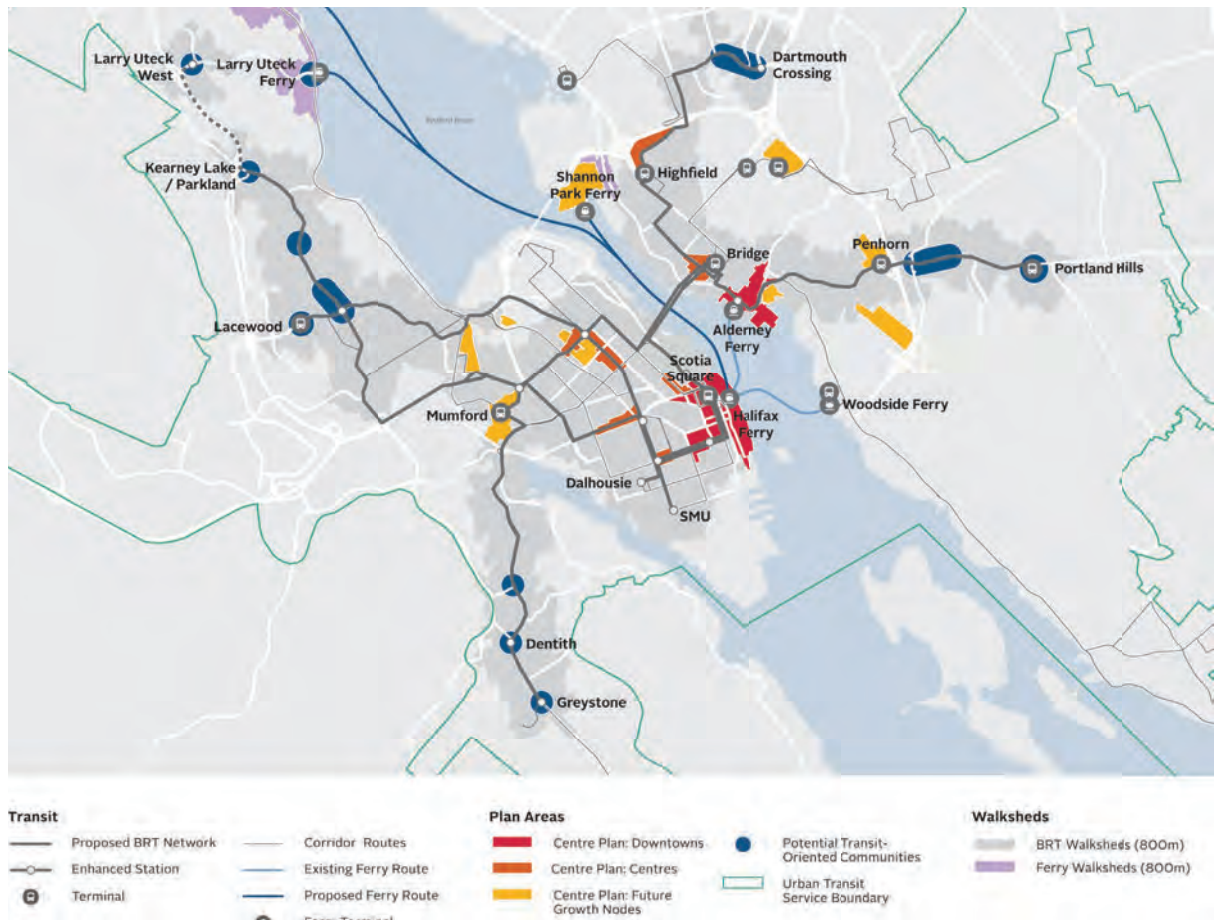


Fig. 29. Figure 37 of the RTS : Rapid Transit walksheds with Regional Centre growth areas and potential transit-oriented communities



Fig. 30. Red Line Map of the RTS showing Woodlawn as a 2-way standard station close to the Penhorn Station.

Special Planning Area

The province could designate these lands a special planning area that would require HRM to consider this development through a development agreement. The owners have been looking into this option in discussions with the province, but obviously we would prefer to find a pathway that works for HRM.

The Need for a Pathway

We require some assistance from HRM in determining the most viable pathway to advance this file expeditiously. As part of this pathway, we also require more detailed submission requirements so we can formally submit an application.



Amendments to Halifax Charter's Minimum Planning Requirements

Minimum Planning Requirement	Public Health Comments
(a) Housing Supply Priority include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;	Public Health recognizes the urgent need to expand the housing supply. From a population health perspective, it will be important to balance the urgency to build housing without sacrificing the value of a) meaningful community engagement; b) complete community planning; and, c) protected park and natural areas. These principles are critical to supporting community health and health equity. ^{1 2} Without balancing these priorities there is risk that development will lead to car-dependent communities that do not support active lifestyles, and the loss of green spaces critical to mental well-being.
(e) Suburban Plan Implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025 (<i>now extended to June 30, 2025</i>)	<p>Public Health supports HRMs approach to undertake a comprehensive planning and community engagement process in developing the Suburban Plan.</p> <p>Public Health recognizes the urgent need to expand the housing supply, however without meaningful engagement to inform planning in the suburban area there is risk of negative community health consequences for decades.³ Many studies highlight the importance of meaningful community engagement to support healthy community planning and decision-making.^{4 5 6} A risk of fast-tracking engagement and planning processes is that the input and needs of equity deserving communities are overlooked resulting in further marginalization and health inequity.</p>
(h) Unit Mix For residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;	<p>Larger multi-bedroom apartments/condominiums, while less attractive for developers, are essential housing options for families. Removing existing requirements for a specific number of 1, 2, 3+ bedroom units in residential buildings risks negatively impacting families by reducing their options for affordable and appropriate housing.</p> <p>Halifax has one of the fastest growing downtowns in Canada.⁷ Newcomer families often rent upon arriving in Canada. Additionally, families in general are increasingly choosing to</p>

	<p>raise children in compact walkable communities, which promotes healthier lifestyles and preserves ecosystem health by minimizing the need for greenfield development. Furthermore, future generations are more likely to live in multi-unit buildings across all life stages.⁸ Failure to accommodate a range of families' needs in the design and delivery of multi-unit housing now will have significant consequences for the future success of compact cities.⁹</p> <p>Public Health supports maintaining the dwelling unit mix provisions within HRMs Regional Centre Land Use Bylaw and the extension of these provisions to Suburban Plan areas.</p> <p>Other Canadian municipalities have gone further with unit mix policies. In New Westminster, a Family Friendly Housing Policy promotes a balance of unit mix and sizes, ensuring that residential developments include sufficient homes for families. Rental projects with 10 units or more are required to include a minimum of 30% two- and three-bedroom units, with at least 10% of total units containing three- or more bedrooms. Ownership projects with 10 units or more are required to include a minimum of 40% two and three-bedroom units, with at least 15% of total units containing three- or more bedrooms.¹⁰</p>
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References

- ¹ Mitchell, R., Richardson, E., Short, N. & Pearce, J. (2015). Neighborhood environments and socioeconomic inequalities in mental well-being. *Am J Prev Med.* 49(1): 80-4.
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[https://doi.org/10.1016/S0140-6736\(16\)30066-6](https://doi.org/10.1016/S0140-6736(16)30066-6).

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⁷ Canada's large urban centres continue to grow and spread. <https://www150.statcan.gc.ca/n1/daily-quotidien/220209/dq220209b-eng.htm>

⁸ Sophie-May Kerr. (2024). “[Planning for the inclusion of families with children in apartments](#)”, JMI Policy Insights Paper (2024).

⁹ *ibid.*

¹⁰ City of New Westminster. [Family Friendly Housing Policy, November 2024](#).



"for the use of the inhabitants of the town of Halifax as Common forever" (1763-2025)

Feb 24, 2025

Re: Minimal Planning Requirements submission

Please include the following comments on behalf of the Friends of Halifax Common.

We do not support any of the changes proposed under the province's Minimal Planning Requirements* for a variety of reasons:

Undemocratic: There has been no legitimate democratic process for public information, understanding or engagement. An on-line survey does not a city plan make. Residents of HRM have engaged for years to help regulate planning undertaken in the Centre Plan. Everyone may not agree but the outcome sought is a balance between public and private interests. These quick and reckless changes to HRM planning in addition to the recent HAF Centre Plan amendments are meant to further shut communication between residents and government, in this case with the majority of the public being totally unaware.

Planning Must be Strategic: Where and how development occurs should be integrated with infrastructure needs (roads, sewage, water); social needs (public transportation, schools, hospitals, fire & police, libraries, community centres, public open space, recreational centres) and commercial needs (food, services and other necessities). Complete communities also need thoughtful planning for inclusivity, all ages, all abilities. The proposed changes are haphazard and only about buildings, not how these mesh or integrate within what exists or who lives there. They dismantle present agreed upon rules, checks and balances. HRM plans must continue to regulate requirements for the number of bedrooms, amount of commercial space, number of parking spaces and seek a balance between housing requirements and other municipal needs. Any changes should be fully deliberated upon by citizens.

So, if the Centre Plan is inadequate, when is the formal review period? There are areas that need to be strengthened. Here are a few examples:

Climate Crisis: All planning must place the climate crisis front and centre. We know we need to stop emissions. Therefore we must stop emissions now, not at some future imaginary time. Buildings are responsible for approximately 40% of our greenhouse gas emissions. We are at a point in economic, social, cultural precarity where we cannot waste what we have and where we must take greater care with what we have. When

will HRM's Centre Plan require a carbon budget for all buildings? Why isn't this already an aim to have all new buildings be **carbon negative** (removing carbon from the atmosphere) or **carbon positive** (storing and producing more energy on site than the building requires and feeding it into the grid)? When will HRM's Centre Plan examine the relationship between building height and embodied carbon

Halifax Common, Public Open Space and Urban Forest: As HRM densifies the urban core there is ever greater use of existing public open space and need for more. Working with nature is an imperative for dealing with extreme weather. It is also vital to the physical and mental health of citizens. How and where does HRM plan new public green space-especially on the Peninsula? Why is HRM secretly planning for a stadium for a private corporation on the Wanderers Block outside of the planning process for the Halifax Common Master Plan, without any public consultation or financial analysis?

Cumulatively the development of towers around the Halifax Common impacts the available space not just by increased use but also from more shadow and wind. On private lands, mature hardwood trees are regularly cut for developments that once built have no public open space or landscaping requirements. This is especially true of streetscapes surrounding the Halifax Common where hardedge is the urban fashion but an eco-enemy: increasing heat island effect, reducing soil porosity; eradicating habitat. Public land is as vulnerable. The city's plans for Robie Street widening and bike lanes on the Halifax Common's University Avenue Boulevard regard trees as obstacles to be removed. Where is the protection for existing urban green space and trees?

Demolitions, Vacant and Public Land: Leading up to and post Centre Plan HRM has issued demolition permits to destroy thousands of affordable residential units. This is unnecessary as according to HRM staff there are 12,000 vacant lots within HRM. Demolitions also impact the climate as unnecessarily replace existing floor area unnecessarily uses materials and the energy along with the emitted GHGs to produce, transport and install these. How does HRM intend to regulate demolitions, protect existing housing, and require affordable housing (with a definition for what is 'affordable') in new buildings? How does HRM intend that empty land must be prioritized for development over any new demolitions? What is the lesson from the loss of Bloomfield, St Pat's Alexandra and St Pat's High Schools that HRM will take? Each sale is a betrayal of public trust and community interest. Will HRM plan for public land such as Cogswell and Shannon Park to be used for public purpose- family, social and affordable housing?

Building Scale: A scientific research paper I wrote "[Buildings for the Climate Crisis – A Halifax Case Study](#)" -uses preliminary assessments of GHGs associated with the demolition of existing low rise buildings and compares these to mid-rise and to high-rise for the Carlton Block development. It determined that the taller the building, the disproportionately greater the upfront/embodied carbon per square measure. That's from energy used for materials and products used in their construction such as concrete, steel, glass, aluminum. Taller buildings also use more operational energy per square measure (heating, lighting, cooling).

Other published papers by other authors underscore these findings.

Decoupling density from tallness in analysing the life cycle greenhouse gas emissions of cities, from a team led by Frances Pomponi, examines four basic urban typologies with a Life Cycle Emissions and Population Summary. It finds, High Density Low Rise (HDLR) has less than half the Life Cycle GHG Emissions (LCGE) per capita of High Density High Rise (HDHR) buildings.

High-Rise Buildings: Energy and Density by Professor Philip Steadman of UCL sets out existing evidence on density and energy use on built form and density. It describes mathematically how Courtyards are the best, Crosses next, and Towers are only the THIRD best form for density.

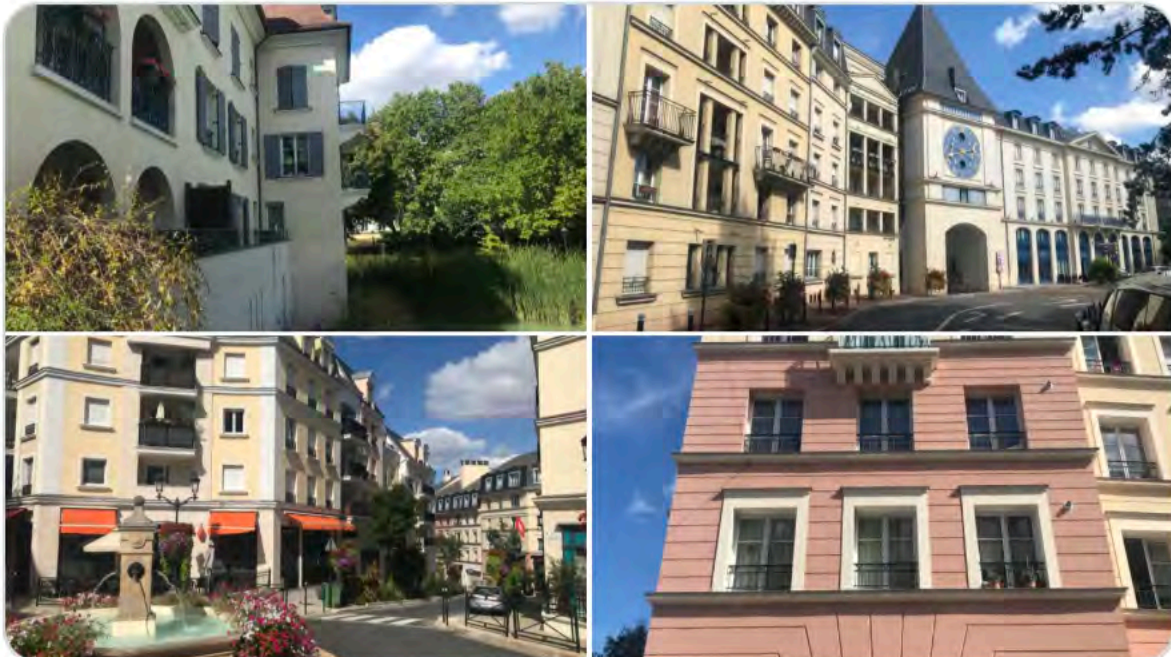
My report has many examples of smaller scale infill, add-ons to existing buildings. Why does the Centre Plan not regulate the built form so as to maximizes density but minimizes greenhouse gas emissions? Many cities are successful adding density in 4-6 storeys that compliments existing architectural style. Below are images of recent examples from Paris and Vancouver, including affordable units. Meantime until there is a formal, fully informed and public review process for the Centre Plan to determine what is working and what needs to be changed, none of the proposed changes* should be approved.

Best wishes,
Peggy Cameron
Friends of Halifax Common

createstreets  @createstreets · Feb 9



British developers, politicians & officials are entirely unaware of the sheer quality, traditional beauty & popular appeal of Paris's new suburbs, tripling density, respecting local preferences, creating sustainable new Gentle Density in communion with past, present & future.





Bryn Davidson @Lanefab @Lanefab · 2h

...

Why 'single lot'?

1. you don't have to compel adjacent owners to sell by offering much higher land prices vs what you might pay for a single lot
2. existing owners can develop with existing lower land cost
3. You get a mix of building types and ages
4. Change is incremental



Bryn Davidson @Lanefab @Lanefab · 20h

Happy Halloween!

Here are some spooky single lot, single stair buildings.

3 to 6 storeys, 6 to 24 units. ...

[Show more](#)



*The following proposed changes should NOT be approved.

- + Removing the bedroom count requirements until April 1, 2027. (i.e. the municipality can no longer require 2 or 3 bedroom units)
- + Removing on-site parking for residential uses within the Urban Service Area.
- + Reducing the amount of commercial space on the ground floor of a building until April 1, 2027.
- + Allowing temporary housing on or near construction worksites.
- + Allowing converted shipping containers as a dwelling or backyard suite.
- + Making housing a priority over other interests identified in the municipal planning strategy
- + Providing alternative density calculations for Conservation Design Development projects until April 1, 2027.
- + Convert height from metres and feet to storeys for apartments with more than 4 units.

February 24, 2025

Planning & Development Office
Halifax Regional Municipality
Via Email: regionalplan@halifax.ca

Subject: Cresco's Feedback on Minimum Planning Requirement Amendments and Request for Inclusion of West Bedford/Subarea 9

To whom it may concern:

On behalf of Cresco, we would like to submit our feedback on the proposed amendments to the minimum planning requirements, along with a request for specific considerations regarding West Bedford/Subarea 9.

Feedback on Proposed Amendments:

1. **Priority on Safe, Sustainable, and Affordable Housing (Section B)**
Cresco supports the requirement to prioritize safe and sustainable affordable housing in Halifax Regional Municipality's planning and decision-making processes. Additionally, Cresco endorses the establishment of formal mechanisms to expedite approvals, particularly for subdivision and infrastructure development.
2. **Infrastructure and Information Sharing (Section D)**
Cresco supports Halifax Regional Municipality's initiative to share infrastructure planning data with the province. Improved collaboration at this level is crucial to ensuring the effective deployment of infrastructure to support anticipated population growth.
3. **Commercial Space Requirement for Multi-Unit Residential Buildings (Section J)**
Cresco supports the reduction of the ground floor commercial requirement for multi-unit residential buildings that begin construction before April 1, 2027, from 100% to a maximum of 20%. While this change may impact some developments, Cresco recognizes the flexibility it provides. Although Cresco has chosen to include commercial space at Ocean Breeze, we understand that it is not a requirement. This amendment may also affect Dartmouth Shopping Centre, and we will assess the potential implications accordingly.

Request for Inclusion of West Bedford/Subarea 9:

In addition to the above feedback, we formally request that the following items apply specifically to West Bedford/Subarea 9:

1. Mixed-Use Development

Cresco advocates for the inclusion of provisions that permit residential uses in all zones, excluding those specifically designated for industrial, military, park, transportation reserve, and utility uses, as well as zones intended to protect the environment and water supply. Allowing mixed-use development on Hogan Court would align with Halifax Regional Municipality 's housing goals and optimize the use of commercial parcels in the area.

2. On-Site Parking Requirements

Cresco proposes that there be no requirement for on-site parking for residential uses within the urban service area. This flexibility would support more efficient land use and enhance the feasibility of developing mixed-use residential and commercial buildings, particularly in West Bedford.

We believe these changes will greatly contribute to meeting the Municipality's housing objectives while ensuring better utilization of land resources.

Thank you for considering our feedback and request. We look forward to your response and hope for a collaborative approach in advancing these amendments.

Yours Sincerely,

Cresco

40 King St.
Dartmouth, NS
B2Y 2R4

902-461-2525

Principal Planner
REGIONAL PLANNING TEAM | PLANNING & DEVELOPMENT
Halifax Regional Municipality

February 24, 2025

Minimum Planning Requirement Amendments Feedback

Dear HRM Regional Planning team,

This letter outlines our, Fathom Studio's, response to the Province of Nova Scotia's amendments to Halifax's Minimum Planning Requirements. We appreciate the opportunity to get involved and provide feedback. As a local architecture and planning firm, changes to HRM planning documents greatly impact our work as the majority of our projects are located within the Municipality. As practitioners dedicated to thoughtful urban design, sustainable development, and community-focused planning, we recognize the importance of establishing clear and effective policies that will guide Halifax's future growth. In this letter, we offer our comments on each of the proposed requirements, identifying opportunities and potential refinements to support a well-balanced and forward-thinking regulatory framework.

Minimum Planning Requirements:

(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;

HRM Approach: Include policy intent in the Regional Plan to increase housing supply.

Comments: We have no specific comments on this requirement at this time.

(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;

HRM Approach: Include policy intent in the Regional Plan to increase safe, sustainable and affordable housing.

Comments: We have no specific comments on this requirement at this time.

(c) permit residential uses in all zones, except for all of the following:

(i) areas zoned for industrial, military, park, transportation reserve and utility uses,

(ii) zones intended to protect the environment, water supply, floodplains or

another similar interest;

HRM Approach: Include policy intent in the Regional Plan, but no changes to land use by-laws proposed at this time. Future changes may happen through other planning projects such as the upcoming Suburban Plan.

Comments: We support the intent of Policy (c) to permit residential uses in all zones, except in specific areas designated for industrial, environmental, and other non-residential uses. However, we believe that restrictive interpretations of existing municipal policies, such as Policy H-3A in the Dartmouth Municipal Planning Strategy (MPS), prevent residential development in areas where it should otherwise be allowed, and we believe that this is an opportunity to highlight this matter.

A clear example of this issue is the Lake Loon Lands, where our recent Development Agreement (DA) submission was rejected due to an interpretation of Policy H-3A, which states:

“Prior to considering any agreement within a CDD, Council shall require a concept plan for the entire land holding.”

This policy was originally written for the Lancaster Ridge CDD and was not intended for the Lake Loon CDD, which did not exist at the time. However, HRM staff have interpreted it to mean that all landowners within the Lake Loon CDD must submit a single, coordinated master plan and Land Suitability Assessment (LSA) as a joint application. This approach creates significant barriers to housing development, particularly because many landowners in the CDD are small property owners—such as a single-family homeowner with a 7,500 sq. ft. lot—who have no interest in participating in this complex and costly process. Additionally, most of these landowners have direct street frontage and do not rely on a shared development framework for access or servicing.

As a result, despite the broader goal of Policy (c) to expand opportunities for residential development, the interpretation of Policy H-3A is effectively preventing it. To better align with Policy (c), we request that Policy H-3A be amended to remove the requirement for a concept plan covering “the entire land holding.” Alternatively, HRM should adopt a more flexible interpretation of the policy that allows individual landowners to submit their own LSAs and master plans for their respective properties.

Aligning the implementation of Policy H-3A with the intent of Policy (c) would remove unnecessary barriers to housing development while still ensuring thoughtful and coordinated planning.

(d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;

HRM Approach: Include policy intent in the Regional Plan to share information with the Province.

Comments: We have no specific comments on this requirement at this time.

(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar

area, no later than January 31, 2025;

HRM Approach: A revised work plan for the Suburban Plan is expected to come forward in Spring 2025.

Comments: The suburban plan is taking far too long, and the continued delays in the Suburban Plan process present significant challenges for development. With the latest HRM work plan pushing its timeline into Spring 2025, there is no clear end in sight, and the lack of progress has effectively stalled projects in suburban areas.

Compounding this issue is HRM's decision to halt all plan amendments until the Suburban Plan is finalized. This restriction places unnecessary constraints on development, preventing much-needed housing and infrastructure projects from moving forward. If meaningful progress is not made on the Suburban Plan in the near future, we strongly urge HRM to lift the restriction on plan amendments to allow critical projects to proceed.

(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;

HRM Approach: Adjust Regional Plan policy to provide alternative density calculations for Conservation Design Development projects until April 1, 2027.

Comments: We support the province's requested change for determining the maximum density of a Conservation Design Development based on a lot's gross area rather than its net area. This approach better reflects the true development potential of a site while ensuring that land conservation objectives are still met.

However, we strongly recommend going a step further by removing the existing unit caps imposed on Conservation Subdivision types. Currently, the CLASSIC model is limited to 100 units per property, while the HYBRID model is capped at 30 units per property. These restrictions severely limit the feasibility of conservation-oriented developments, particularly on large land holdings where a greater number of units could be accommodated while still preserving significant open space.

For example, our Granite Springs project spans over 500 acres and could reasonably support 400 units while adhering to conservation goals. However, due to the existing unit cap, we are restricted to just 200 units across two properties—a limitation that undermines the Province's objectives to increase housing supply while still prioritizing sustainable development.

(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;

HRM Approach: Include policy intent in the Regional Plan and adjust land use by-laws to convert height from metres and feet to storeys for medium and high density residential buildings.

Comments: We support the intent of Policy (g) to eliminate maximum height restrictions that negatively impact the density of residential buildings using

mass timber or other construction methods. Converting height measurements from meters/feet to storeys will help address challenges with achieving comparable densities, especially in mass timber buildings with deeper floor/roof structures.

While some zones have already adopted this change, many, like Downtown Dartmouth, still measure height from average grade in meters, which limits the density achievable using mass timber and, thus, feasibility.

Where mass timber construction is in line with the overall municipal and provincial mandates to pursue sustainable initiatives, we advocate for incentives beyond the proposed approach. With the National Building Code of Canada 2020 being adopted by the province on April 1st, 2025, and allowing 12-storey mass timber buildings in some instances (including residential use), it would further benefit the municipality and the province to incentivise mass timber construction by allowing 12 storeys buildings under the tall mid-rise built form.

The current regulations require additional setbacks/stepbacks for the high-rise built form. Once the additional setbacks are applied in zones scheduled for greater height, most projects are moving forward with the permissible taller concrete structures. For example, the Downtown Dartmouth zone is scheduled for 90 meters. Allowing 12-storey mass timber construction following the tall mid-rise regulations could incentivise mass timber construction in instances where taller concrete structures are possible.

Furthermore, project delays are often related to labour shortages. This is notable for the concrete trades as all major cities in Canada are experiencing the housing crisis and are building more residential buildings in response. An incentive for mass timber construction would diversify the construction industry, promote alternative construction methods, and make use of an existing skilled workforce. Additionally, the demand would potentially stimulate a new manufacturing industry in Nova Scotia, an industry closely related to our forestry and resource sector.

This item provides an unprecedented opportunity to achieve both municipal and provincial objectives while also addressing the housing and affordability crisis.

(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;

HRM Approach: Adjust land use by-laws to remove the bedroom count requirements until April 1, 2027.

Comments: The provincial amendments to the Minimum Planning Requirement Regulations (effective October 10th, 2024) noted the changes to be implemented by December 31st, 2024. Understanding the complexity of implementing such a task within this timeframe, the delay has nonetheless resulted in projects being held back. The situation is further complicated by upcoming building code changes.

Fathom is working on multiple projects that are adhering to this change with the intent of delivering projects starting construction by spring/summer 2025. They are currently on hold.

The provincial amendments to the Minimum Planning Requirement Regulations (effective October 10th, 2024) noted the changes to be implemented by December 31st, 2024. Understanding the complexity of implementing such a task within this timeframe, the delay has nonetheless significantly impacted ongoing projects.

Fathom is working on multiple projects adhering to this change, intending to start construction by spring/summer 2025. These projects are now on hold.

Further complicating this situation is the upcoming adoption of the National Building Code of Canada 2020 and the Nova Scotia Building Code 2020 on April 1st, 2025, requiring Building Permit applications to be submitted before that date. Without the necessary changes implemented, these projects will face even more significant delays, putting them further out of alignment with the projected timelines for housing delivery. Most of the buildings designed in the fall of 2024 and intended for construction in the spring of 2025 were designed according to the provincial Minimum Requirements. However, we cannot apply for Development Permits since the Regional Center Plan has not amended its regulations.

To address these delays and allow projects nearly ready for construction to proceed, we recommend immediately implementing the regulatory changes. This would allow projects to move forward with their Building Permit applications, thus alleviating the backlog and enabling the delivery of much-needed housing in a timely manner.

(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;

HRM Approach: Adjust land use by-laws to remove on-site parking for residential uses within the Urban Service Area.

Comments: We have no specific comments on this requirement at this time.

(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;

HRM Approach: Adjust planning documents to reduce the amount of commercial space on the ground floor of a building until April 1, 2027.

Comments: We understand the Province's reasoning for adjusting the requirement for ground-floor commercial space for multi-unit residential buildings to help facilitate housing development.

However, the "before construction" deadline does not account for the lengthy approval process. It can take over a year for a Development Permit (DP), 4-6 months for a Building Permit, and 6-12 for mobilization and site preparation. To ensure projects in the pipeline benefit, we recommend applying this change to projects that receive a DP before April 1, 2027, rather than those that begin construction by that date.

(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;

HRM Approach: Adjust land use bylaws to allow temporary housing on or near construction worksites.

Comments: We have no specific comments on this requirement at this time.

(I) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.

HRM Approach: Adjust land use by-laws to allow converted shipping containers as a dwelling or backyard suite.

Comments: We have no specific comments on this requirement at this time.

In closing, we appreciate the opportunity to contribute to this important discussion on the new minimum planning requirements for the Halifax Charter. We hope our insights provide valuable perspectives in shaping a balanced and effective planning framework. We welcome any further discussion and look forward to continued collaboration with the municipality as these policies evolve.

Sincerely,



Rob LeBlanc, Partner, Director of Planning



Chris Crawford, Partner, Director of Architecture



Devin Segal, Partner, Director of Landscape Architecture





February 24, 2025

Halifax Regional Municipality Council
Halifax City Hall

Subject: Lucasville Vision Committee Response to 12 New Minimum Planning Requirements Regulations

Dear HRM Council Members,

The **Lucasville Vision Committee (LVC)** is reaching out to express deep concerns regarding the **Minimum Planning Requirements Regulations** and the potential negative impact these changes may have on our African Nova Scotian heritage community. While we understand the need to address the housing crisis in Halifax, these regulations must not come at the cost of erasing community-led planning efforts, overlooking infrastructure limitations, or disregarding the unique cultural and historical significance of African Nova Scotian communities like Lucasville.

The Need for Community-Led Planning in Lucasville

Lucasville has been working extensively through the **African Nova Scotian Community Action Plan (ANSCAP)** to establish a **Community Action Plan** that reflects the needs, priorities, and long-term vision of our residents. The changes proposed under these new planning regulations directly contradict these efforts, placing the burden of high-density development on small communities without adequate consultation, infrastructure planning, or consideration of the historic displacement of Black communities in HRM.

We are requesting that any changes to development regulations in Lucasville be subject to community approval and align with our Community Action Plan. Our community must retain discretion over what developments are permitted, ensuring that any growth is sustainable, community-driven, and protects our cultural and historical identity.

1. Lack of Community Consultation and Public Engagement

- **No requirement for community-specific consultation:**
 - There is no clear provision that requires direct engagement with African Nova Scotian communities when planning decisions are made.
 - This is especially concerning given past exclusions and systemic barriers to land use planning for Black communities.
- **Advance notification for developments is vague:**
 - The legislation does not outline a process for ensuring communities are informed before development approvals are granted.



- Without this, large developments may continue to be approved without input from residents or consideration for community impact.

2. Shipping Containers as Dwellings & Housing Policies

- **Allowing shipping containers to be used as housing (Section 4A(2)(l)):**
 - While alternative housing solutions are needed, shipping container homes could disproportionately target African Nova Scotian communities as a low-cost, rapid development solution.
 - Without strict quality and safety regulations, this could decrease housing standards in historically marginalized areas while wealthier areas avoid these structures.
- **Prioritization of housing supply over all other interests (Section 4A(2)(b)):**
 - The policy explicitly states that increasing housing supply must take precedence over other community interests.
 - This means concerns about heritage preservation, infrastructure capacity, environmental impact, and road safety could be ignored.

3. Infrastructure and Overdevelopment Without Support

- **No requirement to improve roads, transit, or public services before approving developments:**
 - The legislation does not **require** infrastructure like roads, transit, or emergency services to be upgraded before increasing housing density.
 - Lucasville already struggles with **traffic congestion, lack of sidewalks, and no public transit**.
 - Increased housing density **without infrastructure improvements** will only **worsen safety risks and accessibility issues**.
- **Permitting temporary housing (Section 4A(2)(k)):**
 - The legislation allows **temporary housing for workers**, which could mean **large-scale dormitory-style units** in predominantly Black communities.
 - Without **clear guidelines**, this could lead to overcrowding, poor living conditions, and **exploitation of workers** without long-term community benefits.

4. Environmental and Heritage Concerns

- **No clear environmental impact assessment requirements:**
 - The legislation allows for **rapid housing development** but does not include **mandatory environmental impact studies** before projects are approved.



- This could lead to **flooding, water contamination, and ecological destruction** in areas like Lucasville that have sensitive environmental conditions.
 - **Heritage designation tied to land, not buildings:**
 - While heritage sites are recognized, **the protection applies to the land, not structures**, making it easier for historic Black-owned buildings to be demolished or repurposed.
 - There should be **stronger protections** to ensure historic properties in African Nova Scotian communities **cannot be altered or removed** without a transparent process.
-

5. Zoning and Development Loopholes

- **Residential uses allowed in nearly all zones (Section 4A(2)(c)):**
 - The legislation **overrides traditional zoning rules** by allowing residential development in nearly all areas.
 - This could mean **large-scale developments placed in historic or rural Black communities** with no local say in whether they should proceed.
 - **No limits on building height for mass timber construction (Section 4A(2)(g)):**
 - Developers could **exploit this provision** to build **high-density towers** in historically low-density Black communities, drastically altering their character.
-

6. Governance and Oversight Issues

- **Municipal planning reviews only every 10 years (Section 3(2)):**
 - This timeline is **too long** to ensure planning policies **adapt to community needs**.
 - African Nova Scotian communities should be able to request reviews **on a shorter cycle** to respond to urgent concerns like **gentrification or overdevelopment**.
 - **No clear accountability for development approvals:**
 - There are no safeguards to **ensure municipal planning strategies align with community-led planning efforts**.
 - The African Nova Scotian Community Action Plan (ANSCAP) **should be directly referenced** in any planning affecting African Nova Scotian communities.
-

7. Lack of Protections for Community Growth and Stability

- **No consideration for cultural and economic displacement:**



- The legislation **does not** account for the impact of new developments on existing Black communities.
 - It does not include protections against **property tax increases** or strategies to **prevent longtime residents from being priced out**.
 - **No policy to ensure affordable housing remains in community hands:**
 - While housing supply is a priority, there are no **requirements to prioritize ownership or community-based housing models**.
 - This could lead to **outside developers profiting from low-income housing in Black communities**, reducing local control.
-

Recommendations & Next Steps

To address these concerns, we recommend the following actions:

1. **Stronger Community Consultation Requirements**
 - Require **direct engagement** with African Nova Scotian communities **before** any zoning or housing development approvals.
 - Create a **mandatory notice period and public input process** for developments in historically Black communities.
2. **Stricter Regulations for Alternative Housing (Shipping Containers & Temporary Housing)**
 - Establish **clear quality, safety, and density standards** to prevent poorly built structures in Black communities.
 - Limit the use of **temporary worker housing** in African Nova Scotian areas without long-term benefits for the community.
3. **Infrastructure Before Development**
 - Require **traffic assessments, transit expansion, and road safety improvements** before approving high-density developments.
 - Ensure communities **like Lucasville receive priority investment** in public services before large-scale housing projects.
4. **Mandatory Environmental & Heritage Impact Assessments**
 - All developments should require a **full environmental review** before approval.
 - Strengthen **heritage protections** to prevent historic Black properties from being altered or demolished without oversight.
5. **Community Land Ownership & Affordable Housing Protections**
 - Establish **community benefit agreements** requiring developers to reinvest in the community.
 - Explore land trust models to ensure housing developments **remain affordable and under community control**.
6. **Amend Legislation**
 - We propose an exception is added to the legislation in 4A 2C.
(iii) areas identified as African Nova Scotian Communities.



- Ensure any changes to legislation aligns with African Nova Scotian Communities Community Action Planning.
- This would not exclude these communities from development but ensures any changes are at the discretion of the community rather than developers or HRM mandates.

Final Thoughts

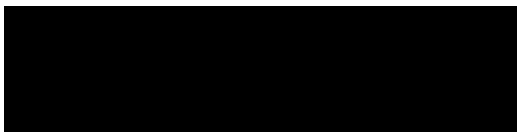
While increasing housing supply is a necessary goal, it must not come at the cost of displacing and destabilizing African Nova Scotian communities. The proposed planning changes prioritize rapid development over community stability, infrastructure, and environmental sustainability. Without amendments, they risk increasing displacement, gentrification, and environmental degradation in communities like Lucasville.

HRM has committed to advancing economic and planning equity for African Nova Scotian communities through **ANSCAP and the Road to Economic Prosperity**. However, these commitments must translate into policy and action. We urge HRM Council to immediately amend the Minimum Planning Requirements Regulations to ensure Lucasville retains control over its own planning and development future.

We welcome further discussions on how to implement these changes in a way that aligns with Lucasville's Community Action Plan, the ANSCAP framework, and HRM's stated commitments to equity and inclusion.

We urge immediate amendments to ensure African Nova Scotian voices are included in planning decisions that will shape our future.

Sincerely,



Devon Parsons
Lucasville Vision Committee



MPR 107 (1 of 3)

Petition Strength



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Help Keep HRM Liveable



Started February 16, 2025
Petition to [Halifax Regional Municipality](#)

Why this petition matters

Started by [Andrea Hilchie-Pye](#)

[Media inquiries](#)

Halifax Regional Municipality (HRM) and the Nova Scotia government are pushing through [zoning bylaw changes](#) to allow for “an anything-goes approach” to building throughout the city.

The Liveable Halifax Coalition is an alliance of communities and citizens who actively support smart development and densification in HRM. We all recognize that our city is in dire need of affordable housing.

But the unruly approach to densification we’re now witnessing is concerning. Basic checks and balances, to ensure the quality of our urban environment, have been erased from planning reviews.

The breakneck speed of development has already had a negative impact on

- city services
- traffic
- parking
- heritage preservation, and
- green space

What’s worse is that the new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a ‘trickle-down effect’ is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.

The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to

- mitigate potential harms arising from developments;
- mandate real consultation with existing communities before developments are approved;
- address infrastructure pressures;
- ensure public safety with updated evacuation routes; and
- align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

We understand our new mayor and many councillors have expressed concern about unfettered growth. Further, Council has asked the Province for legal protection from potential citizen claims of “constructive taking and de facto expropriation of private property” by allowing such rapid and unchecked development in HRM as a result of the Provincial Regulations.

That’s why the signatories of this petition are asking that zoning bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project. We also ask Council to withdraw this request for legal protection by the Province.



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Media inquiries

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Decision Makers

[User icon](#) [Halifax Regional Municipality](#)

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	Burnaby		V5G1n9	Canada	2025-02-17
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Halifax		B3K	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Halifax		B3K 1X3	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		H1Z	Canada	2025-02-24
Halifax		B3M	Canada	2025-02-24
Halifax		B3P	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3H 3P3	Canada	2025-02-24
Halifax		B3H 4G6	Canada	2025-02-24
Halifax		B3M	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3L	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
halifax		B3h1L8	Canada	2025-02-24
Moncton		E1C	Canada	2025-02-24
Halifax		B3L1T8	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Halifax		B3J	Canada	2025-02-24
Halifax		B3L	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3K0J3	Canada	2025-02-24
Halifax		B3H 2M9	Canada	2025-02-24
Halifax, NS		B3M 4X5	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24

Halifax		B3H 4E2	Canada	2025-02-24
Halifax		B3H 2M8	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Hubbards		B0J	Canada	2025-02-24
Haifax		B3H1R9	Canada	2025-02-24
Halifax		B3L	Canada	2025-02-24
Halifax		B3M	Canada	2025-02-24
Halifax		B3M	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Halifax		B3L	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3M4V2	Canada	2025-02-24
Halifax		B3L 3J1	Canada	2025-02-24
Dartmouth		B2X 1B1	Canada	2025-02-24
Halifax		B3K	Canada	2025-02-24
Halifax		B3J	Canada	2025-02-24
Brookside		B3T	Canada	2025-02-24
Halifax		B2Y 2E3	Canada	2025-02-24
Halifax		B3H	Canada	2025-02-24
Halifax		B3L1S2	Canada	2025-02-24
Halifax		B3P	Canada	2025-02-24
Peterborough		K9H	Canada	2025-02-24

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Name	City	Province	Postal Code	Country	Date	Comment
	Truro		B2N	Canada	2025-02-18	"I wish to maintain the quality of life, heritage and green space in HRM"
	Hal fax		B3H	Canada	2025-02-18	"I'm concerned about what's happen ng to our city. Crowded roads, tall Buildings creat ng wnd tunnels, less Trees, and safety, affordable housing, and garbage concerns."
	Hal fax		B3K	Canada	2025-02-19	"The development of the City needs safe and strategic planning"
	Hal fax		B3H	Canada	2025-02-19	"I am concerned that the rapid development and growth of Hal fax is go ng to ruin the reason why we chose to live n this area and this country"
	Hal fax		B3H1N4	Canada	2025-02-19	"We need our city and politicians to be smart. That means listen ng to all of us, the people, the citizens, across all our diversity, and n the most local sense. The corrosion of quality and affordability, safety, of all of the neighb
	Irish Mountain		B3K 1L1	Canada	2025-02-19	"Plan for the Many, Not the Market."
	Hal fax		B3H 3Y1	Canada	2025-02-20	"My neighbourhood is being destroyed by traffic congestion, apartment build ngs being built with no parking spaces, and green spaces be ng replaced with construction and concrete. There needs to be a proper plan to kee
	Hal fax		B3H 3p2	Canada	2025-02-20	"The zon ng changes have already caused havoc in the city. Streetscapes are being razed, trees lost, streets congested. What's worse -- the bylaws do noth ng to guarantee more affordable hous ng. We need more public co
	Hal fax		B3J	Canada	2025-02-20	"I'm deeply concerning about the rapid push to radically alter zon ng bylaws and the potential destruction of existing neighbourhoods."
	Hal fax		B3N 3M4	Canada	2025-02-20	"I am concerned that the developers are driving change, and not the city. Many things that make Hal fax special, like heritage buildings, are being lost."
	Hal fax		B3H 1L3	Canada	2025-02-22	"Densification is needed in Halifax but it requires a well thought out process."
	Hal fax		B3N 1E4	Canada	2025-02-22	"I don't like the way Hfx is changing, with old buildings be ng destroyed & new ugly, nappropriate high rises appear ng, like the 32 floor, blue-lit monstrosity on the Arm near the Armdale roundabout that we get to look a
	Hal fax		B3K	Canada	2025-02-23	"I care about my community and want to ensure family and community are prioritized."
	Hal fax		B3H 2H8	Canada	2025-02-23	"The whole reason people love halifax and want to live in hal fax is for quality of l fe. We are loosing halifax's character and easy way of life. Stop halifax from becom ng another run of the mill city."
	Calgary		T1Y 2E5	Canada	2025-02-23	"We don't need wider roads. We need more trees to enhance neighborhoods."
	Eastern Passage		B3G	Canada	2025-02-23	"I believe the rate of construction of huge apartment buildings is ruining the city."
	Hal fax		B3L	Canada	2025-02-23	"[REDACTED]"
	Hal fax		B3L	Canada	2025-02-23	"I am concerned about these proposed changes!"
	Hal fax		B3H	Canada	2025-02-23	"It doesn't solve the problem of affordable housing, it will add to the congestion problem and it doesn't make the developers accountable to anyone."
	Hal fax		B3H	Canada	2025-02-23	"I oppose the new zoning bylaws."
	Hal fax		B3N	Canada	2025-02-23	"I believe n livable cities without stuffing people in like sardines. Green space needs to be protected as do historical buildings. I have a landlord across the street that kicked out good long-term tenants nvolved n their comm
	Hal fax		B3K	Canada	2025-02-24	"These changes do nothing to address housing affordability and ignore the consequences of worsen ng the strain on our already overloaded nfrastructure."
	Hal fax		B3L 2E2	Canada	2025-02-24	"Develop outside the city, not zon ng changes in residential neighborhoods on the peninsula"
	Hal fax		B3L 2X5	Canada	2025-02-24	"I feel this new plan will compromise the safety of our city, from response t mes for emergencies to evacuation should the need arise. I also don't feel that our current or future road nfrastructure can support such an ncrease
	Hal fax		B3H 3K9	Canada	2025-02-24	"I th nk the changes proposed helps developers but does not provide the affordable housing that is needed."
	Hal fax		B3M	Canada	2025-02-24	"Having such rapid growth without care for the structure of neighbourhoods is unacceptable. The only benefit is to developers, and if that is City Council's and the Province's main concern, then where has "representative gov
	Hal fax		B3H 3V5	Canada	2025-02-24	"It will impact neighbourhoods negatively."
	Hal fax		B3H	Canada	2025-02-24	"I want to keep Hal fax free of oversized build ngs which will ru n our lovely streets"
	Hal fax, NS		B3M 4X5	Canada	2025-02-24	"Given that this is a democratic Society, I'm in full support of this petition that zon ng bylaws mandate a three-month period of active community engagement and involvement before the approval of any development project

February 24, 2025

Mayor, Council and Staff
Halifax Regional Municipality
1841 Argyle Street
Halifax, NS B3J 3A5

Dear Mayor, Council and Staff:

Re: Response to Minimum Planning Requirements Regulations

We are writing in response to the above noted matter. We are concerned that the Province has summarily imposed these Regulations on HRM and its constituents without prior public consultation. This occurred while HRM is developing a new Regional Plan. In so doing, the Province upended essential elements of its own minimum planning principles of public participation and information gathering. The vast majority of HRM constituents are unaware of the sudden imposition of these Regulations and the impact it will have on their communities.

Further, the Province has ignored HRM's unique legal status as set out in the Preamble to the Halifax Regional Municipality Charter:

AND WHEREAS the Province of Nova Scotia recognizes that the Halifax Regional Municipality has legislative authority and responsibility with respect to matters dealt with in this Act;

AND WHEREAS the Halifax Regional Municipality is a responsible order of government accountable to the people...

HRM is recognized as a separate order of government unique amongst NS municipalities and has the legislative authority and responsibility for such matters as municipal planning. The Regulations are an overreach by the Province. Notwithstanding, the Regulations were made effective by the Province in August 2024 during the municipal election when it would be challenging for the former Council and staff to fully consider them or provide any opportunity for prior public notice or input. Even with the short extension the Province recently granted at HRM's request, there is not enough time to adequately determine if and how the Regulations can be actioned or afforded by HRM.

The Regulations require HRM to make a series of significant Municipal Planning Strategy amendments including declaring that "...the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the municipality" [section 4A (2)(a)]. Sudden legislative change of lasting impact for HRM without adequate and meaningful public awareness and consultation is contrary to effective budgeting and planning for the increased demands on municipal infrastructure and services as

outlined in the Liveable Halifax Coalition Petition which we support and as further described below.

Council is encouraged to push back against this unfunded Provincial regulatory mandate. We are unaware of any new Provincial funding to support the rapid increase in housing supply demanded by the Regulations. HRM taxpayers will be left to solely support the expansion and repair of municipal infrastructure and services already under resourced to meet an additional housing surge. The Halifax Water Commission alone has experienced recent boil water advisories, water main breaks, water supply conservation measures, incomplete capital project schedules, water treatment plant replacement plan and an accumulated deficit of \$41 M because of capacity issues. Calgary and Atlanta are other recent examples of how rapid urban growth can cause a water supply and demand imbalance that worsens as cities grow without sufficient time in which to plan. An adequate supply of water for drinking and firefighting is not a given, nor an infinite resource.

The dictates of the Provincial Regulations fail to address other municipal funding shortfalls caused by rapidly increasing the supply of housing in HRM including: wastewater treatment; storm water management; firefighting, police and emergency management infrastructure and trained personnel; road and sidewalk expansion and maintenance; public transit; recreation facilities; solid waste management, etc. These additional capital and operating costs will fall to HRM taxpayers yet again.

Nor should it be necessary for Council to seek legal immunity from future claims of constructive taking/de facto expropriation of private property because of the Provincial Regulations. The October 1, 2024 motion of Council that the "...Mayor send a letter to the Province of Nova Scotia requesting amendments to the HRM Charter to include immunity from constructive taking/de facto expropriation claims" is troubling and should be repealed. If a letter has already been sent to the Province, then a motion passed that the initial request be withdrawn along with the Provincial Regulations. HRM must be given sufficient time to complete the drafting and public consultation process for the new Regional Plan before more legislative changes are considered. Council and staff and their constituents must first assess what HRM's future growth objectives and costs are, particularly given CMHC's February report projecting a 2.5% vacancy rate (up from 1% in 2023) as immigration levels decrease, and new housing stock nearing completion is added. Additional time will also enable the Province to expand its affordable housing offerings and local universities and colleges to undertake much needed student housing initiatives.

Thank you for your consideration of this submission. We look forward to being notified of opportunities for an expanded discussion about housing.

 Beaufort Avenue, HRM

February 24, 2025

Office of the Mayor, Halifax Regional Municipality
HRM Council
5201 Duke St, Halifax,
Nova Scotia
B3J 1N9
c/o clerks@halifax.ca

Dear Mayor Filmore, and City Council,

Andy, if I may. We met some years ago when you were campaigning for Member of Parliament for Halifax. I've followed you and your clear commitment to the Halifax / K'jipuktuk community, so decided it would be best to write to you directly about an concern that is accelerating widely across the HRM.

I live on the peninsula, and in a few short weeks, have been inundated with expressions of alarm about the troubling direction the City is moving in regard densification and development. This lead me and others to establish what now is an extremely fast-growing citizen group, the *Liveable Halifax Coalition*/ This alliance of communities and citizens actively support *smart development and densification in HRM*, while assuring the building and securing of truly affordable housing, for all who live in Halifax.

So why the alarm?

We have been closely documenting what by all assessments, we deem to be an unruly approach to densification. We are witnessing layer upon layer of unintended consequences in the race to build – even while we understand there is a need to build – not building without care and responsiveness to what makes this city wonderful, qualities which we all need to protect both for community, and even for 'marketability' reasons. Basic checks and balances, to ensure the quality of our urban environment, have been eliminated from planning reviews. Blanket lifting of regulations to accelerate building, without real understanding of short, mid and long term effects on community liveability, infrastructure, safety and so much more – points to an administration that is , perhaps inadvertently, moving far too fast.

Even before the HAF was adopted last year, we were witnessing the breakneck speed of development and how it has already had a negative impact on:

- city services
- traffic
- parking
- heritage preservation
- and green space

What's worse is that new zoning bylaws do little to ensure increased levels of affordable housing. City streetscapes are being razed to build apartment towers with rents well over \$2000/month. Relying on a 'trickle-down effect' is not a well-grounded planning strategy to ensure that people have the homes they need at a price they can afford.

The changes these bylaws allow will be irreversible. Before our city is damaged beyond repair, we ask that you put in place specific risk-management strategies to

- mitigate potential harms arising from developments;
- mandate real consultation with existing communities before developments are approved;
- address infrastructure pressures – both immediate and longer term;
- ensure public safety with updated evacuation routes; and
- align projects with current strategies such as the Integrated Mobility Plan and the Environmental Protection Plan.

There's rising dissatisfaction throughout the city because people's voices aren't being heard. Their communities are being radically altered without their input.


That's why we're asking that the City to mandate a three-month period of active community engagement and involvement before the approval of any development project. We believe there is a way to mitigate both the negative effects on our city, and assure that citizen legal rights are respected, not impeded. But that has to happen by engagement with community, not by inhibiting citizens from exercising their rights. If we want development and densification to work and succeed for all, we must do it together.

This is all about keeping Halifax liveable, and bringing better sense and community-responsiveness to densification development, so we can support development, in way to prevent it from ruining the quality of community, space, environment, safety etc that makes this city amazing, *while resolutely assuring it is affordable literally for everyone.*

One thing we all agree on – and which we have been compiling ample information on – is that the new processes of 'anything goes' deregulation being installed are severely threatening to undermine what we love here, why we live here, why others see it as a place they wish to live as well.

The process should do the opposite, improve the quality of what we have, and make it sharable, lasting, and a boon to our economy at the same time.

Sincerely,

A large black rectangular box redacting the signature of the sender.A small black rectangular box redacting the first line of the address.

Regina Terrace
Halifax, Nova Scotia
B3H 1N4

cc. Laura White, Councilor

██████ Tower Road
Halifax, NS B3H 2X8

February 24, 2025

Mayor Andy Fillmore
Halifax Regional Municipality

Dear Mayor Fillmore,

We are writing to formally express our concerns regarding the recent trend of multi-unit residential developments being approved in areas that have traditionally been designated for single-family homes.

As a resident of Tower Road in Halifax, I strongly believe that these projects are not in line with the character and intent of our community, and I urge the City Council/Planning Department to reconsider allowing such developments in strictly residential areas.

The introduction of high-density housing in established neighborhoods raises several concerns, including:

1. **Increased Traffic and Parking Issues** – Single-family neighborhoods are not designed to accommodate the additional traffic and parking demands that multi-unit buildings bring. This leads to congestion, safety hazards, and difficulty for current residents to park near their homes.
2. **Strain on Infrastructure and Public Services** – Water, sewage, roads, and emergency services are designed based on the expected density of single-family homes. A sudden increase in population due to multi-unit buildings could overwhelm these services, leading to decreased quality and higher costs for taxpayers.
3. **Disruption of Neighborhood Character** – Many residents chose to live in these areas because of the quiet, spacious, and family-friendly environment. Large, high-density buildings can disrupt the aesthetic and ambiance of the community, negatively affecting property values and overall livability.
4. **Environmental Impact** – The removal of green spaces and trees to accommodate large buildings contributes to increased heat, reduced air quality, and loss of natural habitats for local wildlife.

While I understand the need for diverse housing options, I believe that such developments should be strategically placed in areas that can support them without negatively impacting established neighborhoods and there are many such neighbourhoods available on the peninsula .

I urge the City Council to enforce zoning regulations that protect residential communities from incompatible high-density construction.

I appreciate your time and consideration of this matter, and I look forward to your response. Please let me know if there are any public meetings or opportunities for residents to voice their concerns.

Sincerely,



February 21st, 2025

Anne Winters, MCIP, LPP
Principal Planner
Regional Planning Team
Planning and Development
regionalplan@halifax.ca

RE: Minimum Planning Changes in Halifax Engagement Feedback

Dear Anne:

Clayton Developments Limited is pleased to submit comments on the proposed Minimum Planning changes in Halifax. We have structured our comments in a table to facilitate review, with the requirement and HRM's proposed approach, along with our comments and questions. It would be helpful to have a discussion to follow up when you have had the opportunity to review our thoughts.

Minimum Planning Requirements and HRM Approach	Clayton Developments Comments
<p>(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality.</p> <p>Approach: Include policy intent in the Regional Plan to increase housing supply.</p>	<ul style="list-style-type: none"> In new Regional MPS policy which recognizes the housing shortage crisis and establishes a goal of increasing housing supply, there should be specifics around the provision of ground-based housing supply. The municipality has made substantial policy changes to encourage multi-unit development in the last two years. We recommend that HRM consider targets for ground-based housing, which would facilitate ownership options for housing to supplement to our rental-focused multiunit housing market. Policies to encourage additional supply should be region-wide not just regional centre based. Specific targets should be established for housing land supply. Adequate land supply discussions should be considered in a regular target review. Developers need notice to deploy resources and capital, and we need to move towards planning for our future needs rather than being reactionary. As a result, the availability of land needs to be more than just in time availability. The municipality needs a comprehensive plan to bring serviced land for ground-based housing available which is

	<p>responsive to demand but is less tightly controlled than in the past.</p> <ul style="list-style-type: none"> The policy should acknowledge that a tightly regulated approved housing land supply and complex planning rules increase housing costs and suggest measures to remedy this.
<p>(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy.</p> <p>Approach: Include policy intent in the Regional Plan to increase safe, sustainable and affordable housing.</p>	<ul style="list-style-type: none"> The municipality needs to clarify how it interprets 'safe, sustainable and affordable housing'. The policy seems to only address a limited portion of housing needs and does not appear to be broad enough to address the actual issue. <p>In the context of this requirement, the term affordable may be used in a very broad or narrow sense. It should address all market segments and all housing types. The Municipality should be explicit on this.</p> <ul style="list-style-type: none"> It appears that the Municipality may be taking a very narrow view of what is sustainable. The Municipality should be taking a balanced approach to ensure all housing needs are addressed. Concentration on a single housing type will ultimately create unintended issues.
<p>(c) permit residential uses in all zones, except for all of the following:</p> <p>(i) areas zoned for industrial, military, park, transportation reserve and utility uses,</p> <p>(ii) zones intended to protect the environment, water supply, floodplains or another similar interest;</p> <p>Approach: Include policy intent in the Regional Plan, but no changes to land use by-laws proposed at this time. Future changes may happen through other planning projects such as the upcoming Suburban Plan.</p>	<ul style="list-style-type: none"> While zones which permit development agreements (such as CDD zones) enable the consideration of residential uses, they do not permit them as of right. Creating some as-of-right, residentially zoned should be considered in a goal to reduce process to enable housing development.
<p>(d) require that the Municipality share with the Province the information used by the Municipality</p>	<ul style="list-style-type: none"> The intent to share information in a municipal plan policy is different than a workplan or

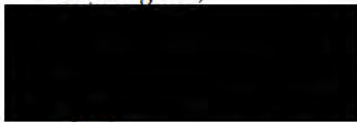
<p>to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;</p> <p>Approach: Include policy intent in the Regional Plan to share information with the Province.</p>	<p>requirement to share information. Stronger wording should be used to require the sharing of information.</p>
<p>(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;</p> <p>Approach: A revised work plan for the Suburban Plan is expected to come forward in Spring 2025.</p>	<ul style="list-style-type: none"> The proposal does not appear to address the timeline of the proposed Suburban Plan, just a limited version of the Suburban Accelerator Plan which only covers limited properties.
<p>(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;</p> <p>Approach: Adjust Regional Plan policy to provide alternative density calculations for Conservation Design Development projects until April 1, 2027.</p>	<ul style="list-style-type: none"> No comment
<p>(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;</p> <p>Approach: Include policy intent in the Regional Plan and adjust land use by-laws to convert height from metres and feet to storeys for medium and high-density residential buildings.</p>	<ul style="list-style-type: none"> Having specific details on height conversions would be helpful. We will need to check for issues that may arise with these changes when those are released. In our experience, issues arise when the detailed wording is enacted without the opportunity to comment on the proposed regulatory language. How will this be addressed in DA's where references are made in metres or feet or in DA schedules which override the LUB which are in the previous metre format? Recommended Approach: Many of our development agreements link to Land Use By-law requirements. If those Land Use By-laws

	<p>are heavily updated for building heights, ideally the LUB should allow us to achieve the benefits of the changes without amending our agreements. Verbiage should consider conversions of maximum building height to any new format. Changes should be vetted so they do not negatively affect development agreements nor require amendments to agreements.</p>
<p>(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;</p> <p>Approach: Adjust land use by-laws to remove the bedroom count requirements until April 1, 2027.</p>	<ul style="list-style-type: none"> • How this proposed to be accommodated where there is a mix specified in a development agreement? • How is 'begin construction' being interpreted by HRM? Issuance of a construction permit? Recommended Approach: When you are referring to an April 1st date, we recommend that issuance of a construction permit be the cutoff, with an additional timeline to complete construction.
<p>(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;</p> <p>Approach: Adjust land use by-laws to remove on-site parking for residential uses within the Urban Service Area.</p>	<ul style="list-style-type: none"> • How is this proposed to be accommodated where there is a parking requirement in a development agreement? Is the intent to remove parking requirements in the Planned Growth Schedule in the Dartmouth By-law for Port Wallace and the Bedford By-law for Bedford West?
<p>(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;</p> <p>Approach: Adjust planning documents to reduce the amount of commercial space on the ground floor of a building until April 1, 2027.</p>	<ul style="list-style-type: none"> • We recommend that this requirement would benefit from an exclusion when the required commercial ground floor is under a certain size. There is little point in requiring a commercial ground floor area that is so small it is not viable for tenancy. • How is this proposed to be accommodated where there is a ground floor commercial requirement in a development agreement? • How is 'begin construction' being interpreted by HRM? Recommended Approach: When you are referring to an April 1st date, we recommend

	that issuance of a construction permit be the cutoff, with an additional timeline to complete construction.
<p>(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;</p> <p>Approach: Adjust land use bylaws to allow temporary housing on or near construction worksites.</p>	<ul style="list-style-type: none"> How is this proposed to be accommodated where there is an existing development agreement? More detail is required to provide an effective comment.
<p>(l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.</p> <p>Approach: Adjust land use by-laws to allow converted shipping containers as a dwelling or backyard suite.</p>	<ul style="list-style-type: none"> How is this proposed to be accommodated where there is an existing development agreement? More detail is required to provide an effective comment. <p>Recommended Approach: We would like to see the Planned Growth Schedule in the Dartmouth By-law for Port Wallace and the Bedford By-law for Bedford West be updated to permit 16' wide manufactured townhouses similar to what we have built in Mount Hope.</p> <ul style="list-style-type: none"> We request that 16-foot-wide townhouse units should be permitted in all townhouse zones along with a permitted driveway.

Thank you for your consideration to our comments on your proposed changes to address the province's updates to the minimum planning requirements. We feel a discussion and further information on detailed planning changes proposed would be beneficial. Once you have had the opportunity to review our thoughts and questions, we are available for further discussion.

Kind regards,



Jared Dalziel, MCIP, LPP
Senior Planner, Clayton Developments Limited

Appendix C - Information Factsheets



Minimum Planning Requirement (a)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality

How will the municipality meet this requirement?

- The Regional Municipal Planning Strategy (also called the 'Regional Plan') will include new policy that recognizes the housing shortage crisis and establishes a goal of increasing the housing supply
- The Regional Plan sets out a common vision and long-range, region-wide planning policies that outline where, when, and how growth and development should take place



Plans Affected:
Regional Municipal Planning Strategy (Regional Plan)

What will this change mean for me?

- This policy will acknowledge that increasing housing supply is an important priority for the municipality and will be a focus of future land use planning and development
- While no immediate changes to zoning or land use regulations are proposed with this new policy, increasing the supply of new housing across the region will be an important consideration in future land use planning efforts

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (b)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy

How will the municipality meet this requirement?

- New language in the Regional Plan will emphasize the importance of increasing the supply of safe, sustainable, and affordable housing.
- The Regional Plan uses the lens of safety, sustainability, and affordability to create a framework for housing and growth that considers public health, use of existing infrastructure (e.g. water/sewer, roads, transit services, etc.) and complete communities where people can live, work, and play.



Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)

What will this change mean for me?

- The Regional Plan will help guide future land use planning decisions and support an increase in housing supply and housing options that are safe, sustainable, and affordable.
- While no immediate changes to zoning or land use regulations are proposed with this new policy, increasing the supply of new housing across the region will be an important consideration in future land use planning efforts.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (c)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

- c) permit residential uses in all zones, except for all of the following:
 - (i) areas zoned for industrial, military, park, transportation reserve, and utility uses,
 - (ii) zones intended to protect the environment, water supply, floodplains or another similar interest;

How will the municipality meet this requirement?

- The Regional Plan will include policy intent to enable residential in all zones except for those identified in the regulations.
- To determine if changes are needed to meet the requirements, staff reviewed all zones within the municipality. After removing zones that are exempted within the regulation (see i and ii of the regulation above). Results showed that 99.8% of remaining properties already allow for a form of residential use.
- The remaining 0.2% of the residential properties are large-scale sites (such as Shopping Malls/Plazas) that may be appropriate for new housing through current or future development projects, pending future technical review and community engagement. Regional Plan policy will direct this work through the Suburban Plan process.



Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)

What will this change mean for me?

- There are not any changes proposed to existing zones at this time. Future changes may be proposed through other planning projects such as the upcoming Suburban Plan, or site-specific planning applications. Information on how to participate in these process is posted on our [Active Planning Applications website](#).

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (d)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth

How will the municipality meet this requirement?

- The Regional Plan will clearly state the municipality's intent to share information about population, housing, employment conditions, and growth scenarios with the Province of Nova Scotia.

Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)



What will this change mean for me?

- This change establishes the municipality's intent to share information with the Province to support housing supply.
- No immediate changes to zoning or land use development will occur because of these changes.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (e)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

e) implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025

How will the municipality meet this requirement?

- The Regional Plan will include an overview of the Community Planning framework and establish intent to adopt a Suburban Plan.
- The development of the Plan requires comprehensive analysis, and community engagement.
- The Suburban Housing Accelerator Plan and Land Use By-law was adopted in 2024 and is expected to be expanded in the Spring of 2025.
- The Municipality continues to coordinate with the Province and other stakeholders on the development of the Suburban Plan.



Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)

What will this change mean for me?

- The municipality will be undertaking a comprehensive planning process for the Suburban area (areas outside of the Regional Centre, where municipal water, wastewater, and transit services are available). Stay tuned for future planning engagement opportunities.

Have questions about the Minimum Planning Requirements?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.

Have questions about the Suburban Planning process?

Email: suburbanplan@halifax.ca



Minimum Planning Requirement (f)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area

How will the municipality meet this requirement?

- Conservation Design Developments (CDD) are a type of residential subdivision within the rural areas of HRM. CDDs are designed to conserve open space and protect environmental features and can allow for more density than what is typically permitted in unserviced/rural communities. CDDs require development agreements to proceed, which must be reviewed and approved by Community Council.
- Until April 1, 2027, a change in how density is calculated for these types of developments will be in place. There is potential for higher density to be allowed within a new CDD project. The requirements of CDDs will remain unchanged and public consultation and technical studies will still be required to ensure the environment and transportation systems are not negatively impacted.



Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)

What will this change mean for me?

- If you are involved in applying for or building Conservation Design Development projects, this change may apply to your project. Please contact staff for more information.
- For residents, this change may result in more residential units in CDD projects. Since these projects will still proceed through a Development Agreement process and require Community Council approval, there will be public notification if changes to a CDD are being made in your neighbourhood.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (g)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method

How will the municipality meet this requirement?

- Apartment buildings will now have their maximum heights measured in total storeys instead of in feet or metres. This will allow for more flexibility in construction methods such as the timber-framed buildings.
- The definition of height in the land use by-law will reflect the height conversion to storeys.



Plans Affected:

Land use by-laws for

- Bedford
- Cole Harbour/Westphal
- Dartmouth
- Eastern Passage/Cow Bay
- Halifax Mainland
- Planning Districts 14/17 (Shubenacadie Lakes)
- Sackville Drive

What will this change mean for me?

- Going forward, medium and high density residential developments will be measured and regulated in storeys instead of feet and metres.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (h)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies

How will the municipality meet this requirement?

- Until April 1, 2027, the land use by-law regulations for apartments are being changed to remove all bedroom count requirements (the amount of studio, 1-bedroom, 2-bedroom units, etc. required per apartment building).

Plans Affected:

Land use by-laws for

- Bedford
- Dartmouth
- Downtown Halifax
- Halifax Mainland
- Regional Centre
- Suburban Housing Accelerator



What will this change mean for me?

- For buildings that begin construction before April 1, 2027, there will not be a requirement for a specific number of units having 1, 2, 3+ bedrooms in apartment buildings.
- Unit mix requirements will continue to apply after the specified date.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (i)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

i) provide that no requirement for on-site parking applies to residential uses within the urban service area

How will the municipality meet this requirement?

- Land use by-law requirements will be changed so that residential buildings that are within the Urban Service Area are not required to provide a specific number of parking spots.
- Parking spot provision requirements for all other uses (e.g. commercial, retail, office, etc.) will remain unchanged. If developments include parking, requirements for parking lot design and landscaping, loading spaces, etc. will continue to apply.
- The Urban Service Area is the part of the municipality serviced with municipal water and sewer.

**Plans Affected:**

Regional Municipal Planning Strategy (Regional Plan)

Land use by-laws for:

- | | |
|--|---------------------|
| -Beaver Bank-Hammonds Plains-Upper Sackville | -Bedford |
| -Cole Harbour-Westphal | -Dartmouth |
| -Eastern Passage-Cow Bay | -Halifax Mainland |
| -Musquodoboit Valley-Dutch Settlement | -Chebucto Peninsula |
| -Sackville Drive | -Sackville |
| -Timberlea-Lakeside-Beechville | |
| -Planning Districts 14 and 17 (Shubenacadie Lakes)* | |
| -North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston* | |

**An earlier version of this factsheet incorrectly omitted these land use by-laws. The factsheet has been updated to reflect the correct list of affected land use by-laws (Feb 14/25)*

What will this change mean for me?

- Developers and owners of residential buildings in the Urban Service Area will no longer be required to provide a specific number of parking spots. They may still voluntarily choose to provide parking spots.
- This change affects the requirements for all residential buildings on municipal water and sewer across the municipality. To learn what land use by-law applies to your home, please [click here](#).

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.

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Minimum Planning Requirement (j)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space

How will the municipality meet this requirement?

- Until April 1, 2027, land use by-laws that currently require up to 100% of the ground floor of a building to be commercial uses will now only be required to provide 20% of the ground floor to be commercial.
- These changes are being applied to Pedestrian Oriented Commercial Streets in the Regional Centre and the Pedestrian Retail zone in Sackville Drive.
- The alternative to providing commercial uses for buildings on these commercial streets is to provide residential units at the ground level.



Plans Affected:

Regional Municipal Planning Strategy (Regional Plan)

Regional Centre Municipal Planning Strategy

Land use by-laws for

-Regional Centre

-Sackville Drive

-Bedford

What will this change mean for me?

- Some streets that currently require commercial uses along the ground floor in the Regional Centre and Sackville Drive may now have fewer commercial storefronts. Building owners may choose to provide more commercial uses than the 20% minimum.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (k)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, community plans and land use by-laws.

For a full list of changes [click here](#).

Requirement:

k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit

How will the municipality meet this requirement?

- There are existing regulations for temporary construction uses in all Land Use By-laws. Adjustments to the current language will ensure the intent of the Provincial Requirement is met across the entire municipality.
- The Regional Centre, Suburban Housing Accelerator, and Downtown Halifax land use by-laws allow temporary housing uses on or near the work site, so no changes are needed in those areas.



Plans Affected:

All land use by-laws except Regional Centre, Suburban Housing Accelerator, and Downtown Halifax

What will this change mean for me?

- Temporary housing for construction sites can now be located on nearby sites, in addition to the construction site itself.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.



Minimum Planning Requirement (I)

The Government of Nova Scotia has required that Halifax Regional Municipality include mandatory content in the Regional Municipal Planning Strategy (Regional Plan) to address the issue of housing supply. This will require the municipality to make changes to the Regional Plan, Community Plans and Land Use By-Laws.

For a full list of changes [click here](#).

Requirement:

I) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones

How will the municipality meet this requirement?

- Definitions and regulations in the land use by-laws are being adjusted to allow converted shipping containers as a residential use.

Plans Affected:

All land use by-laws



What will this change mean for me?

- You will be able to use a converted shipping container for a main residential dwelling or a backyard suite. Some by-law areas already permit this.
- Shipping containers will have to meet Building Code requirements to safely convert the shipping container into a dwelling use.

Have questions?

Visit: shapeyourcityhalifax.ca/minimum-planning

Email: regionalplan@halifax.ca

Call: 902-943-5139

Please share your comments by February 24, 2025.

Appendix D - Legislation

This consolidation is unofficial and is for reference only. For the official version of the regulations, consult the original documents on file with the [Office of the Registrar of Regulations](#), or refer to the [Royal Gazette Part II](#).

Regulations are amended frequently. Please check the list of [Regulations by Act](#) to see if there are any recent amendments to these regulations filed with our office that are not yet included in this consolidation.

Although every effort has been made to ensure the accuracy of this electronic version, the Office of the Registrar of Regulations assumes no responsibility for any discrepancies that may have resulted from reformatting.

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**Minimum Planning Requirements Regulations
made under subsection 229(4) of the
Halifax Regional Municipality Charter
S.N.S. 2008, c. 39
N.S. Reg. 138/2019 (effective December 3, 2019)
amended to N.S. Reg. 50/2025 (effective March 7, 2025)**

Table of Contents

Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

[Click here to go to the text of the regulations.](#)

[Citation](#)

[Definitions](#)

[Review of planning documents](#)

[Mandatory content](#)

[Mandatory content related to housing supply](#)

[Discretionary content related to planning tools](#)

[Discretionary content related to engagement](#)

[Discretionary content related to fiscal matters](#)

[Discretionary content related to the natural environment](#)

[Discretionary content related to social aspects](#)

[Discretionary content related to resource lands, infrastructure and economic development](#)

[Discretionary content related to culture, heritage and landscape features](#)

[Discretionary content related to general matters](#)

[Wind turbine setback requirement](#)

[Matters considered before approving wind turbine development](#)

[Appendix A: Regional Centre](#)

[Appendix B: Urban Service Area](#)

Citation

1 These regulations may be cited as the *Minimum Planning Requirements Regulations*.

Definitions

2 In these regulations,

“Charter” means the *Halifax Regional Municipality Charter*;

“residential dwelling” means a permanent structure used for human habitation and includes a house, condominium, apartment building, cottage, mobile home or trailer.

Review of planning documents

- 3 (1) Council must include policies in a municipal planning strategy on how it intends to review the municipal planning strategy and land-use by-law that implements the municipal planning strategy.
- (2) A municipal planning strategy and its implementing land use by-law must be reviewed no later than 10 years after the later of the following dates:
- (a) the date it was adopted;
 - (b) the date it was last reviewed;
 - (c) the effective date of these regulations.
- (3) Where the Municipality has one or more secondary planning strategies, subsection (2) shall be satisfied if a municipal-wide municipal planning strategy and all the land use by-laws applicable in the Municipality are reviewed within the timelines provided in subsection (2).
- (4) “Review” in relation to a municipal planning strategy, means the Municipality’s consideration of the content of a municipal planning strategy to determine if it should be amended or replaced to ensure that it meets the purposes outlined in Section 228 of the Charter and the minimum planning requirements.

Mandatory content

- 4 In addition to the requirements prescribed in subsection 229(1) of the Act, a municipal planning strategy must contain all of the following:
- (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy;
 - (b) a map of the lands within the Municipality that depicts the intended future uses of the lands as contemplated by the Municipality’s municipal planning strategy;
 - (c) statements of policy with respect to the lands subject to the municipal planning strategy in relation to all of the following:
 - (i) residential uses,
 - (ii) commercial and industrial uses,
 - (iii) institutional uses,
 - (iv) recreational facilities and public open spaces,
 - (v) resource uses, where resources are present within a municipality;
 - (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

Mandatory content related to housing supply

4A (1) In this Section,

“regional centre” means the area of the Municipality identified as the regional centre on the map attached as Appendix A;

“urban service area” means the area of the Municipality identified as the urban service area on the map attached as Appendix B.

- (2) In addition to the requirements prescribed in subsection 229(1) of the Charter and Section 4, a municipal planning strategy must do all of the following to address the issue of housing supply:
 - (a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;
 - (b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;
 - (c) permit residential uses in all zones, except for all of the following:
 - (i) areas zoned for industrial, military, park, transportation reserve and utility uses,
 - (ii) zones intended to protect the environment, water supply, floodplains or another similar interest;
 - (d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;
 - (e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;
 - (f) for developments enabled under the Municipality’s Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot’s gross area and not on its net area;
 - (g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;
 - (h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;
 - (i) provide that no requirement for on-site parking applies to residential uses within the urban service area;
 - (j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;
 - (k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;
 - (l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.
- (3) The requirements outlined in subsection (2) must be implemented no later than December 31, 2024.

Matters subject to other enactment of Province

- 5 (1) A municipality may include in its municipal planning strategy statements of policy on land use relating to any of the matters set out in Sections 6 to 13 unless the matter is the subject of another enactment of the Province.
- (2) Provided it is not prohibited by another enactment, statements of policy referred to in subsection (1) may be more stringent than another enactment.

Discretionary content related to planning tools

- 6 A municipal planning strategy may include statements of policy on the use, content, development, and administration of the following:
 - (a) zoning;

- (b) development agreements;
- (c) comprehensive development districts;
- (d) site-plan approval areas;
- (e) incentive or bonus zoning;
- (f) accepting and using cash-in-lieu of required parking;
- (g) studies to be carried out before undertaking specified developments or developments in specified areas;
- (h) staging development;
- (i) non-conforming uses and structures;
- (j) subdividing land; and
- (k) regulation or prohibition of development in areas based on noise exposure forecast or noise exposure projections.

Discretionary content related to engagement

7 A municipal planning strategy may include statements of policy on engaging with provincial and federal departments, First Nations, and non-abutting municipalities.

Discretionary content related to fiscal matters

8 A municipal planning strategy may include statements of policy on any of the following:

- (a) municipal investment for public and private development and coordinating public programs relating to the economic, social and physical development of the municipality;
- (b) eligibility criteria for establishing a commercial development district including all of the following:
 - (i) the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 92C(1) of the Charter, within the proposed commercial development district,
 - (ii) the period over which the increase in the taxable assessed value of the properties occurs.

Discretionary content related to the natural environment

9 A municipal planning strategy may include statements of policy on any of the following:

- (a) climate change mitigation and adaptation;
- (b) protecting the natural environment and biodiversity;
- (c) protecting the coast;
- (d) protecting water supplies;
- (e) identifying, preserving and protecting landscape features;
- (f) stormwater management and erosion control;
- (g) excavating or filling of land, the placement of fill or the removal of soil;
- (h) identifying, protecting, using and developing any of the following:
 - (i) lands subject to flooding,
 - (ii) steep slopes,
 - (iii) lands susceptible to subsidence, erosion or other geological hazards,
 - (iv) wetlands or other environmentally sensitive areas.

Discretionary content related to social aspects

10 A municipal planning strategy may include statements of policy on any of the following:

- (a) how social issues must be incorporated into decision making;
- (b) promoting social well-being;
- (c) housing opportunities for a range of social and economic needs and to support aging in place;
- (d) promoting community food security;
- (e) accessibility standards to help prevent and remove barriers that disable people;
- (f) walkability;
- (g) healthy built environments.

Discretionary content related to resource lands, infrastructure and economic development

11 A municipal planning strategy may include statements of policy on any of the following:

- (a) protecting and using resource lands;
- (b) infrastructure including municipal services and facilities and the means of recovering their cost;
- (c) generating, using, and conserving energy;
- (d) transportation services and networks including establishing transportation reserves;
- (e) home occupations and home-based businesses.

Discretionary content related to culture, heritage and landscape features

12 A municipal planning strategy may include statements of policy on any of the following:

- (a) heritage property protection and heritage buildings;
- (b) sites of cultural, historical or archeological interest;
- (c) other significant natural or human-made features.

Discretionary content related to general matters

13 A municipal planning strategy may include statements of policy on any of the following:

- (a) public health and safety;
- (b) land use matters relating to the physical, economic or social environment of the Municipality not otherwise prescribed in these regulations;
- (c) the minimum setback required between a residential dwelling and a wind turbine;
- (d) the matters that Council must consider before approving a wind turbine development.

Wind turbine setback requirement

14 (1) Any statement of policy included in a municipal planning strategy in accordance with clause 13(c) on the minimum setback required between a residential dwelling and a wind turbine, that is part of, or located within, an energy-generating facility with a production rating of 2 MW or greater, must not require a minimum setback larger than the greater of the following:

- (a) 4 times the wind turbine height;
- (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and

- (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.

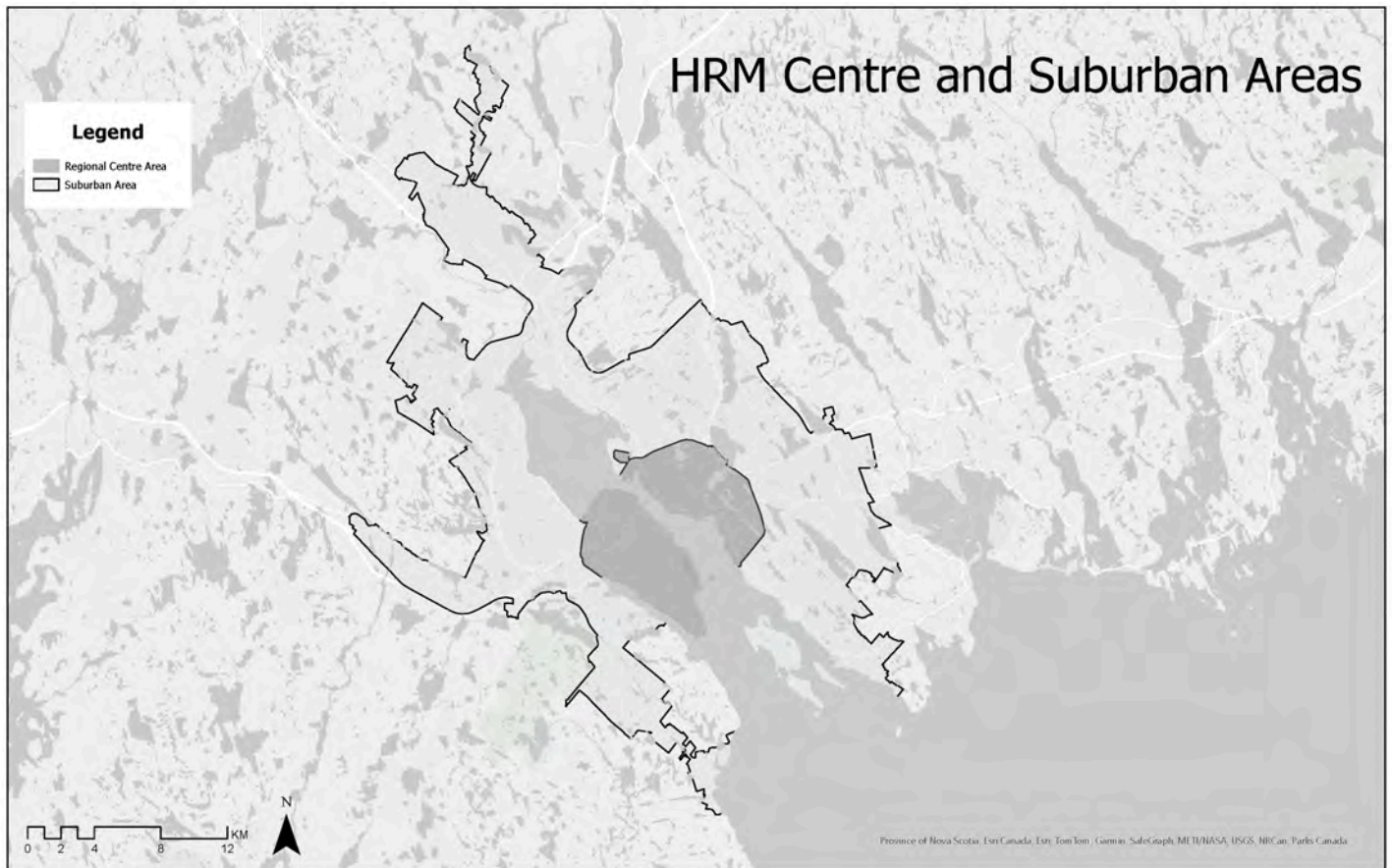
(2) For the purposes of subsection (1), wind turbine height is measured as the distance from

- (a) for a wind turbine other than a roof-mounted wind turbine, the average finished grade of the wind turbine to 1 of the following:
 - (i) the highest point of the wind turbine rotor,
 - (ii) the tip of the wind turbine blade when it reaches its highest elevation;
- (b) for a roof-mounted wind turbine, the building's average finished grade to 1 of the following:
 - (i) the highest point of the wind turbine rotor,
 - (ii) the tip of the wind turbine blade when it reaches its highest elevation.

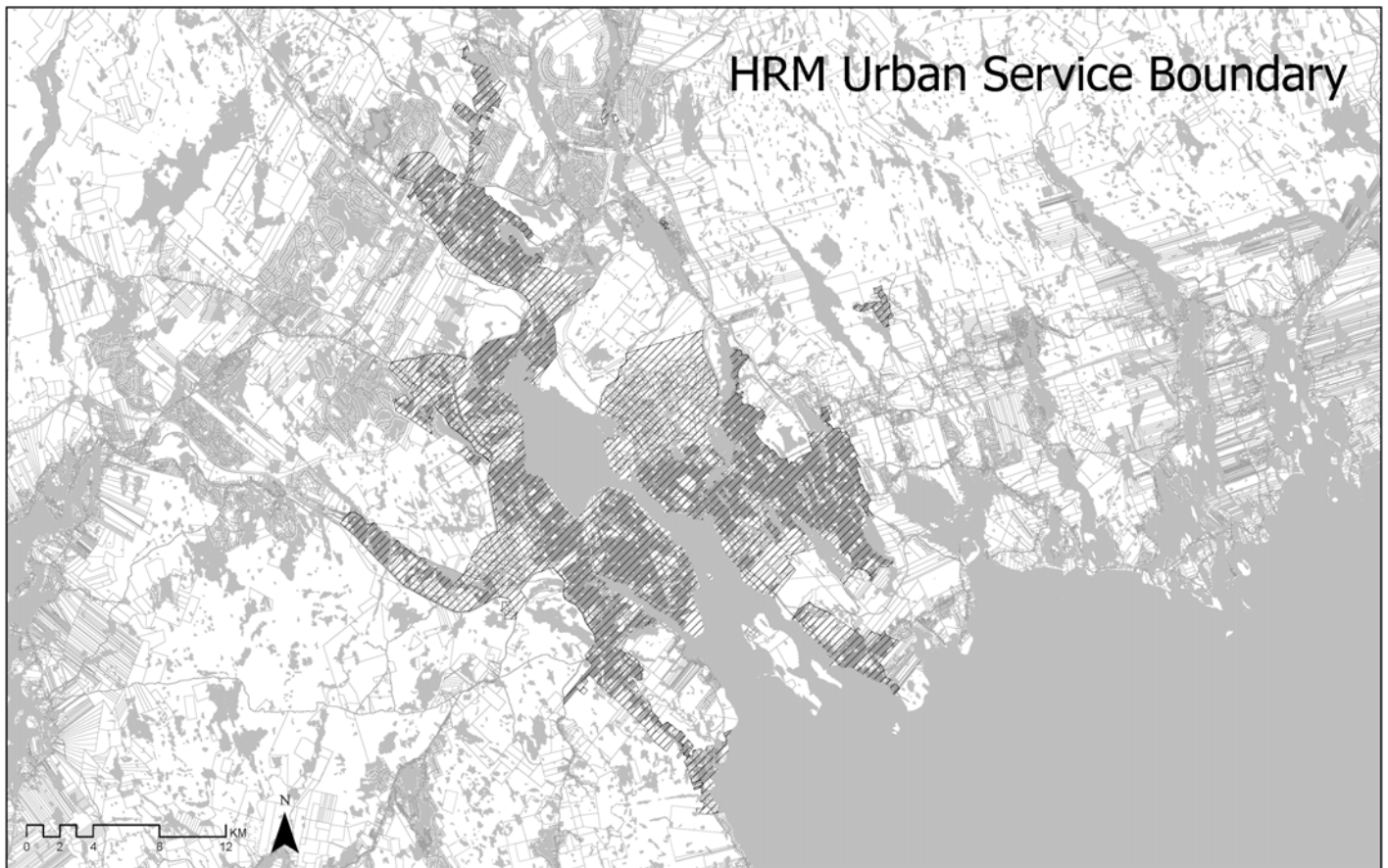
Matters considered before approving wind turbine development

- 15** Any statement of policy included in a municipal planning strategy in accordance with clause 13(d) on matters that Council must consider before approving a wind turbine development must not include the visual impact or aesthetic appearance of a wind turbine development.

Appendix A: Regional Centre



Appendix B: Urban Service Area



Legislative History Reference Tables

Minimum Planning Requirements Regulations
Halifax Regional Municipality Charter

N.S. Reg. 138/2019

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Minimum Planning Requirements Regulations* made under the *Halifax Regional Municipality Charter* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
138/2019	Dec 3, 2019	date specified (in force date of S.N.S. 2018, c. 39)	Oct 11, 2019
178/2024	Aug 21, 2024	date specified	Sep 6, 2024
205/2024	Sep 25, 2024	date specified	Oct 18, 2024
215/2024	Oct 10, 2024	date specified	Mar 21, 2025
228/2024	Oct 24, 2024	date specified	Mar 21, 2025
50/2025	Mar 7, 2025	date specified	Mar 21, 2025

The following regulations are not yet in force and are not included in the current consolidation:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
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*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Amendments by Provision

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected	How affected
2, defn. of “Charter”.....	am. 215/2024 ² , 228/2024, 50/2025 ³
2, defn. of “residential dwelling”.....	ad. 215/2024; rep. 228/2024 ad. 50/2025
4(c)(iv).....	am. 215/2024, 228/2024, 50/2025
4A.....	ad. 178/2024
4A(2)(f).....	rs. 205/2024
8(b)(i).....	am. 215/2024, 228/2024, 50/2025
9(h)(iii).....	am. 215/2024, 228/2024, 50/2025
10(f).....	am. 215/2024, 228/2024, 50/2025
11(d).....	am. 215/2024, 228/2024, 50/2025
12(b).....	am. 215/2024, 228/2024, 50/2025
13(a).....	am. 215/2024, 228/2024, 50/2025
13(b).....	am. 215/2024, 228/2024, 50/2025

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected	How affected
13(c).....	ad. 215/2024; rep. 228/2024 ad. 50/2025
13(d).....	ad. 50/2025
14.....	ad. 215/2024; rep. 228/2024 ad. 50/2025
15.....	ad. 50/2025
Appendices A-B.....	ad. 178/2024

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections

		Effective date
Note		
1	Amending instruction in N.S. Reg. 178/2024 to add s. 4A does not specify where to insert Appendix A and Appendix B, which are referred to in the Section. Appendix A and Appendix B added immediately after the end of the text of the regulations for the purposes of this consolidation.	
2	Amending instructions in N.S. Reg. 215/2024 specify amendments to the definition of “Act” in s. 2 and the placement of a new definition in relation to the definition of “Act”. The definition of “Act” does not exist in the regulations; amendments made to and in relation to the definition of “Charter” for the purposes of this consolidation.	
3	Amending instructions in N.S. Reg. 50/2025 specify amendments to the definition of “Act” in s. 2 and the placement of a new definition in relation to the definition of “Act”. The definition of “Act” does not exist in the regulations; amendments made to and in relation to the definition of “Charter” for the purposes of this consolidation.	

Repealed and Superseded

N.S. Regulation	Title	In force date	Repealed date
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Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.

Attachment A-10:

Proposed Approach to Address Wind Energy Minimum Planning Requirements

On March 6, 2025, the Minister of Municipal Affairs and Housing made changes to the Minimum Planning Requirements (MPR) Regulations under Section 229 of the HRM Charter regarding wind turbines.

Regarding setbacks, the regulations state:

- 14 (1) *Any statement of policy included in a municipal planning strategy in accordance with clause 13(c) on the minimum setback required between a residential dwelling and a wind turbine, that is part of, or located within, an energy-generating facility with a production rating of 2 MW or greater, must not require a minimum setback larger than the greater of the following:*
- (a) *4 times the wind turbine height;*
 - (b) *the distance required to ensure that*
 - (i) *sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and*
 - (ii) *a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.*

The regulations provide a definition of wind turbine height for the purposes of interpreting subsection (1).

The requirements further state that the visual impact or aesthetic appearance of wind turbine developments is not a factor that Council may consider when approving projects.

Review:

Staff assessed the impact of these requirements on HRM's planning documents, including the Regional Municipal Planning Strategy (Regional Plan), Secondary Municipal Planning Strategies (SMPs), and Land Use By-Laws (LUBs). The proposed Regional Plan policy meets the MPR, which is a general enabling policy that does not specify setback dimensions and does not include requirements related to visual impact or aesthetic appearance.

The Regional Plan includes policies for establishing wind energy facility requirements across land use by-laws, creating three zones that allows the use of a wind turbine:

- **Urban Wind Zone (UW-1)**
- **Rural Wind Zone (RW-2)**
- **Restricted Zone (R)**

The land use by-laws further classify wind energy facilities based on production capacity and turbine height:

- **Micro Facility:** ≤10kW, ≤23m (75ft)
- **Small Facility:** 10-30kW, ≤35m (115ft)
- **Medium Facility:** 30-300kW, ≤60m (197ft)
- **Large Facility:** >300kW, >60m (197ft)

Each land use by-law includes general provisions for wind energy facilities, and if a specific zone was not applicable to an area (e.g., rural wind zones within the Regional Centre), it was excluded from the by-law.

Impact on Large Facilities Over 2MW:

The MPR requirements on wind turbine setbacks only affect Large Facilities (over 2MW) which are restricted to HRM's RW-2 zone. HRM's existing land use by-laws have setback requirements that currently state a minimum setback of 1000m from any habitable building on an adjacent property is required. This may exceed the new MPR's maximum allowable as described above. Preliminary industry research was conducted and it was found that the tallest wind turbine approved in Canada to date is 195m. This would make the maximum setback for a turbine of this size 780m (4x the height of the turbine). It is uncertain what impact this particular turbine would have on noise and flicker, however industry standards indicate that wind turbines generally produce 35-45 decibels at a 300m distance.

HRM's current 1000m minimum setback requirement likely exceeds the MPR issued in terms of minimum setbacks and sound levels. HRM does not currently regulate shadow flicker from wind turbines. To determine necessary amendments to our planning framework, it is anticipated that at a minimum, language on shadow flicker measurement will be required. Staff will need to engage with industry experts and communities to appropriately assess the necessary amendments to the setback requirements within the RW-2 zone. Further technical analysis to support amendments will help to ensure regulatory compliance moving forward.

At this time, staff anticipate amendments will be focused on the RW-2 zone within the relevant land use by-laws and that no amendments will be required to the Regional Plan or Secondary Municipal Planning Strategies (Community Plans).

Recommendations:

HRM's existing policies generally align with the new Provincial regulations, however amendments to setback requirements and shadow flicker provisions are anticipated to ensure full compliance with the new MPR regulations. Staff recommends proceeding with the following to address the most recent changes in the Minimum Planning Requirements:

Industry and Community Consultation

- Engage wind energy developers and industry experts to assess potential impacts of the new setback requirements and explore mitigation strategies.
- Publish information on the HRM website regarding the MPR and the proposed amendments and provide a comment period for the public to provide any comments.

Technical Analysis & Reporting

- Undertake further analysis on noise modeling and shadow flicker projections to support amendments and ensure regulatory compliance moving forward.

Amendments to Land Use By-Laws

- Amend land use by-laws as necessary to align the setback requirements for large wind energy facilities in the RW-2 zone with the new regulation's setback distance requirements.
- Land use by-law amendments will be presented to the applicable Community Councils for consideration and approval. A public hearing must be held before any amendments can be approved.

Attachment A-11

Updated Population and Housing Issue Paper

Regional Plan Review Phase 4

Prepared by:

Planning Information Services
Planning & Development
March 2025

The HALIFAX logo is located in the bottom right corner of the page. It consists of the word "HALIFAX" in a bold, blue, sans-serif font. The letter "A" is stylized with a small gap in the middle. The logo is positioned to the right of a large decorative graphic that occupies the right side of the page. This graphic is composed of several overlapping triangles in shades of light blue and dark blue, creating a dynamic, geometric pattern.

Table of Contents

1.0 Report Purpose and Scope	4
2.0 Background	5
2.1 Regional Plan	5
2.2 Previous Issue Papers.....	5
2.2.1 Original Issue Paper (June 2021)	5
2.2.2 Supplementary Report (December 2021).....	5
2.2.3 Re-evaluation of population scenarios (May 2022).....	6
2.2.4 Updated Population and Housing Issue Paper (May 2023)	6
3.0 Recent Trends & Changes.....	7
3.1 Population	7
3.2 Housing	9
3.3 Housing Type	10
4.0 Updated Analysis	12
4.1 Population Scenarios.....	12
4.2 Housing Needs	15
4.3 Capacity	17
4.3.1 Updated Densities: Regional Centre Plan	17
4.3.2 Regional Centre Urban Structure Designation Changes.....	18
4.3.3 Updated Densities: Suburban BRT Corridors	18
4.3.4 Suburban BRT Corridor Designations – FGN1 and FGN2.....	19
4.3.5 Updated unit assumptions in the Future Serviced Communities, Future Growth Nodes and other special project areas	19
4.3.6 Updates to/ Commentary on the Scenarios	20
4.4 Results by Land Use Scenario.....	21

4.4.1 Scenario A: 2014 Regional Plan.....	21
4.4.2 Scenario B: The Next 10 Years	25
4.4.3 Scenario C: The Future	28
5.0 Conclusions & Next Steps.....	32

1.0 Report Purpose and Scope

Since the last Population and Housing Issue Paper, published in May 2023, there have been changes that have influenced population and housing trends in HRM. These changes include:

- Changes in migration trends
- Impact of the Federal 2025-2027 Immigration Levels Plan¹ and allocation to Nova Scotia for the Provincial Nominee Program (PNP) and the Atlantic Immigration Program (AIP)
- Adjusted unit/density assumptions for the intensification areas
- Changes to the Planning framework

These changes have necessitated updating the Population, Housing and Capacity Assessment models.

As we continue to monitor trends and assess how changes to the planning framework affect housing delivery, we expect to learn where there are opportunities and constraints in various systems, and to use this information to inform future settlement patterns to best support sustainable infrastructure development. To that end, we expect the information contained in this report to be used in an ongoing and iterative process to inform land use and infrastructure decision-making.

This update is based on the methodology used in the [Original Issue Paper \(June 2021\)](#) and modifications contained in subsequent papers. However, the population and housing projections outputs have been updated to align with recent trends, while the capacity assessment incorporates changes to the intensification areas as well as assumed units and densities.

Refer to the following papers for more information on the methodology:

- Preliminary Population & Housing Analysis Technical Documentation Regional Plan Review ([June 2021](#)).
- Preliminary Housing and Population Issue (Supplementary Report) Paper ([December 2021](#)).
- Annual Evaluation of Population Scenarios Regional Plan Review ([May 2022](#)).
- Updated Population and Housing Issue Paper ([May 2023](#))

¹ [Notice – Supplementary Information for the 2025-2027 Immigration Levels Plan - Canada.ca](#)

2.0 Background

2.1 Regional Plan

The Regional Municipal Planning Strategy (the Regional Plan) is the document that Regional Council uses to guide land use. It emphasizes a balanced approach to development and establishes targets for directing the location of new housing over the life of the Regional Plan (2006-2031). This is informed by the output of HRM's population and housing projections and capacity assessment models.

Each time the Regional Plan is reviewed, the Municipality assesses its progress toward achieving the housing growth targets. This requires evaluating population and housing forecasts and their relationship to the available supply of developable land, housing supply and demand, and the provision of a range of housing choices.

2.2 Previous Issue Papers

2.2.1 Original Issue Paper (June 2021)

In June 2021, Regional Planning released a [‘Preliminary Population & Housing Analysis’](#). The goal of that Issue Paper was to understand the dynamic between the projected demand for housing and Halifax's land use capacity to accommodate residents in different housing types.

The paper identified three population scenarios that drove projected future demand for housing in the municipality. It then calculated capacity for new residential development in identified “Intensification Areas” and used three land use scenarios to compare the demand to the capacity.

The results of this analysis concluded that:

- a. there was regulatory capacity to accommodate overall population growth in the short to moderate term,
- b. based on the 2016 propensity to live in different housing types, there would continue to be high demand for ground-based units, while the majority of the capacity for new housing was in the form of apartment-style units, and
- c. that the development of the remaining Future Serviced Communities should be considered in the near term if Regional Council chooses to respond to the 2016 propensity for ground-based units.

2.2.2 Supplementary Report (December 2021)

Regional Planning provided a supplementary report to the original Issue Paper in December 2021, to respond to some specific topics and questions identified: [\(Attachment D\) Preliminary Housing and Population Issue Paper: Supplementary Report](#).

This report has several sections:

- a. The first section identified an additional population scenario, based on new direction from the Provincial Government targeting 2 million people in Nova Scotia by 2060.
- b. The second section discussed the Regional Plan's role in directing future growth and explored the ways we grow: through infill and expansion.
- c. The third section provided information on the market's influence on housing conditions and identified a method of estimating a possible existing housing construction undersupply.

2.2.3 Re-evaluation of population scenarios (May 2022)

After Statistics Canada had published new population data in early 2022 (for the year 2020/2021), staff published [\(Attachment L\) Annual Population Scenario Evaluation 2022](#). This report evaluated the assumptions made in the population scenarios and proposed adjusted scenarios based on new data.

2.2.4 Updated Population and Housing Issue Paper (May 2023)

An [Updated Population and Housing Issue Paper](#) was published in May 2023 as part of Phase 4 of the Regional Plan Review, together with the release of the Draft Regional Plan. The report was necessitated by several changes that influence the population and housing analysis. These included:

- New data on population and housing published
- The addition of the 'Nova Scotia Targeted Migration' (NSTM) population scenario
- Adjusted population scenarios
- The estimation of a potential pre-existing construction undersupply
- Additional lands identified as intensification/growth areas
- Adjusted unit/density assumptions for the intensification areas

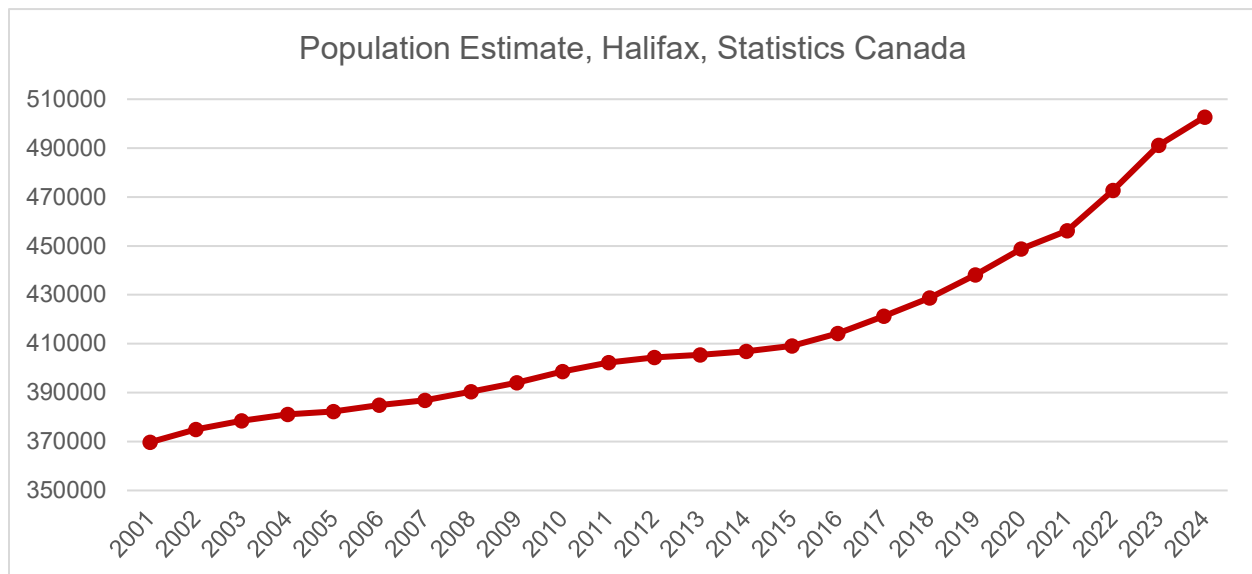
The goal of this report, released alongside the Draft Regional Plan, was to update the analysis from the original issue paper by incorporating the above-noted changes.

3.0 Recent Trends & Changes

3.1 Population

Halifax's population has been growing rapidly over the last years, but the growth rate between 2023 and 2024 was less than previous years. This trend is expected to continue over the short-term due to Federal immigration policy reducing expected immigration as outlined in the 2025-2027 Immigration Levels Plan and allocation to Nova Scotia for the Provincial Nominee Program (PNP) and the Atlantic Immigration Program (AIP).^{2 3}

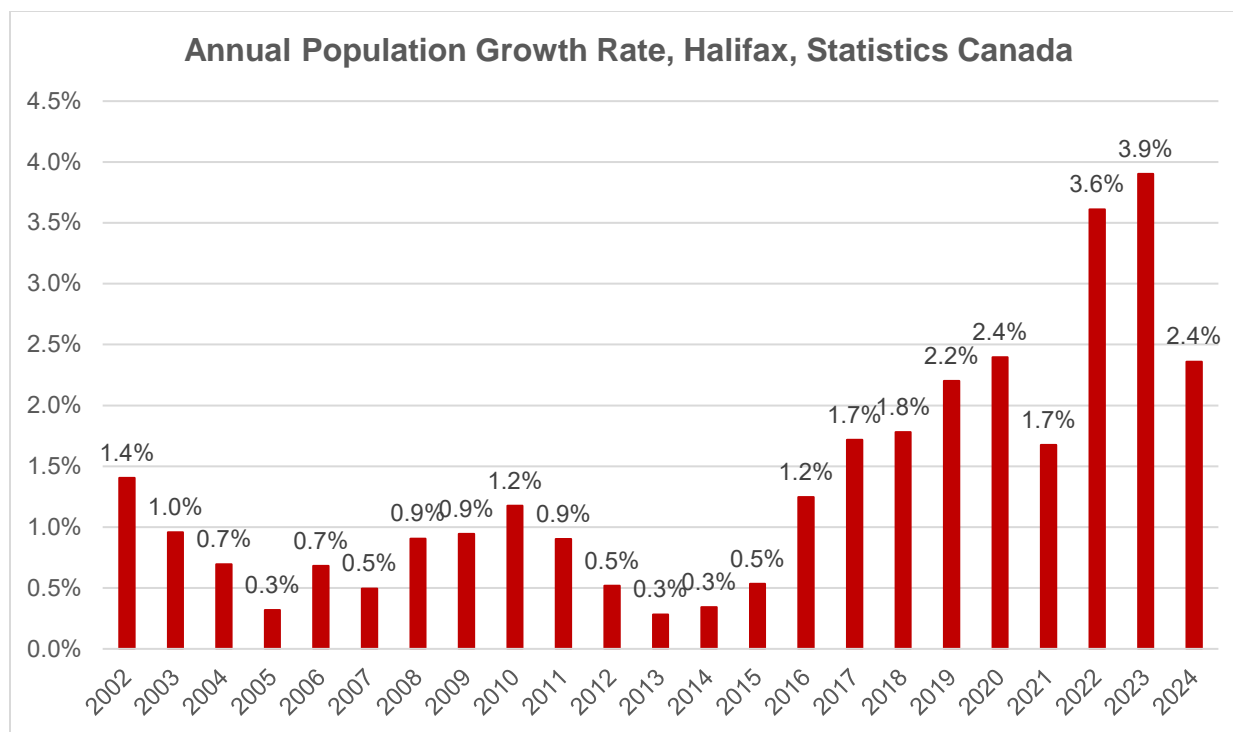
While migration has played a significant role in the population growth Halifax has recently experienced, recent figures indicate a slowing down. Negative values were observed for Net interprovincial migration and intraprovincial migration in 2023/2024, along with a significant downturn in Net non-permanent residents and slight increase in the number of emigrants. On the other hand, the number of immigrants and returning emigrants increased marginally. While this trend is expected to continue for Net non-permanent residents, due to Federal immigration policies, it is too early to determine if other types of migration will continue in the direction observed in 2024.



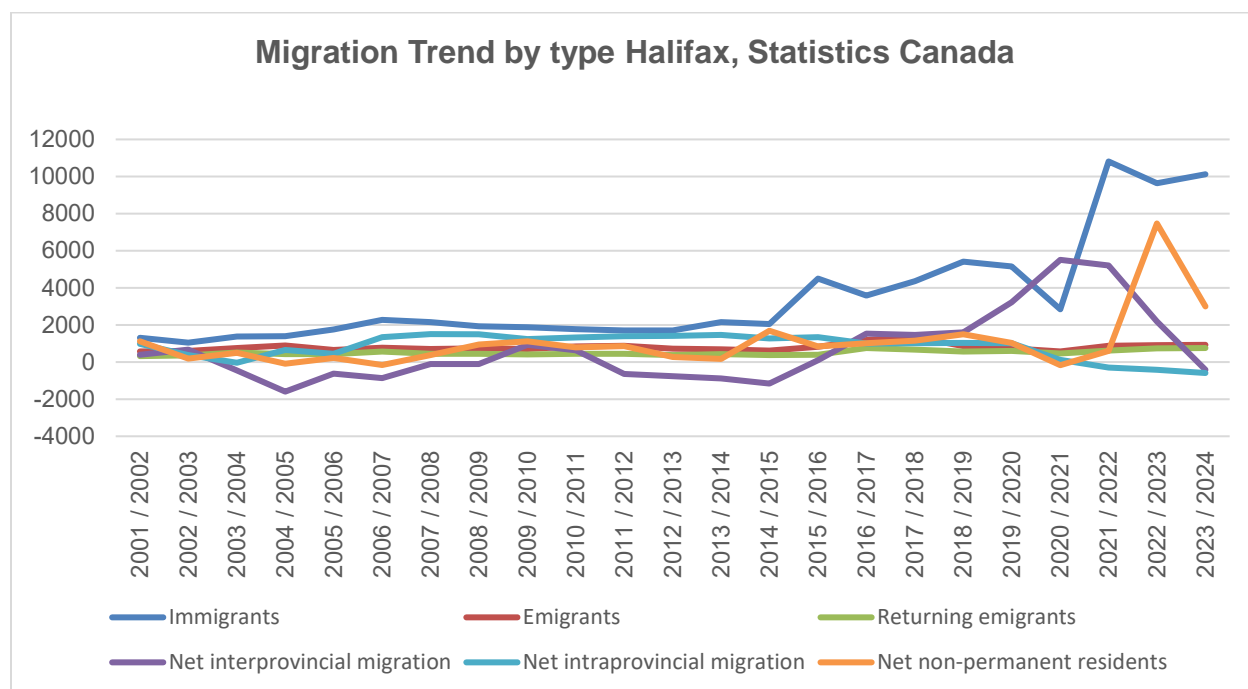
Source: Population estimates, July 1, by census subdivision, 2021 boundaries

² [Notice – Supplementary Information for the 2025-2027 Immigration Levels Plan - Canada.ca](#)

³ [Provincial Nominee Program \(PNP\) Quota for 2025](#)



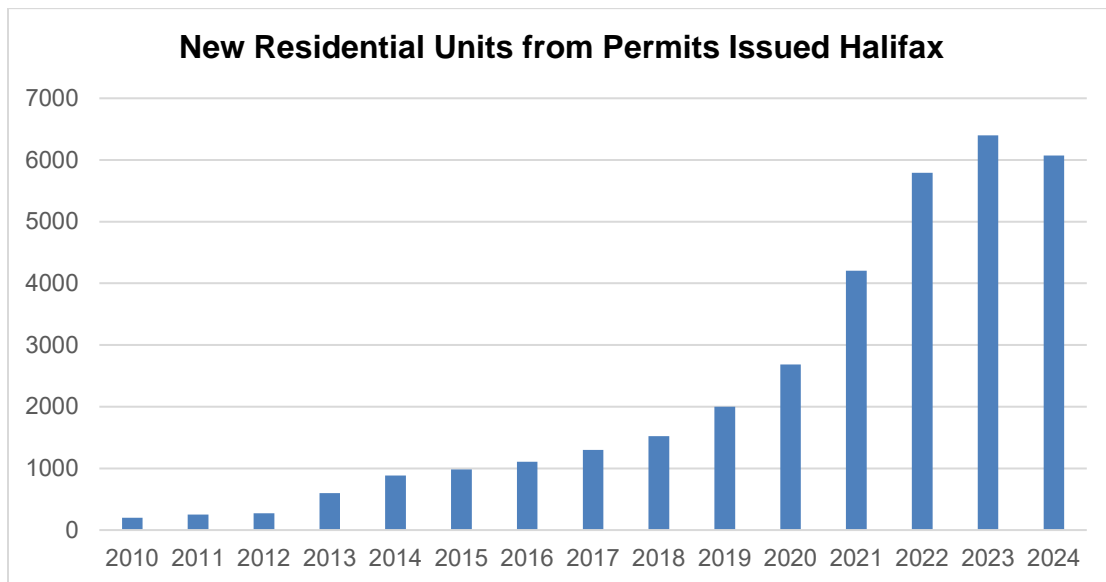
Source: Population estimates, July 1, by census subdivision, 2021 boundaries



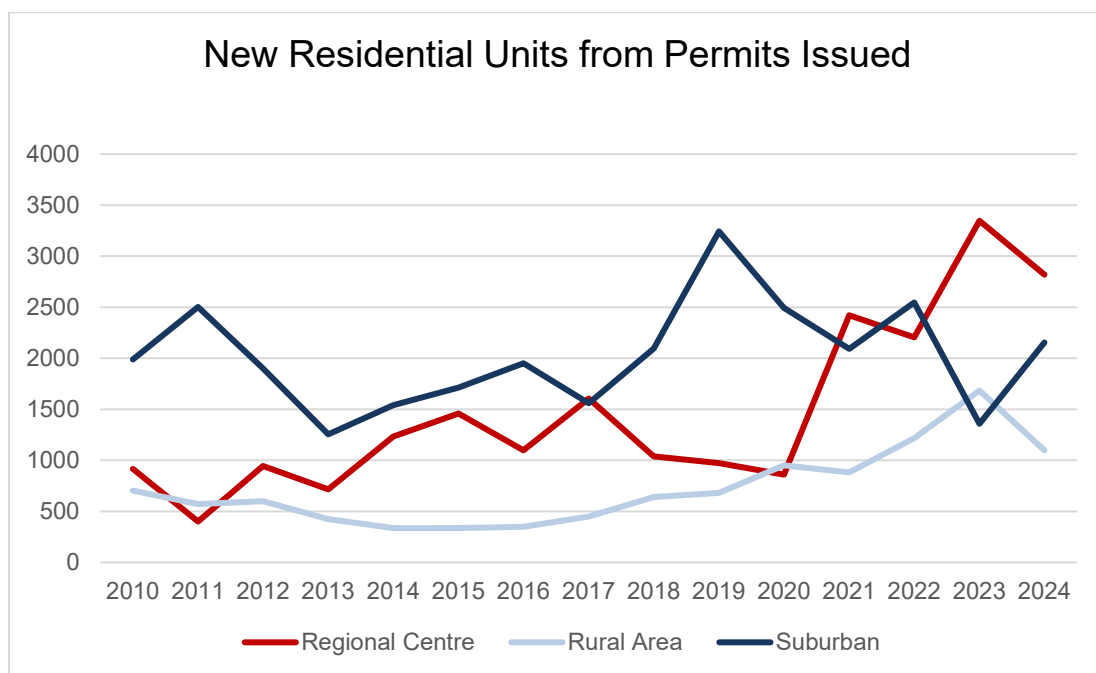
Source: Components of population change by census division, 2021 boundaries

3.2 Housing

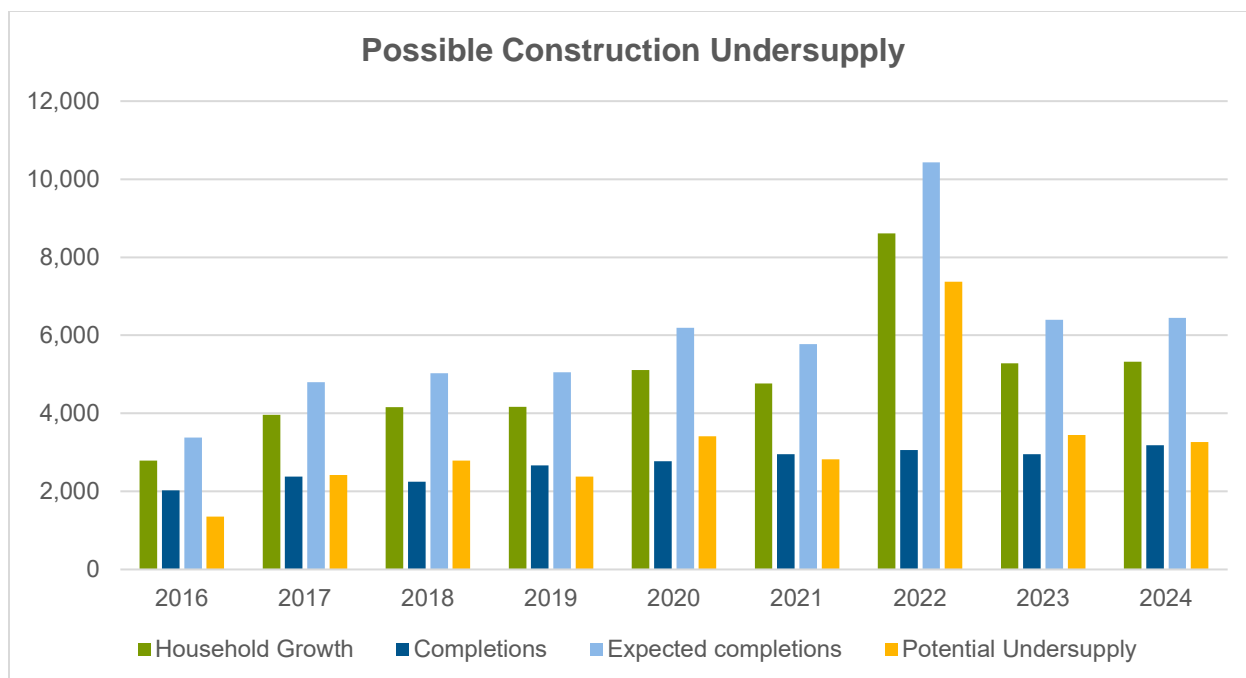
There has been a significant increase in the number of residential units that have started, as reflected by an increase in building permits issued. A considerable number of these buildings have been in the Regional Centre with the least in the Rural sub-region. This aligns with the intent of the Regional Plan to support intensification within the Urban Service Area boundary.



Source: HRM Permit Data



Source: HRM Permit Data



Source: P&D Analysis

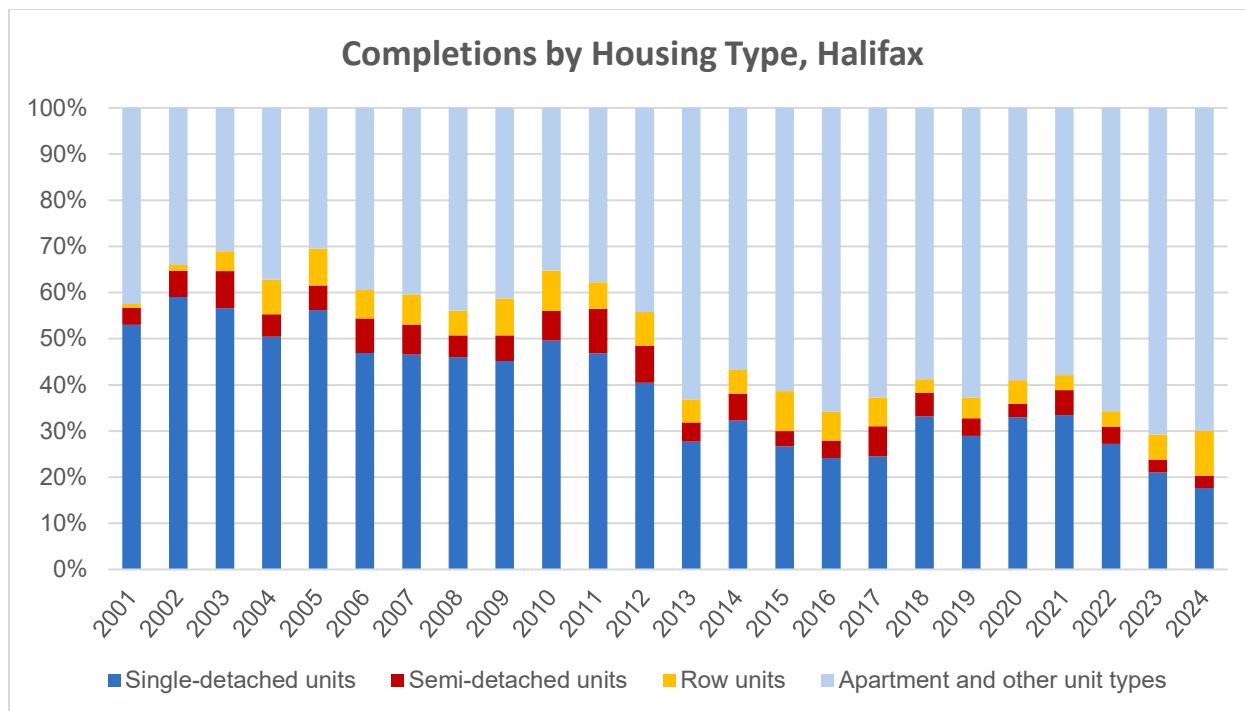
Despite the increase in the number of buildings starts, HRM continues to experience potential undersupply which increases the total amount of dwellings required to address housing supply shortage.⁴ While it is a good sign that potential undersupply has been decreasing from the peak witnessed in 2022, there is still a lot of work to be done to get to the pre-2016 value, which is the last time the Region had a vacancy rate of 3% or above for rental properties.

3.3 Housing Type

The Regional Plan directs most new growth to areas where existing services and infrastructure are available and aims to ensure that a range of housing types, including apartment-style and ground-oriented units, are available in all communities.

As shown in the figure below, apartment-style units continue to make up most new units constructed in HRM, resulting in more households shifting into this housing type. This trend could be linked to the substantial urban infill development, which is largely driven by recent policy changes in the Regional Centre.

⁴ Expected completion was calculated using the dwelling per household experienced in the 2006-2015 period and applying it to the 2016 – 2024 household growth. Kindly refer to [the Preliminary Housing and Population Issue Paper Supplementary report \(December 2021\)](#) for further details.



Source: Canada Mortgage and Housing Corporation, housing starts, under construction and completions in selected census metropolitan areas, annual Statistics Canada and Starts, Completions and Under Construction by Census Subdivisions Canada Mortgage and Housing Corporation

4.0 Updated Analysis

4.1 Population Scenarios

Having a range of scenarios allows HRM to envision different outcomes and assess how the existing planning framework is positioned to respond. This enables the Regional Plan to provide sufficient regulatory capacity in the housing system, thereby allowing the market to respond to demand.

As mentioned earlier, the population and housing projections outputs have been updated to reflect recent trends. These updates are summarized in table 1 below.

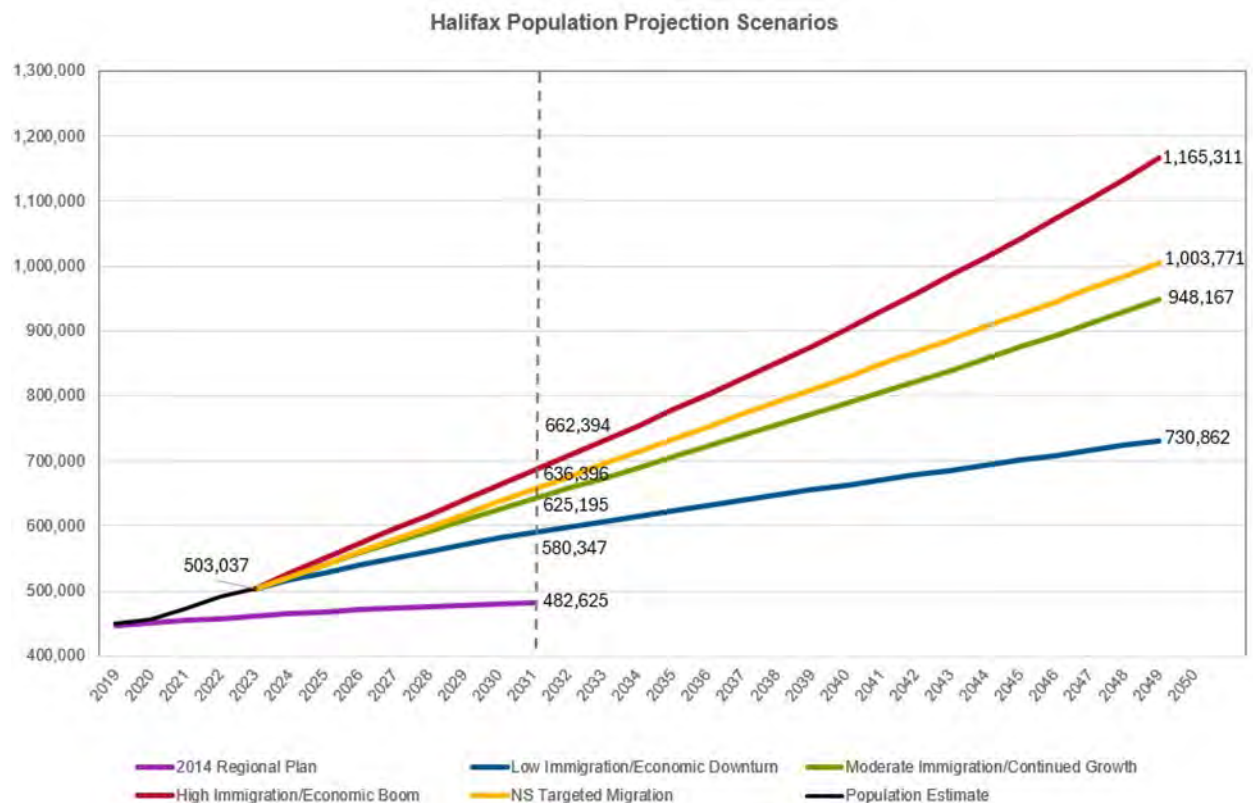
Table 1: Summary of assumptions⁵

Updated Scenarios				
Scenarios	Low Immigration/ Economic Downturn	Moderate Immigration/ Continued Growth	High Immigration/ Economic Boom	NS Targeted Migration
Base Year	2024			
Fertility	Average age-specific rate 2021-2023, held constant			
Birth sex split	Average age-specific rate 2021-2023, held constant			
Mortality	Average age-specific rate 2021-2023, held constant			
NS Immigration	IRCC low range 2025-2027 Immigration Levels Plan + Statistics Canada Low Scenario	IRCC target 2025-2027 Immigration Levels Plan + Statistics Canada Medium Scenario	IRCC high range 2025-2027 Immigration Levels Plan + Statistics Canada High Scenario	15000 immigrants to NS annually
% Halifax Immigration of NS	Average 2021-2023, held constant (77 %)			
Emigration	Average rate 2021-2023, held constant			
Returning Emigrants	Average ratio 2021-2023, held constant			
Temporary Emigrants	Not included due to methodological changes by Statistics Canada ⁶			
Interprovincial	Average rate 2011-2014, held constant	Average rate 2021-2023, held constant	Average rate 2019-2020, held constant	10,000 interprovincial migrants to NS Annually
Intraprovincial	Net zero	Average number 2016-2019, held constant	Moderate + (Moderate – Low)	Average number 2016-2019, held constant
NPR	Average 2021-2023, held constant			

⁵ The blue colour indicates that no change was made.⁶ <https://www150.statcan.gc.ca/n1/pub/91-215-x/2023002/dq-qd-eng.htm>

Age split of each component of migration	Average percentage 2021-2023, held constant
--	---

The graph below displays the updated scenarios as of March 2025. In the previous report, the NS Targeted Migration was the highest projection scenario, but it has been replaced by the High Migration/Economic Boom Scenario. This change is primarily due to adjustments in the projected number of immigrants, as the estimates provided by Statistics Canada were considerably higher than those used in the May 2023 report.⁷



Source: HRM population growth projection March 2025

⁷ [Components of projected population growth, by projection scenario](#)

4.2 Housing Needs ⁸

The tables below are the projected housing needs based on the updated population projections. The tables show the projected housing needs for all four scenarios for 2031 and 2050. It should be noted that the split by dwelling type is based on the CMHC completion data and not Housing Propensity which is derived from Statistics Canada 2021 Census data. Additionally, a 3% vacancy rate was included for multi-units because it is often referred to as a “healthy” vacancy rate which provides a balance between providing tenants with housing choice in the rental market and maintaining an incentive for the development community to invest in market housing.⁹ The tables also provide information about the existing units as of March 2025, potential undersupply, and the number of dwellings required by the target years based on the population projection.¹⁰

⁸ While Housing Demand is a more commonly used term, from an economic standpoint, Housing Needs is considered more appropriate. From a demographic perspective, Housing Needs are influenced by factors such as population growth, aging populations, and household formation rates. Housing Demand, on the other hand, refers to the desire and ability of households to purchase or rent housing in the market. It is driven by economic factors including income level, interest rates, property taxes, changes to the housing stock, and housing demand etc. There has also been an argument to use Housing Requirements instead of Housing Needs to avoid confusion with the Core Housing Needs concept. Refer to this paper for more detailed discussion [CUR_housing_definitions_2023.pdf](#) on this issue.

⁹ Henderson, J. (2019, November 15). AirBnBs increase housing costs for everyone, says urban planning prof. Halifax Examiner. Retrieved from [AirBnBs increase housing costs for everyone, says urban planning prof - Halifax Examiner](#).

¹⁰ Potential undersupply and remaining demand by dwelling type are based on CMHC completion data from 2006 to 2015, which had an average completion rate of 53% for ground-based dwellings and 47% for apartments. However, recent figures indicate a higher completion rate for apartments, reaching as high as 70% in 2024.

2031						
Scenario	Unit Type	Demand	Existing Units (2025 March)	Potential Undersupply	Vacancy	Remaining Demand
Low Immigration/ Economic Downturn	Total	255,968	217,976	29,264	0.03 for multi-unit only	70,199
	Ground-based	167,510	138,330	19,634		48,814
	Apartment	88,458	79,646	9,630	0.03	21,385
Moderate Immigration/ Continued Growth	Total	275,907	217,976	29,264	0.03 for multi-unit only	90,344
	Ground-based	180,559	138,330	19,634		61,863
	Apartment	95,348	79,646	9,630	0.03	28,482
High Immigration/ Economic Boom	Total	292,424	217,976	29,264	0.03 for multi-unit only	107,033
	Ground-based	191,368	138,330	19,634		72,672
	Apartment	101,056	79,646	9,630	0.03	34,361
NS Targeted Migration	Total	279,843	217,976	29,264	0.03 for multi-unit only	94,321
	Ground-based	183,134	138,330	19,634		64,438
	Apartment	96,708	79,646	9,630	0.03	29,883

2050						
Scenario	Unit Type	Demand	Existing Units (2025 March)	Potential Undersupply	Vacancy	Remaining Demand
Low Immigration/Economic Downturn	Total	333,500	217,976	29,264	0.03 for multi-unit only	148,535
Moderate Immigration/Continued Growth	Total	432,878	217,976	29,264	0.03 for multi-unit only	248,943
High Immigration/Economic Boom	Total	531,097	217,976	29,264	0.03 for multi-unit only	348,180
NS Targeted Migration	Total	453,958	217,976	29,264	0.03 for multi-unit only	270,241

4.3 Capacity

This paper retains the definition of capacity used in the July 2021 paper, which is “the ability for new housing supply to be built under existing or assumed regulations”.¹¹ This refers to general regulatory capacity, rather than individual sites or markets. Changes made since the publication of the 2023 Updated Population and Housing Issue Paper that directly impact the capacity assessment include the composition of the intensification areas, as well as the assumed units and densities. These changes are summarized below.

4.3.1 Updated Densities: Regional Centre Plan

A new methodology was developed to estimate densities based on potential built form in the Regional Centre designations (CEN, COR, DD, DH, and HOR) as part of the May 2023 Updated Population & Housing Issue Paper. However, in June 2024, these densities were adjusted to accommodate a mix of land uses (building heights and non-residential uses) and through comparing to similar contexts across Canada and North America. The revised density assumptions shown in Table 1 as “Updated Densities 2024/25” have been used in the updated capacity assessment analysis presented in this report.

¹¹ Population and Housing Issue Paper Technical Report, 2021. Available upon request.

Table 1: Centre Plan Densities

Designation	Abbreviation	Original Density 2021 (Units per acre)	Density 2023 (Units per acre)	Updated Densities 2024/25 (Units per acre)
Centre	CEN	75	203	130
Corridor	COR	36	93	70
Higher-Order Residential	HR	58	131	90
Downtown Dartmouth	D or DD	58	180	100
Downtown Halifax	DH	58	310	100

4.3.2 Regional Centre Urban Structure Designation Changes

In May 2024, through the [Urgent Changes to Planning Documents for Housing](#) amendments, Regional Council approved establishing a new Centre Designation on Fenwick Street, Halifax, and a new Future Growth Node Designation in Woodside, Dartmouth in May 2024.

4.3.3 Updated Densities: Suburban BRT Corridors

For this analysis, lands within the Suburban Area along proposed Bus Rapid Transit (BRT) corridors as identified in the *Rapid Transit Strategy* have been categorized using a similar Urban Structure framework as within the Regional Centre. It should be noted that while this section refers to “Designations”, these categories are based on preliminary assumptions developed for analysis purposes only, and do not reflect policy adopted by Regional Council.

Staff evaluated higher densities for the Suburban Areas as part of the May 2023 Updated Population & Housing Issue Paper. Further analysis comparing to current density levels in suburban areas and the Regional Centre determined that the assumptions may be higher than reasonable, and staff determined that the densities in the original 2021 issue paper were appropriate. Additionally, two different density levels for “Future Growth Nodes” were used recognizing different contexts for the designated areas (see Section 4.2.4 for further detail).

The revised density assumptions shown in Table 2 as “Updated Densities 2024/25” have been used in the updated capacity assessment analysis presented in this report.

Table 2: Suburban BRT Densities

Designation	Abbreviation	Original Density 2021 (Units per acre)	New Density 2023 (Units per acre)	Updated Densities 2024-25 (Units per acre)
Centre	CEN	58	203	58
Corridor	COR	36	93	36

Higher-Order Residential	HR	58	131	58
Suburban Future Growth Node 1	FGN (now FGN1)	40	76	40
Suburban Future Growth Node 2	FGN2	58	-	58

4.3.4 Suburban BRT Corridor Designations – FGN1 and FGN2

Four areas that had previously been identified as potential Future Growth Nodes were reassessed:

- **Rockingham South** – Removed as an FGN because the development is approved, and most units are accounted for differently in the model (as approved/planned units) rather than through the applied density
- **Lacewood/Dunbrack** – Designated **FGN-2**
- **Mainland Commons** - Designated **FGN-1**
- **Dartmouth Crossing** – Designated **FGN-1**
- **Mill Cove FGN** – Applied an **FGN-2** and **CEN** designation to the Mill Cove area

4.3.5 Updated unit assumptions in the Future Serviced Communities, Future Growth Nodes and other special project areas

There are a number of special project areas, including the Future Serviced Communities and Future Growth Nodes. All areas were reviewed to update with the most recent assumptions for these areas. A summary of changes made since the May 2023 issue paper is provided in Table 3 below.

Table 3: Updated Unit Assumptions for Future Serviced Communities, Future Growth Nodes and Other Special Project Areas.

Areas	Unit Assumptions and Rationale
Future Serviced Communities	Updated unit assumptions for Sandy Lake, Highway 102 West Corridor lands, and Morris Lake, to be consistent with the medium density scenario being used in the Future Serviced Communities study
Centre Plan Future Growth Nodes	Updated unit assumption for M District to reflect the developer's proposal Updated unit assumption for Woodside FGN based on the number included in the June 2024 allocation

Regional Plan Phase 3 Site Specific Amendments	Updated unit assumptions to reflect that the estimates for Exhibition Park and Bedford Commons were increased to reflect the developers' proposals
Planned Growth Projects	<p>Added Cogswell as a specific project with a particular unit count assigned, to reflect the new policy and zoning considered for this area.</p> <p>Added Paper Mill Lake as a specific project. This area was designated as a Provincial Special Planning Area in August 2024. The unit assumptions are based on the developer's proposal.</p>

4.3.6 Updates to/ Commentary on the Scenarios

Since 2021, this analysis has been based on three land use scenarios to assess housing demand as it relates to capacity. In the original 2021 issue paper, through the May 2023 update, these scenarios identified growth targets and areas for growth as follows:

	Growth Targets	Primary Areas for Growth
Scenario A	Based on 2014 Regional Plan: 25% Rural 75% Urban Communities	Regional Centre Future Serviced Communities
Scenario B	Based on Integrated Mobility Plan: 10% Rural 50% Suburban 40% Regional Centre	Regional Centre Future Serviced Communities Suburban Rapid Transit Corridors Regional Plan Review Phase 3 amendments Planned Growth Projects
Scenario C	Based on Integrated Mobility Plan: 10% Rural 50% Suburban 40% Regional Centre	Regional Centre Future Serviced Communities Rapid Transit Corridors Regional Plan Review Phase 3 amendments Planned Growth Projects Urban Reserve Areas

This report continues to use these scenarios, with one change. The change, along with the rationale behind it, is discussed below.

Akoma/ Westphal Urban Reserve (Change to Scenario B and C)

The Akoma/Westphal Urban Reserve area had originally been accounted for only in Scenario C, due to its status as an Urban Reserve. Staff have been studying this area as part of the Future Serviced Communities study, and on August 6, 2024, the lands were designated as a provincial

Special Planning Area. Therefore, the lands will be included within Scenario B as well as C, together with other Future Serviced Communities.

Urban Reserve areas not included in Scenario C (No change)

In previous iterations of the Issue Paper, two areas designated Urban Reserve were not included in the capacity analysis for Scenario C. This assumption is not changing, but additional detail is provided here for clarity.

- *Ragged Lake*: Because these lands are being studied for industrial lands only, they are not included within the housing capacity.
- *Purcells Cove Backlands*: A substantial portion of this Urban Reserve is now Shaw Wilderness Park, and other land is owned by HRM and the NS Nature Trust for nature conservation purposes. Prior to the designation of Shaw Wilderness Park, a Purcells Cove Feasibility Study explored options to the service the area, and it will be further studied in Regional Plan Review Phase 5 as part of the studies of all Urban Reserve areas to confirm past results and to determine land suitability for development. At this time, it has not been included in the housing capacity analysis. The configuration of the land (properties are narrow strips of land, rather than large land holdings) makes it difficult to assign a density at this time. Additional density may be assigned in future iterations of this analysis, as the Urban Reserve studies are undertaken.

Limitations and Future Refinement of Land Use Scenarios

It should be noted that the land use scenarios are intended to identify major areas for growth, but do not account for all potential development. There are additional lands where development is currently permitted under the existing planning framework, either as-of-right or through policy-enabled processes (rezoning, development agreements), which are not captured in these scenarios. For example, the proposed Regional Plan has identified two potential future growth areas in the Suburban Area that have not yet been identified in this analysis (Tacoma Drive and Downsview Mall). Future iterations of this analysis will refine the scenarios to include or exclude areas, particularly in the Suburban Area as the Suburban Plan becomes more defined.

4.4 Results by Land Use Scenario

4.4.1 Scenario A: 2014 Regional Plan

In 2014, the Municipality was still planning for 1% annual growth, and analysis revealed that the Regional Plan's growth targets (25% of growth to the Regional Centre, 50% to the Suburbs, and 25% to Rural Areas) were not being met. Meanwhile, the Stantec Scenarios study indicated that achieving the Regional Plan Growth targets would be critical for the Municipality in terms of infrastructure cost savings and found that it would be beneficial to concentrate even more growth in the Regional Centre than the initial growth targets called for. Therefore, the 2014 Regional Plan took the direction of further concentrating growth in the Regional Centre and

identified Future Serviced Communities that could be brought online in the Suburban Areas. The growth targets became: 75% of growth to the Urban Communities and 25% to Rural areas, with at least 25% of the urban growth going to the Regional Centre. In 2019, the Municipality approved Centre Plan Package A, which could accommodate 40% of growth in the Regional Centre in key areas for intensification.

This land use scenario explores growth allocation according to the 2014 Regional Plan, with 25% of total growth going to Rural Areas, and intensification occurring in the Regional Centre Plan areas, as well as the Future Serviced Communities.

SCENARIO A 2014 Regional Plan

Growth Area

-  Special Planning Area (SPA)
-  Future Growth Node
-  Future Growth Node & SPA
-  Future Serviced Community
-  Future Serviced Community & SPA
-  Cogswell/Downtown Gateway
-  Centre
-  Corridor
-  Higher-Order Residential
-  Downtown
-  Downtown Halifax
-  Remaining Approved Development
-  Sub-Area Boundary

SUBURBAN AREA

REGIONAL CENTRE

PCS: NAD 1983 CSRS 2010 MTM 5 Nova Scotia
Datum: North American 1983 CSRS
Projection: Transverse Mercator
Central Meridian: -64.5000
Latitude of Origin: 0.0000
Longitude of Origin: 0.0000
False Easting: 25,500,000.0000
False Northing: 0.0000
Scale Factor: 0.9999
Map Units: Metre

Map created by Halifax Regional Municipality Research & Data Group.

The following is a graphical representation and although care has been taken to ensure the best possible quality, HRM does not guarantee the accuracy of this document.



SCENARIO A: 2014 REGIONAL PLAN			Original Density Assumptions		Density Assumptions 2023		New Density Assumptions 2025	
Capacity			104,800		315,600		165,256	
Horizon Year	Population Scenario	Total Demand to Growth Areas	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?
2031	Low	47000	57000	2.2	268000	6.7	118000	3.5
	Moderate	61000	44000	1.7	255000	5.2	104000	2.7
	High	72000	33000	1.5	243000	4.4	93000	2.3
	NSTM	64000	41000	1.6	252000	5.0	102000	2.6
2050	Low	100000	5000	1.0	215000	3.1	65000	1.7
	Moderate	168000	-63000	0.6	148000	1.9	-3000	0.99
	High	235000	-130000	0.4	81000	1.3	-70000	0.7
	NSTM	182000	-78000	0.6	133000	1.7	-17000	0.9

***These numbers may not add up exactly due to rounding.

4.4.2 Scenario B: The Next 10 Years

Following the 2014 Regional Plan and the Centre Plan, the Municipality began further assessing growth as it relates to mobility. The Integrated Mobility Plan (2017) assessed the mode share targets and suggested that in order to meet them, as much of 90% of growth should be accommodated within the urban settlement or service boundary. It proposed new regional growth targets of approximately 40% of growth in the Regional Centre, 50% in Suburban communities, and 10% in Rural communities. The Rapid Transit Strategy (2020) was the next step in assessing how this growth could be organized in the suburban communities around proposed Bus Rapid Transit (BRT) routes, and assessed how much development could be realized surrounding these routes.

The primary difference between this scenario and Scenario A, is that by using the Integrated Mobility Plan growth targets, Scenario B allocates 10% of growth to the Rural Areas, as opposed to 25%. There is also additional capacity available in this scenario, as it accounts for the Regional Plan Review Phase 3 amendments, as well areas surrounding future proposed BRT routes and other transit corridors that were identified for possible intensification. The designations shown in the suburban areas are *potential draft designations* for the purposes of envisioning future housing capacity and are subject to change.

SCENARIO B

The Next 10 Years

Growth Area & Potential Draft
Growth Areas

-  Special Planning Area (SPA)
-  Future Growth Node
-  Future Growth Node & SPA
-  Future Served Community
-  Future Served Community & SPA
-  Cogswell/Downtown Gateway
-  Centre
-  Corridor
-  Higher-Order Residential
-  Downtown
-  Downtown Halifax
-  Suburban BRT Corridors Centre
-  Suburban BRT Corridors Corridor
-  Suburban BRT Corridors Higher-Order Residential
-  Suburban BRT Corridors Future Growth Node 1
-  Suburban BRT Corridors Future Growth Node 2
-  Site Specific Amendments to the Regional Plan (Phase 3)
-  Remaining Approved Development
-  Sub-Area Boundary

SUBURBAN AREA

REGIONAL CENTRE

PCS: NAD 1983 CSRS 2010 MTM 5 Nova Scotia
Datum: North American 1983 CSRS
Projection: Transverse Mercator
Central Meridian: -64.5000
Latitude of Origin: 0.0000
Longitude of Origin: 0.0000
False Easting: 25,500,000.0000
False Northing: 0.0000
Scale Factor: 0.9999
Map Units: Metre

Map created by Halifax Regional Municipality Research & Data Group.

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0 1 2 4
kilometres



SCENARIO B: THE NEXT 10 YEARS			Original Density Assumptions		Density Assumptions 2023		New Density Assumptions 2025	
Capacity			209,000		733,000		243,511	
Horizon Year	Population Scenario	Total Demand to Growth Areas	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?
2031	Low	57000	152000	3.7	676000	12.9	188000	4.3
	Moderate	73000	136000	2.9	660000	10.0	171000	3.3
	High	87000	122000	2.4	646000	8.5	158000	2.8
	NSTM	76000	133000	2.7	657000	9.6	168000	3.2
2050	Low	120000	89000	1.7	613000	6.1	124000	2.0
	Moderate	202000	7000	1.0	531000	3.6	43000	1.2
	High	282000	-73000	0.7	451000	2.6	-37000	0.9
	NSTM	219000	-10000	0.95	514000	3.3	26000	1.1

***These numbers may not add up exactly due to rounding.

4.4.3 Scenario C: The Future

This scenario seeks to examine longer-range outcomes, by assuming that the Municipality continues with the policy direction for growth allocation from the Integrated Mobility Plan and by bringing on the lands currently designated 'Urban Reserve' as part of the capacity. The Regional Plan Review will consider if adjustments to the Urban Reserve areas are necessary where circumstances may have changed and will set policy intent to study additional scenarios for future settlement. Due to the long-range nature of this scenario, it was only evaluated on the 2050-time horizon.

This scenario builds on Scenario B and allocates additional growth to the areas currently designated 'Urban Reserve' for the 2050-time horizon only.

SCENARIO C The Future

Growth Area & Potential Draft Growth Areas

-  Special Planning Area (SPA)
-  Future Growth Node
-  Future Growth Node & SPA
-  Future Served Community
-  Future Served Community & SPA
-  Cogswell/Downtown Gateway
-  Urban Reserve
-  Centre
-  Corridor
-  Higher-Order Residential
-  Downtown
-  Downtown Halifax
-  Suburban BRT Corridors Centre
-  Suburban BRT Corridors Corridor
-  Suburban BRT Corridors Higher-Order Residential
-  Suburban BRT Corridors Future Growth Node 1
-  Suburban BRT Corridors Future Growth Node 2
-  Site Specific Amendments to the Regional Plan (Phase 3)
-  Remaining Approved Development
-  Sub-Area Boundary

SUBURBAN AREA

REGIONAL CENTRE

PCS: NAD 1983 CSRS 2010 MTM 5 Nova Scotia
Datum: North American 1983 CSRS
Projection: Transverse Mercator
Central Meridian: -64.5000
Latitude of Origin: 0.0000
Longitude of Origin: 0.0000
False Easting: 25,500,000.0000
False Northing: 0.0000
Scale Factor: 0.9999
Map Units: Metre

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0 1 2 4
kilometres



SCENARIO C: THE FUTURE			Original Density Assumptions		Density Assumptions 2023		New Density Assumptions 2025	
Capacity			250,000		773,000		281,264	
Horizon Year	Population Scenario	Total Demand to Growth Areas	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?	Capacity – Demand	How many times capacity to demand?
2050	Low	120000	130000	2.1	653000	6.4	158000	2.3
	Moderate	202000	48000	1.2	571000	3.8	77000	1.4
	High	282000	-32000	0.9	491000	2.7	-3000	0.99
	NSTM	219000	31000	1.1	554000	3.5	60000	1.3

***These numbers may not add up exactly due to rounding.

		SCENARIO A: 2014 REGIONAL PLAN		SCENARIO B: THE NEXT 10 YEARS		SCENARIO C: THE FUTURE	
Growth Allocation		25% Rural 75% Urban Communities		10% Rural 50% Suburban Areas 40% Regional Centre		10% Rural 50% Suburban Areas 40% Regional Centre	
Intensification Areas		Regional Centre Future Serviced Communities		Regional Centre Future Serviced Communities Rapid Transit Corridors		Regional Centre Future Serviced Communities Rapid Transit Corridors Urban Reserve	
Capacity (Housing Units)		165,256	 10,450  154,806	244,558	 21,862  222,696	278,723	 43,330  235,939
Demand Allocated to Intensification Areas	Low Immigration & Economic Downturn Demand Scenario	2031	47,384  28,018  19,367	56,861  36,494  20,367			
		2050	100,261	120,212	120,313		
	Moderate Immigration & Continued Growth Demand Scenario	2031	60,982  35,098  25,884	73,179  46,007  27,172			
		2050	168,036	201,644	201,644		
	High Immigration & Economic Boom Demand Scenario	2031	72,247  40,963  31,284	86,697  53,888  32,809			
		2050	235,021	282,026	282,026		
	NS Target Migration Demand Scenario	2031	63,667  36,49  27,171	76,400  47,885  28,515			
		2050	182,417	218,895	218,895		

 = Ground Based Units (single detached, semi-detached/duplex, townhouse)

 = Apartment Units

Due to the long timeline from 2021-2050 and the uncertainty around future trends in housing propensity, we did not evaluate housing type on the 2050-time horizon.

5.0 Conclusions & Next Steps

This report presents the results of a point-in-time analysis, aimed at helping residents, Regional Council, and staff of Halifax Regional Municipality understand recent population and housing trends in Halifax. By thoroughly examining recent trends and policy adjustments, we identified several critical insights that guide our understanding of the region's future development trajectory.

The report reveals that HRM has improved its ability to accommodate projected population growth and promote diverse housing options by utilizing zoning adjustments and strategic planning initiatives, such as the Centre Plan and Suburban Rapid Transit Corridors. However, the next 10-year and future scenarios reveal that if HRM grows at the rate indicated in the NS Targeted Migration and High Migration/Economic Boom scenarios, there might be challenges in meeting the housing demand by 2050 if no further policy changes are considered.

This calls for concerted efforts across the board to overcome existing challenges. This includes aligning infrastructure development with housing expansion and navigating regulatory complexities to expedite construction processes. Additionally, the discrepancy between permits issued and completions highlights the need to address barriers to construction and promote efficient development practices.

Moving forward, collaborative action among stakeholders is essential to capitalize on the region's growth opportunities and address housing challenges effectively. Ongoing dialogue and coordination between policymakers, developers, and community stakeholders will be crucial to ensure housing initiatives align with broader regional goals of sustainability and inclusivity.

Given the dynamic nature of population growth and the planning system, this process should be considered iterative in nature. The Regional Plan Review and the Suburban Plan process will continue to identify additional lands that are capable of accommodating new housing. These areas will be included in future iterations of this analysis as the Suburban Plan process progresses. Adjustments to include or exclude areas in this analysis may continue as the Regional Plan Review evaluates future growth scenarios and the Suburban Plan becomes more defined.

Furthermore, Planning & Development staff will continue to monitor trends and analyze how changes to the planning framework impacts housing delivery. New insights will be continuously communicated to residents, Council, and staff in line with the Municipality's commitment to evidence-based decision-making.

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
We can decide how we want Halifax to grow.										
We can make smart decisions about housing and employment and use the Regional Plan to quickly direct growth to the right places, in a way that furthers our community goals, and builds a healthy, thriving economy.										
1.1	Considering the Regional Scale First	Growth Management & Market Housing	Review and confirm the Regional Plan’s development and growth policies by considering where and how the Municipality will grow within the life of this Plan.	Ongoing	Chapter 2: Planning for the Region, Policies; Maps 1, 2, 3, 4		●	●	●	
1.2	Considering the Regional Scale First	Growth Management & Market Housing	Assess progress towards achieving household growth targets, including population and housing forecasts and their implications in relation to the available supply of developable land, housing supply and demand, and the provision of a range of housing choices.	Ongoing	Section 2.5 Strategic Growth Planning, Policies RP-23 to RP-30		●	●	●	
1.5	Considering the Regional Scale First	Growth Management & Market Housing	Review and clarify the process for expanding the Urban Service Area to address minor issues or unique circumstances between Regional Plan review periods.	Completed	Section 10.6.1 Urban Service Area, Policy IM-61			●		
1.6	Considering the Regional Scale First	Growth Management & Market Housing	Identify any developer requests for expansions to the Urban Service Boundary and assess whether the request should be considered, based on existing policy and the proposed future policy framework	Ongoing	All requests to be reviewed against all relevant Regional Plan policy. See requests for consideration in Phase 5 (Attachment A-6).		●	●	●	
1.7	Considering the Regional Scale First	Growth Management & Market Housing	Recommend a process for the development of the Sandy Lake, Highway 102 West Corridor Lands and Morris Lake future serviced communities by assessing the relationship to: Achieving household growth targets, including population and housing forecasts and their implications in available supply of developable land, housing supply and demand, and the provision of affordable housing; Incorporating the policies and actions of HRM’s priorities plans (including the Halifax Green Network Plan, Integrated Mobility Plan, HalifACT	Completed	Section 3.4.3 Future Serviced Communities, HC-11 and HC-12, Map 3					●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			and Sharing Our Stories); and Planning for existing and future parkland and wilderness areas.							
1.8	Considering the Regional Scale First	Growth Management & Market Housing	Use the results of the Capital Cost Infrastructure Charges study to determine the basis, methodology and implications of adopting infrastructure charges.	Ongoing	Section 2.5 Strategic Growth Planning, Policies RP-27 and RP-28; Section 10.5.5 Infrastructure Charges, Policies IM-53 and IM-54				●	
1.9	Considering the Regional Scale First	Growth Management & Market Housing	Review the lands designated Urban Reserve where circumstances have changed and make appropriate amendments, such as in the Purcell’s Cove Backlands area.	Ongoing	Section 2.3.1.3 Urban Reserve Designation, Policies RP-9 to RP-14, Map 1			●	●	
1.10	Considering the Regional Scale First	Growth Management & Market Housing	Remove the Urban Reserve designation from the Akoma lands as directed in The Road to Economic Prosperity Action Plan and assess the future development of the entire Urban Reserve in relation to: Achieving household growth targets, including population and housing forecasts and their implications in available supply of developable land, housing supply and demand, and the provision of affordable housing; and Incorporating the policies and actions of HRM’s priorities plans (including the Halifax Green Network Plan, Integrated Mobility Plan, HalifACT and Sharing Our Stories).	Ongoing	Section 2.3.1.3 Urban Reserve Designation, Policies RP-9 to RP-14, Map 1					●
1.11	Considering the Regional Scale First	Growth Management & Market Housing	Adopt a policy to require future study of population growth and settlement patterns, including an assessment of Urban Reserve lands and the need for new serviced development beyond 2031.	Ongoing	Section 2.5 Strategic Growth, Policies RP-23 to RP-RP-28; Section 2.3.1.3 Urban Reserve Designation, Policies RP-9 to RP-14, Map 1				●	

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
3.1	Reconsidering Employment and Industrial Lands	Growth Management & Market Housing	Work with the Halifax Partnership to ensure that the Regional Plan is aligned with Halifax’s Economic Growth Plan 2022-2027.	Completed	Section 8.3 Economic Strategy, Policy EC-1; Section 10.4.2 Priorities Plans, Policy IM-8	●		●		
3.2	Reconsidering Employment and Industrial Lands	Growth Management & Market Housing	Adopt Regional Plan policy to direct ongoing study of employment trends and commercial space demand to inform planning for mixed use, transit-oriented communities and rural service centres.	Ongoing	Section 8.4 Mixed Use Communities and Mixed Employment Centres, Policy EC-8			●		
3.4	Reconsidering Employment and Industrial Lands	Growth Management & Market Housing	Revise Regional Plan policy to better protect and plan for long-term industrial land needs using the recommendations of the Industrial Employment Lands Strategy. This work will: Identify and designate industrial employment areas based on industry type (for example light industry, general/heavy industry, marine industry); Establish a framework for consistent industrial zoning to be adopted in existing and future industrial employment areas across the Municipality; Introduce policy to direct where and how employment-supportive (non-industrial) uses can be accommodated in industrial employment areas; and Adopt policy to direct ongoing study of industrial employment trends, industrial land availability, conversion pressures, and opportunities for land intensification to inform planning for long-term industrial land needs.	Completed	Section 8.5 Industrial Employment Lands, Policies EC-9 to EC-13; Section 8.5.1.1 Heavy Industrial, Policy EC-14; Section 8.5.1.2 Light Industrial, Policy EC-15; Section 8.5.1.3 Commercial Industrial, Policy EC-16; Section 8.5.2 Long-Term Industrial Land Protection, Policies EC-22 to EC-24			●		
7.9	Integrating Community	Growth Management & Market Housing	Explore the use of policy tools like capital cost contributions, and density bonus programs to support parkland dedication based on population density.	Ongoing	Section 2.5.2 Strategic Growth and				●	

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
	Facilities and Parks				Infrastructure Planning, Policies RP-27 and RP-28; Section 4.3.1 Parks and Outdoor Facilities Priorities Plan, Policy CI-4					
10.1	Imagining HRM into 2050 and Beyond	Growth Management & Market Housing	Develop and model several future scenarios based on relatively stable and uncertain variables. Determine what policies should be prioritized based on several scenarios.	Ongoing	Section 2.5.1 Population Growth and Monitoring, Policies RP-23 to RP-25				●	
10.2	Imagining HRM into 2050 and Beyond	Growth Management & Market Housing	Design a framework for how to engage communities on what they think should be studied and considered when planning for the future of HRM. This engagement will inform what to research over the next number of years to position us for the 2026-2030 Regional Plan Review.	Completed	Section 10.3 Community Engagement, and 10.3.1 Public Participation for Planning Applications and Planning Documents, Policy IM-1				●	
11.1	Assessing the Impacts of COVID-19	Growth Management & Market Housing	Continue to monitor the impacts of the COVID-19 pandemic on social, economic, environmental and population growth indicators, and adopt a framework for tracking these trends to guide future regional planning.	Completed	Section 10.8 Measuring Success, Reviewing the Plan and Adapting to Change, Policy IM-69	●				
11.3	Assessing the Impacts of COVID-19	Growth Management & Market Housing	Explore the potential impacts of the COVID-19 pandemic on community design preferences by engaging residents about their ability to work from home, changing travel patterns, the demand for “complete communities,”	Completed	Section 10.3 Community Engagement, and 10.3.1	●				

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			housing-form preferences and needs, their use of outdoor spaces, and changes in how residents socialize and gather.		Public Participation for Planning Applications and Planning Documents, Policy IM-1					
2.3	Building Heathier and More Complete Communities	Secondary Planning Program	Establish the Secondary Plan and By-law Simplification Program in policy with the following broad objectives: Implement the Regional Plan and priorities plans through land use and community design policies and regulations; Organize the planning framework around Regional Centre, Suburban and Rural geographic areas; Direct intensification to areas that support the building of healthier and more complete communities; Affirm that each new plan and land use by-law will respond to local conditions and needs of our diverse communities. Community input and participation in this process will be critical, providing a primary source of guiding knowledge for the plans.	Completed	Section 2.4 Community Planning, Policy RP-21; Section 2.5.3 Strategic Growth and Land Use Planning, Policies RP-29 and RP-30, Section 3.3 Community Planning Framework, Policies HC-1 to HC-4; Map 2			●		●
2.4	Building Heathier and More Complete Communities	Secondary Planning Program	Update Chapter 6A of the Regional Plan, “The Regional Centre” to reflect the approval of the Regional Centre Secondary Municipal Planning Strategy (Centre Plan).	Completed	Section 3.3.1 Regional Centre Planning; Section 3.3.1.1 Regional Centre Vision, Core Concepts and Guiding Principles, Policies HC-1 and HC-2; Section 3.4.1. Regional Centre Growth Areas, Policy HC-7			●		

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
2.5	Building Heathier and More Complete Communities	Secondary Planning Program	Establish a vision, objectives and key principles to guide the Suburban Plan, which include: Directing most growth to mixed-use, transit-oriented communities that can be served by transit, walking, wheeling and cycling; Directing growth in a way that protects and preserves valuable wilderness areas and open spaces; Ensuring planning regulations focus on affordability and accessibility, and support people-oriented urban design; and Protecting and prioritizing industrial lands and harbour access for marine-dependent uses, with other employment directed to mixed-use centres.	Completed	Sections 3.1, Introduction, Section 3.2 Objectives, Section 3.3 Community Planning Framework; Section 3.3.2 Suburban Community Planning; Section 3.3.2.1 Suburban Planning Vision and Core Concepts, Policy HC-3; Map 2; Map 3; Section 3.4.2 Suburban Growth Areas, Policies HC-9 and HC-10; Section 8.4 Mixed Use Communities and Mixed Employment Centres, Policies EC-7 and EC-8; Section 8.5.3 Harbour Industrial Lands, Policies EC-25 and EC-26					

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
2.6	Building Heathier and More Complete Communities	Secondary Planning Program	Adopt interim policy guidance for applications for secondary municipal planning strategy amendments to guide site planning and built form characteristics.	Completed	Appendix C Suburban Design Guidelines; Section 3.4.2 Suburban Growth Areas, Policy HC-10; Future Serviced Communities, Policy HC-11			●		
2.7	Building Heathier and More Complete Communities	Secondary Planning Program	Consider if the interim policy guidance may also be used to improve the processing of discretionary applications such as development agreements to further the goals and objectives of the Regional Plan.	Completed	Suburban Design Guidelines will apply to plan amendment applications.			●		
2.8	Building Heathier and More Complete Communities	Secondary Planning Program	Establish a vision, objectives and key principles to guide the Rural Plan which include: Directing intensification to existing rural communities that act as important service centres and have the potential to be complete communities; Protecting rural landscapes as critical to the region’s natural and open space network; Supportive adaptive reuse of existing buildings; Supporting working landscapes for resource industries, agriculture and food security, and tourism opportunities; Ensuring planning regulations focus on affordability and accessibility, and support building communities that reflect local character and history; and Support a range of housing forms within each rural service centre.	Completed	Section 3.3.3 Rural Community Planning Framework; Section 3.3.3.1 Rural Planning Vision, Policy HC-4			●		●
2.9	Building Heathier and More Complete Communities	Secondary Planning Program	Review past studies and initiate further analysis to understand the barriers and opportunities for developing innovative services in rural areas, with a focus on water, wastewater and rural public mobility.	Ongoing	Section 3.5.1 Rural Services and Mobility, Policy HC-16				●	●
2.10	Building Heathier and More Complete Communities	Secondary Planning Program	Revise conservation design development policies to streamline the development process within rural service centres.	Ongoing	Section 10.4.4 Conservation Design Developments,				●	

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Policies IM-10 to IM-17					
3.5	Reconsidering Employment and Industrial Lands	Secondary Planning Program	Establish policy direction for the Rural Plan to: Mitigate potential conflicts between residential uses and rural industrial, resource extraction and forestry uses; Establish land use regulations to support primary resource industries and agricultural uses within high value working landscapes, as identified by the Halifax Green Network Plan; Support large and small-scale tourist operations, including home-based businesses and eco-tourism opportunities; and Allow for adaptive reuse of buildings in rural areas.	Completed	Section 2.3.1.5 Rural Resource Designation, Policy RP-18; Section 2.3.1.6 Agricultural Designation, Policy RP-19; Section 3.5.3 Planning for Rural Centres, Policies HC-18 to HC-20; Section 3.5.4 Development Outside Rural Centres, Policy HC-21; Section 8.6 Rural Employment Lands, Policy EC-30 Section 8.7.1 Rural Tourism, Policies EC-33 to EC-35; Section 10.4.5 Adaptive Reuse in Rural Areas, Policy IM-18			●		●
1.3	Considering the Regional Scale First	Complete Communities	Ensure coordinated and efficient planning of municipal water, wastewater and stormwater infrastructure by including Halifax Water as a key member of the Regional Plan Review Steering Committee, and assessing the projected population growth, proposed settlement pattern, and associated infrastructure requirements for the Halifax Water Infrastructure Master Plan.	Ongoing	Section 2.5.2 Strategic Growth and Infrastructure Planning, Policies RP-26 to RP-28 ;	●	●	●	●	

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Section 10.6 Water and Wastewater Services, Policies IM-56 to IM-67					
1.4	Considering the Regional Scale First	Complete Communities	Use the concepts of the Halifax Green Network Plan to assess and consider ecological connectivity and value when identifying lands for future serviced development.	Ongoing	Section 3.4.3 Future Serviced Communities, Policies HC-11 to HC-14			●	●	
2.1	Building Heathier and More Complete Communities	Complete Communities	Review and revise the Regional Plan’s Settlement policies to better support the Municipality’s goal of building complete communities and implementing the direction of the Priorities Plans.	Completed	Section 2.3 Regional Planning, Policies; Section 3.3 Community Planning Framework, Policies HC-1 to HC-4		●	●		
2.2	Building Heathier and More Complete Communities	Complete Communities	Review and revise the Regional Plan’s growth centre policies using a ‘complete communities’ analysis by: Defining different types of centres and adopting land use policies reflecting appropriate levels of growth for each; Refining the expected population growth projections based on recent observed trends; Identifying environmental and other physical constraints; In Suburban communities, targeting new development around frequent transit networks; and, In Rural communities, maintaining the Regional Plan’s overall approach to limit sprawl and cluster development that encourages strong rural centres.	Ongoing	Section 3.4 Urban Area Land Use, Policies HC-5 to HC-14; Section 3.5.3 Planning for Rural Centres, Policies HC-18 to HC-20; Section 3.5.4 Development Outside Rural Centres, Policy HC-21			●	●	
3.3	Reconsidering Employment and Industrial Lands	Complete Communities	Establish policy to remove barriers to establishing small scale commercial uses in residential areas, including home-based business policies and regulations.	Completed	Section 8.4 Mixed Use Communities			●		●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					and Mixed Employment Centres, Policy EC-7					
7.1	Integrating Community Facilities and Parks	Complete Communities	Continue to implement the recommendations of the Community Facility Master Plan.	Completed	Section 4.4.1 Indoor Recreation Facilities Priorities Plan, Policy CI-11 and CI-12			●		●
7.2	Integrating Community Facilities and Parks	Complete Communities	Review and consider recreation trends, demographics and community needs as part of planning for complete communities. Consider the location and distribution of community facilities when reviewing locations for growth and ensure that services are available or planned to accommodate new development.	Ongoing	Section 2.5 Strategic Growth Planning, Policies RP-26 to RP-30; Section 4.4 Community Facilities, Policies CI-8 to CI-10; Section 4.4.1 Indoor Recreation Facilities Priorities Plan, Policies CI-11 and CI-12			●	●	●
7.3	Integrating Community Facilities and Parks	Complete Communities	Consider the location and distribution of libraries when reviewing locations for growth and work with Halifax Public Libraries to ensure that services are available or planned to accommodate new development.	Ongoing	Section 2. 5 Strategic Growth Planning, Policies RP-26 to RP-30; Section 4.4.2 Libraries, Policy CI-13	●		●	●	●








ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
7.4	Integrating Community Facilities and Parks	Complete Communities	Consider the location and distribution of schools when reviewing locations for growth and work with the Halifax Regional Centre for Education and Conseil Scolaire Acadien Provincial to ensure that services are available or planned to accommodate new development.	Ongoing	Section 2. 5.2 Strategic Growth and Infrastructure Planning, Policies RP-27 and RP-28; Section 4.4.3 Public Schools, Policies CI-14 and CI-16; Section 4.4.4 Child Care and Health Care, Policies CI-16 and CI-17	●		●	●	
7.5	Integrating Community Facilities and Parks	Complete Communities	Consider the location and distribution of emergency service infrastructure when locating growth and work with emergency service providers to ensure that services are available and planned to accommodate new development.	Ongoing	Section 2. 5.2 Strategic Growth and Infrastructure Planning, Policies RP-27 and RP-28; Section 4.5 Public Safety and Emergency Services, Policies CI-18 to CI-20	●		●	●	●
We can create change through new partnerships. We can use the Regional Plan Review to act on new partnerships, grow in a new way, and pursue opportunities for meaningful change together.										
5.1	Social Planning for Community Well-Being	Social Policy Team	Align with the work of the Social Policy Committee to define the Municipality’s role in social planning and inventory the Municipality’s existing initiatives to better use existing resources and identify gaps.	n/a	Section 4.6 Food Security and Food Systems; Chapter 5	●				

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Fostering Diverse and Affordable Housing; Section 7.6 Complete Streets and Networks					
5.2	Social Planning for Community Well-Being	Social Policy Team	Study the possible use of tools that could support capacity building, such as community benefit action planning, community trusts or community-led planning or projects.	Ongoing	Section 8.8 Inclusive Economic Prosperity, Policy EC-36 and EC-37	●		●		●
5.3	Social Planning for Community Well-Being	Social Policy Team	Identify neighbourhoods facing inequities or communities that have been historically underserved and underrepresented and coordinate across departments to address vulnerabilities and build neighbourhood capacity.	Ongoing	Section 2. 5.2 Strategic Growth and Infrastructure Planning, Policies RP-27 and RP-28; Policies RP-5, CI-11, M-18 and Table 7.1- Mobility Network Pillars and Principles	●				●
5.4	Social Planning for Community Well-Being	Social Policy Team	Provide continued support for the development of partnerships to provide a range of community infrastructure and services for residents towards complete communities.	Ongoing	Policies CI-4, CI-13 to CI-20	●			●	
5.5	Social Planning for Community Well-Being	Social Policy Team	Explore additional approaches to encourage a diversity of housing forms though reviewing existing policies.	Ongoing	Section 5.4 Increasing Our Housing Supply, Policies H-1 to H-27		●	●		●
5.6	Social Planning for Community Well-Being	Social Policy Team	Support the development of the Housing Governance report to identify a municipal role in housing, furthering partnerships with non-profit housing organizations,	Ongoing	Section 5.5 Increasing Housing	●	●	●		●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			private developers and the Province, to encourage the development and retention of affordable housing, including: Identifying planning tools to ensure no net loss of housing during redevelopment; Updating the Housing Needs Assessment on an annual basis; Removing barriers and reviewing and expanding opportunities to support the development and retention of affordable housing; and Study possible tools and programs to further leverage surplus or available land including community land trusts.		Affordability, Section 5.5.2 Partnerships, Policies H-16 to H-19					
5.7	Social Planning for Community Well-Being	Social Policy Team	Develop an interim regulatory tool for a region-wide density bonus program.	Completed	Policy H-13; Section 5.5.3 Incentive or Bonus Zoning, Policies H-20 to H-26					
5.8	Social Planning for Community Well-Being	Social Policy Team	Support the creation of JustFOOD and ensure alignment with its goals and recommendations by: Directing the use of JustFOOD tools and resources to better understand community vulnerability to food insecurity and the local food landscape when updating or creating planning policies. Removing barriers and creating incentives for food uses such as urban agriculture, agricultural operations, food outlets, etc. and reducing the impact of non-agricultural uses on viable agricultural land.	Completed	Section 4.6 Food Security and Food Systems, Policies CI-21 to CI-30					
5.9	Social Planning for Community Well-Being	Social Policy Team	Continue to engage the Diversity and Inclusion Office as a resource during planning projects.	Ongoing	Section 9.3 Sharing Our Stories					
5.10	Social Planning for Community Well-Being	Social Policy Team	Review existing engagement policies and adopt the upcoming Public Engagement Guidebook.	Completed	Section 10.3 Community Engagement, Policy IM-1					
5.11	Social Planning for Community Well-Being	Social Policy Team	Ensure the Regional Plan is aligned with the 94 Calls to Action, recommendations from the Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History, and the African Nova Scotian Road to Economic Prosperity.	Completed	Policy IM-8; Section 8.8 Inclusive Economic Prosperity,					

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Policies EC-36 to EC-40					
5.12	Social Planning for Community Well-Being	Social Policy Team	Review and update planning documents (the Regional Plan, secondary plans and land use by-laws) that bring HRM closer to the goal of being a city for people of all abilities, ages, and backgrounds. Ensure these documents align with the forthcoming HRM Accessibility & Inclusion Strategy.	Completed	Section 1.4.2 Guiding Principles; Section 3.3.2.1 Suburban Planning Vision and Core Concepts; Section 9.3 Sharing Our Stories, Policies CH-1 to CH-7; Section 7.3 Pillars and Principles; Section 7.6.2 Complete Networks					
5.13	Social Planning for Community Well-Being	Social Policy Team	Include the Accessibility Advisory Committee and Diversity & Inclusion Office in the review of the forthcoming engagement tool to ensure it uses best practices for inclusion of residents with a wide array of disabilities.	Completed	Section 10.3 Community Engagement, Policy IM-1					
11.2	Assessing the Impacts of COVID-19	Social Policy Team	Identify communities with inequitable access to the social determinants of health necessary to weather a pandemic, such as housing, food security, access to green/amenity space, and transportation options, and focus on prioritizing the servicing of these communities.	Ongoing	Section 2. 5.2 Strategic Growth and Infrastructure Planning, Policies RP-27 and RP-28					
We can make it easier for people to move. We can use the Regional Plan to link decisions on land use and our mobility system by focusing on the movement of people, not just vehicles, be it by walking, rolling, cycling, transit or in a vehicle.										
4.1	Transforming how we move in our region	Integrated Mobility Team	Update the Transportation and Mobility chapter of the Regional Plan to reflect the policies and actions of the Integrated Mobility Plan and its regional approach to	Completed	Chapter 7: Providing Options for					

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			transportation planning by: Adopting policy to support the use of the Complete Streets approach to prioritize the movement of people using sustainable modes of transportation over vehicles; Revising the region-wide and sub-regional mode share targets; Removing the list of road network projects and adopting alternative policy to direct evaluation of all existing and future mobility projects through the IMP’s Evaluation Scorecard; Adopting new guidelines for the preparation of Transportation Impact Assessments, which includes Multi-Modal Level of Service guidelines to evaluate road network performance for all mobility modes (walking, cycling, transit and vehicles); Revising policy to support the Transportation Demand Management program, which will include policies and programs that encourage behaviour change to complement investments in infrastructure aligned with mode share targets; and Identifying areas requiring partnership with other levels of government and agencies to collaborate on major transportation infrastructure projects.		Mobility, Policies M-1 to M-30					
4.2	Transforming how we move in our region	Integrated Mobility Team	Update Regional Plan policy to identify strategic multi-modal corridors that connect communities and include policy direction to guide future functional plans for these corridors that reflect the objectives of the Integrated Mobility Plan, Rapid Transit Strategy, Moving Forward Together Plan and Active Transportation Priorities Plan and align with land use planning.	Ongoing	Section 7.6.1 Complete Streets and Strategic Corridors, Policies M-10 to M-14; Map 8			●	●	
4.3	Transforming how we move in our region	Integrated Mobility Team	Study opportunities for land acquisition tools in addition to the Transportation Reserve Zone, to acquire or preserve right-of-way lands for investments in strategic multi-modal corridors, and use this to inform a land acquisition strategy for these corridors.	Ongoing	Section 7.6.1 Complete Streets and Strategic Corridors, Policies M-12 to M-14				●	●
4.4	Transforming how we move in our region	Integrated Mobility Team	To address the importance of coordinating land use and transportation planning around Rapid Transit, the Regional Plan will plan for higher-density mixed use development around Rapid Transit, and create policy direction for the provision of affordable housing,	Ongoing	Section 3.4 Urban Land Use, Policy HC-5			●	●	●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			connectivity of local streets and active transportation infrastructure near stations and terminals.							
4.5	Transforming how we move in our region	Integrated Mobility Team	Building on the approved Integrated Mobility Plan and Rapid Transit Strategy, establish a program of study to develop a long-term vision for transportation in HRM aligned with regional strategic growth.	Ongoing	Section 2. 5.2 Strategic Growth and Infrastructure Planning, Policies RP-27 and RP-28; Chapter 7Providing Options for Mobility, Policies M-4, M-15			●	●	●
We can protect what matters. We can use the Regional Plan to strengthen and protect important natural and cultural places and use them to shape our region’s communities.										
6.1	Celebrating Culture and Heritage	Sharing Our Stories Team	Incorporate the recommendations of the final Sharing Our Stories Plan into the Regional Plan, with a particular focus on initiatives that share and celebrate a more diverse range of stories.	Complete	Section 9.3 Sharing Our Stories, Policy CH-1; Section 9.3.3 Community-Led Approaches, Policy CH-7			●		
6.2	Celebrating Culture and Heritage	Sharing Our Stories Team	Amend the Regional Plan to provide Heritage Development Agreement policies that will guide sensitive redevelopment of municipally registered properties, including some additional development rights.	Complete	Section 9.4.3 Heritage Development Agreement Policy, Policy CH-20; Section 9.4.4 Heritage and Sustainable Development, Policies Ch-21 to CH-23		●			

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
6.3	Celebrating Culture and Heritage	Sharing Our Stories Team	Review Regional Plan Policy CH-16 to provide additional direction for new development in a heritage context in secondary planning strategies, including the following considerations: Architectural compatibility and subordination; Building scale, massing and design; Transition; Shadow impacts; Impacts on the integrity of nearby heritage properties and streetscapes; and The assessment and preservation of any unregistered structures for their heritage value, if deemed necessary.	Complete	Section 9.4 Protection of Heritage Resources, Policies CH-8 to CH-14; Section 9.4.7 Conservation Standards, Policy Ch-29; Section 9.5 Development Abutting Registered Heritage Properties			<div></div>		
6.4	Celebrating Culture and Heritage	Sharing Our Stories Team	Use the recommendations of Sharing Our Stories to review and enhance policies related to the creation of future Heritage Conservation Districts and the identification of additional future Heritage Conservation Districts by: Updating policy to reflect the Heritage Conservation District Adoption Process approved by Regional Council at their November 17, 2020 meeting; Incorporating the Heritage Conservation District Prioritization Methodology and Evaluation approved by Regional Council at their November 17, 2020 meeting; and Incorporating any additional HCD policy considerations identified by Sharing Our Stories.	Complete	Section 9.4.2 Heritage Conservation Districts, Policies CH-17 toCH-19			<div></div>		<div></div>
6.5	Celebrating Culture and Heritage	Sharing Our Stories Team	Use the recommendations of Sharing Our Stories and the Halifax Green Network Plan to direct how the Municipality will collaborate with residents and stakeholders to identify, prioritize and protect potential cultural landscapes, and continue to work with the Province to support the development of regulations for cultural landscapes under the Heritage Property Act.	Ongoing	Section 3.3.3.1 Rural Planning Vision, Policy HC-4; Section 9.3.3 Community-Led Approaches, Policy CH-7; Section 9.4.5 Cultural Landscapes,				<div></div>	<div></div>

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Policies CH-24 to CH-26					
7.10	Integrating Community Facilities and Parks	Green Network Plan Team	Apply the Open Space and Natural Resources Designation and Regional Park Zone to the publicly-owned lands for the Sandy Lake Regional Park, Blue Mountain Birch Cove Lakes Area, Shaw Wilderness Park and McIntosh Run Regional Park, maintain the Western Common Zone for the Western Common Wilderness, and adopt policy to guide future park development and management of these areas as “wilderness parks”. Ensure that parks and open spaces owned and/or managed by community organizations and other levels of government are recognized within this framework.	Completed	Section 2.3.3.1 Open Space and Natural Resource Designation, Policy RP-7; Section 4.3.2 Regional Wilderness Parks, Policies CI-5 to CI-6			●	●	●
7.6	Integrating Community Facilities and Parks	Green Network Plan Team	Incorporate the park spectrum into the Regional Plan.	Ongoing	Section 4.3.1 Parks and Outdoor Facilities Priorities Plan, Policy CI-4			●		●
7.7	Integrating Community Facilities and Parks	Green Network Plan Team	Review and develop Level of Service Standards based on the recommendations of the Halifax Green Network Plan, public engagement and spatial analysis mapping of parkland and outdoor recreation amenities and future growth.	Ongoing	Section 4.3.1 Parks and Outdoor Facilities Priorities Plan, Policy CI-4				●	●
7.8	Integrating Community Facilities and Parks	Green Network Plan Team	Amend the Regional Subdivision By-law to reflect the identified Level of Service Standards.	Not started	Section 4.3.1 Parks and Outdoor Facilities Priorities Plan, Policy CI-4				●	●
7.11	Integrating Community Facilities and Parks	Green Network Plan Team	Continue to work with other levels of government and conservation groups to increase access to open spaces.	Ongoing	Section 4.3.1 Parks and Outdoor Facilities Priorities Plan, Policy CI-4; Section 4.3.2 Regional	●				

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Wilderness Parks, Policy CI-5; Section 6.5.1 The Umbrella – Watershed Planning, Policy EN-15					
8.1	Enhancing Environmental Protection	Green Network Plan Team	Adopt Regional Plan policy requiring that the Green Network Ecology Map is used to help guide regional planning decisions	Completed	Section 6.4 Protecting and Connecting Open Space Policy EN-4 to EN-6; Section 2.5.2 Strategic Growth and Infrastructure Planning, Policy RP-28; Section 10.4.2 Priorities Plans, Policy IM-8		●	●		
8.10	Enhancing Environmental Protection	Green Network Plan Team	Review and revise existing regulations protecting wetland and riparian areas in HRM land use by-laws to ensure greater protection for these features and ensure standard regulations are adopted across the region.	Completed	Section 6.5.6 Watercourses and Wetlands, Policies EN-34 to EN-45			●	●	
8.11	Enhancing Environmental Protection	Green Network Plan Team	Continue to work with the Province to develop and adopt revised policies and regulations consistent with the Coastal Protection Act and tailored to the HRM context. This work will consider: Whether the current required elevation is sufficient given expected sea level rise, storm surge and coastal erosion risks (currently 3.8 CGVD - equivalent to 3.2 CGVD 2013); Requiring different horizontal setbacks for coastal shorelines and inland watercourses; Requiring coastal elevations (vertical setbacks) to apply to all uses, not just residential	Completed/ Ongoing	Section 6.5.7 Coastal Protection, Policy EN-47 to EN-58			●	●	●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			properties; Providing guidance for estuaries, salt marshes, barrier beaches and similar features; Providing guidance for resilient infrastructure design; Replacing the CGVD28 standard with CGVD2013; and Ensuring consistent regulations are applied across the region.							
8.2	Enhancing Environmental Protection	Green Network Plan Team	Continue to apply the Open Space and Natural Resource designation to recognize the value of the Green Network, and revise the designation’s boundaries to reflect the core areas and corridors shown on the Green Network Ecology Map.	Ongoing	Section 6.4 Protecting and Connecting Our Green Spaces, Policy EN-4 to EN-6			●	●	
8.3	Enhancing Environmental Protection	Green Network Plan Team	Review Regional Plan policy to ensure that secondary planning strategies and land use by-laws include appropriate development regulations in important ecological areas and corridors and directs development away from hazardous locations.	Ongoing	Section 6.4.1 Ecological Corridors, Policies EN-7 to EN-9; 10.4.2 Priorities Plans, Policy IM-8			●	●	●
8.4	Enhancing Environmental Protection	Green Network Plan Team	Provide guidance for environmental considerations during policy-enabled discretionary planning applications.	Completed	Section 10.4.3 Discretionary Applications, Policy IM-9		●	●		
8.5	Enhancing Environmental Protection	Growth Management	Develop a regional approach to the protection of natural corridors that: Directs how natural corridors should be delineated at the regional and individual site level; Prioritizes wildlife connections to the Chebucto Peninsula; Includes clear policy direction for developing wildlife crossings through major infrastructure like highways and utility corridors; and Coordinating this work with the provincial government, utilities and other relevant stakeholders.	Ongoing	Section 6.4.1 Ecological Corridors, Policies EN-7 to EN-9			●	●	●
8.6	Enhancing Environmental Protection	Green Network Plan Team	Review policies to support and where appropriate, require the use of naturalization and green infrastructure during development.	Ongoing	Section 6.4.2 Naturalization and Municipal Natural Asset Management, Policy EN-10; Section 6.4.3 Urban Forests,			●		●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
					Policy EN-13; Section 6.4.4 Bird Safe Design, Policy EN-14; Section 6.5 Protecting Our Water; Section 6.5.3 Stormwater and Flooding, Policy EN-20 to EN-27					
8.7	Enhancing Environmental Protection	Green Network Plan Team	Review policies to continue to support the implementation of the Urban Forest Master Plan.	Completed	Section 6.4.3 Urban Forests, Policy EN-12, EN-13			●		
8.8	Enhancing Environmental Protection	Green Network Plan Team	Adopt policy to direct future study and implementation of a comprehensive water quality monitoring program, including Lake Water Management Plans for urban lakes that establish phosphorus loading limits and mitigation measures and water quality monitoring protocols.	Ongoing	Section 6.5.5 Lake Monitoring, Policies, EN-32, EN-33			●		●
8.9	Enhancing Environmental Protection	Green Network Plan Team	Update existing policy to reflect the Municipality’s recent work to improve stormwater management practices.	Ongoing	Section 6.5.3 Stormwater and Flooding, Policies EN-24 to EN-28			●		●
8.12	Enhancing Environmental Protection	HaliFACT Team	Complete a spatially-based risk and vulnerability analysis of HRM’s coastal waterfront and shoreline area and adopt policy to direct development of a coastal-specific adaptation strategy.	Ongoing	Section 6.5.7 Coastal Protection, Policy EN-47 to EN-58			●		●
8.13	Enhancing Environmental Protection	HaliFACT Team	Establish requirements for updating municipal LiDAR data, digital elevation models and coastal vulnerability mapping.	Ongoing	Section 6.6 Protecting Critical Infrastructure, Policy EN-59			●		●
9.1	Leading through action on climate	HaliFACT Team	Update the Environment, Energy and Climate Change chapter of the Regional Plan to reflect HalifACT’s net-	Completed	Section 6.3 Acting on			●		

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			zero emissions targets and require consideration of climate impacts across issue areas.		Climate, Policy EN-1 to EN-3					
9.2	Leading through action on climate	HaliFACT Team	Develop policy to encourage net-zero and climate resilient new construction when considering discretionary planning applications.	Completed	Section 6.6 Protecting Critical Infrastructure, Policy EN-60; Section 6.7.1 Renewable Energy, Policy EN-65			●		
9.3	Leading through action on climate	HaliFACT Team	Adopt policy to direct consideration of alternative energy systems, such as district energy and microgrids, as part of secondary planning and master neighbourhood planning projects.	Completed	Section 6.7.1 Renewable Energy, Policies EN-63 to EN-67			●		
9.4	Leading through action on climate	HaliFACT Team	Review and revise policy and land use by-laws to remove barriers to solar installations, energy storage systems, and electric vehicle infrastructure.	Completed	Section 6.7.1 Renewable Energy, Policy EN-68			●		
9.5	Leading through action on climate	HaliFACT Team	Review the Regional Plan's wind energy policy to ensure it reflects current technology and provides opportunities for large-scale wind energy generation.	Completed	Section 6.7.2 Wind Energy, Policies EN-71 to EN-75			●		
9.6	Leading through action on climate	HaliFACT Team	Identify current and future climate change hazards and critical infrastructure at risk to extreme climate events.	Ongoing	Section 6.6 Protecting Critical Infrastructure, Policies EN-60 to EN-62			●	●	●
9.7	Leading through action on climate	HaliFACT Team	Adopt policy to prioritize resiliency measures that will help reduce risk, protect critical infrastructure and require building back better.	Ongoing	Section 6.6 Protecting Critical Infrastructure, Policy EN-60			●		
9.8	Leading through action on climate	HaliFACT Team	Adopt policy to require emergency management services and current and future climate change hazard projections are considered as part of the as-of-right development process, discretionary planning	Ongoing	Section 6.6 Protecting Critical Infrastructure, Policy			●	●	●

ATTACHMENT A-12 – Regional Plan Review Completed Work Plan (Updated May 2025)

Theme & Direction Ref #	Theme Area	Work Category	Direction Text	Resourcing						
				Completed or Ongoing	Proposed Regional Plan Policy	Partnership or Ongoing Work	Phase 3 (Complete)	Phase 4 (Complete)	Phase 5 (See Attachment A-5)	Work Outside the Regional Plan Review
			applications, and during reviews of secondary plans and land use by-laws.		EN-61, EN-62; Section 10.4.3 Discretionary Applications, Policy IM-9					

Attachment A-13

Regional Plan Review Origin Motions

On June 8, 2021 Regional Council passed the following motion (Item 11.4.1):

Moved by Councillor Mason, seconded by Councillor Blackburn

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider site-specific amendments to the Halifax Secondary Municipal Planning Strategy and Halifax Mainland Land Use By-law for PID 00323139, and portions of PIDs 00271585 and 00323147 zoned Residential Development District (RDD), in order to better protect the environmentally-sensitive features identified on Maps 3a and 3b of the Mainland South SPS (Maps 5 and 6 of the staff report dated March 17, 2021); and follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997; and
2. Consider amendments to the Regional Municipal Planning Strategy, the Halifax Secondary Municipal Planning Strategy and Halifax Mainland Land Use By-law for lands currently designated and zoned Urban Reserve in the Purcell's Cove Backlands area (as shown on Map 1 of the staff report dated March 17, 2021), through the ongoing Regional Plan Review (Case 22257) in order to protect environmentally-significant features in the area, consistent with the policy directions outlined in the staff report dated March 17, 2021.

MOTION PUT AND PASSED

On August 31, 2021 Regional Council passed the following motion (Item 11.4.1):

Moved by Councillor Morse, seconded by Councillor Deagle Gammon

THAT Halifax Regional Council direct the Chief Administrative Officer to review the Municipality's policies and regulations regarding wetlands as part of the Regional Plan Review, with the goal of maintaining their ecological functions, particularly in urban areas. This review should include consultation with the Province regarding applicable wetland legislation and recommend appropriate municipal regulations.

MOTION PUT AND PASSED

On September 28, 2021 Regional Council passed the following motion (Item 15.4.1):

Moved by Councillor Cuttell, seconded by Councillor Hendsbee

THAT Halifax Regional Council direct the Chief Administrative Officer to review and provide a staff report on the Municipality's policies and regulations regarding access to coastal shorelines as part of the Regional Plan Review, with the goal of protecting existing access points and increasing opportunities for new public access to the coast and include:

- Access Inventory;
- At-risk low-lying areas;
- Areas where the HRM may need to work with the province to ensure public coastal lands are not transferred or sold to private interests;
- Explore opportunities to work with private landowners to increase action to the shore;
- Applicable legislation;
- A jurisdictional scan of potential planning tools that could be used;
- and recommend appropriate municipal regulations,

MOTION PUT AND PASSED

On November 18, 2021, Community Planning and Economic Development Standing Committee passed the following motion (Item 13.1):

Moved by Councillor Cuttell, seconded by Councillor Lovelace

THAT Community Planning and Economic Development Standing Committee request a staff report to define and provide rationale for urban, suburban, and rural settlement classifications; conduct an internal review of how these settlement classifications are used across HRM strategies and policies including planning, transit, sewer and water, and taxation; provide a national jurisdictional review of similar sized population and/or geography of how municipalities define and apply settlement classifications; and provide a recommendation for a standard use of these terms within HRM.

MOTION PUT AND PASSED

On April 21, 2022 Community Planning and Economic Development Standing Committee passed the following motion (Item 13.1):

Moved by Councillor Cuttell, seconded by Councillor Blackburn

THAT the Community Planning and Economic Development Standing Committee direct the Chief Administrative Officer to prepare a staff report on the process and feasibility of removing the 5% parkland dedication for the first three lots subdivided from any parcel of land in existence on June 16, 2007 and instead require a 10% for all parkland dedication

MOTION PUT AND PASSED

On May 17, 2022, Regional Council passed the following motion (Item 15.4.1):

Moved by Deputy Mayor Lovelace, seconded by Councillor Blackburn

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Beaver Bank, Hammonds Plains, and Upper Sackville Municipal Planning Strategy and Land Use By-law to create new size thresholds for commercial uses permitted as-of-right within the MU-1 zone acknowledging the need to encourage and enable children's recreation and developmental activities and other low impact uses, while also recognizing the need to mitigate the impact of higher intensity commercial uses that may generate large volumes of visitors, lights, noises, or odours; and,
2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

MOTION PUT AND PASSED UNANIMOUSLY

On September 13, 2022 Regional Council passed the following motion (Item 15.1.6):

Moved by Councillor Blackburn, seconded by Councillor Cuttell

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Halifax Regional Municipal Planning Strategy and all applicable community municipal planning strategies and land-use by-laws as necessary to simplify, consolidate and remove barriers to the development of market gardens, consistent with the proposed policy direction outlined within the Discussion section of the staff report dated August 22, 2022.

MOTION PUT AND PASSED

On November 22, 2022 Regional Council passed the following motion (Item 15.6.2):

Moved by Deputy Mayor Austin, seconded by Councillor Purdy

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report on amending the Regional Plan and/or The Regional Centre Municipal Planning Strategy and Land Use By-Law to allow for a relaxation of the required watercourse setback at 300 Prince Albert Road to allow for the establishment of a boardwalk space via the appropriate planning process.

MOTION PUT AND PASSED

On January 24, 2023, Regional Council passed the following motion (Item No.15.1.11):

MOVED by Councillor Cleary, seconded by Councillor Hendsbee

THAT Halifax Regional Council: ...

2. Direct the Chief Administrative Officer (CAO) to prepare a staff report that explores approaches to tourist accommodations in rural parts of the Municipality that are outside of the urban service area boundary;

MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

On February 7, 2023 Regional Council passed the following motion (Item 15.5.1):

Moved by Councillor Lovelace, seconded by Councillor Blackburn

THAT Halifax Regional Council direct the Chief Administrative Officer to provide a staff report and return to Council with recommendations to modernize rural and suburban land use by-laws to rezone or establish a zone for municipal park and open space land specifically for park and community use.

MOTION PUT AND PASSED

On June 20, 2023, Regional Council passed the following motion (Item 18.2):

Moved by Deputy Mayor Austin, seconded by Councillor Cuttall

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Accept the Draft Regional Municipal Planning Strategy included in Attachment A of the staff report dated June 16, 2023 to be used for public engagement purposes;
2. Adopt the amendments to the Public Participation Program for the Regional Plan Review in Attachment F of the staff report dated June 16, 2023 and direct the Chief Administrative Officer to follow the revised Public Participation Program for the Regional Plan Review as generally set out in Attachment B and as outlined in the Community Engagement section of the staff report dated June 16, 2023; and
3. Direct the Chief Administrative Officer to follow the revised work plan schedule as generally outlined in Attachment C of the staff report dated June 16, 2023 – Regional Plan Work Plan and Attachment D of the staff report dated June 16, 2023 – Site-Specific Requests.

MOTION PUT AND PASSED

On December 12, 2023, Regional Council passed the following motion (Item 15.1.9):

Moved by Councillor Cuttall, seconded by Councillor Stoddard

THAT Halifax Regional Council:

1. Accept the Draft Regional Plan What We Heard Report included as Attachment A of the staff report dated November 20, 2023; and
2. Direct the Chief Administrative Officer to follow the recommended approach to site specific requests

for Regional Plan amendments as generally outlined in Attachment B of the staff report dated November 20, 2023.

MOTION PUT AND PASSED

On March 19, 2024, Regional Council passed the following motion (Item 15.5.3)

Moved by Councillor Blackburn, seconded by Councillor Lovelace

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report on urgently advancing the Middle Sackville Master Planning Process, Case 21639, to consider extension of urban service boundary for water and sewer, and addition of the following PIDs to allow planning for connectivity, schools, egress, housing and commercial developments: 40281461; 40123614; 41461450; 40123788; 40695504; 41315946; 41093725.

MOTION PUT AND PASSED

On August 1, 2024, Environment & Sustainability Standing Committee passed the following motion:

MOVED by Councillor Morse, seconded by Deputy Mayor Deagle Gammon

THAT Environment and Sustainability Standing Committee direct the Chief Administrative Officer to prepare a staff report on recommendations for voluntary and mandatory bird-friendly design standards for new and existing buildings, including a jurisdictional scan examining bird-friendly design standards from other Canadian municipalities and cities.

MOTION PUT AND PASSED.

On October 1, 2024, Regional Council passed the following motion:

MOVED by Councillor Mason, seconded by Councillor Lovelace

THAT Halifax Regional Council:

1. Direct the Chief Administrative Officer to:
 - a. Initiate a process to consider amendments to all planning documents, including the Regional Municipal Planning Strategy, all Secondary Municipal Planning Strategies and Land Use By-Laws, and the Regional Subdivision By-Law to ensure compliance with the Minimum Planning Requirements Regulations as amended by the Province of Nova Scotia on August 20, 2024; and
 - b. Follow Administrative Order 2023-002-ADM Respecting Public Participation for Planning Documents, Certain Planning Applications, and Engagement with Abutting Municipalities for the required public participation program, as outlined in the Community Engagement section of the staff report dated September 13, 2024; and
 - c. Return to Regional Council with a staff report outlining the risks and potential approaches to land use planning in consideration of the Supreme Court of Canada's decision in Annapolis Group Inc. v. Halifax Regional Municipality.
2. Request that the Mayor send a letter to the Province of Nova Scotia requesting amendments to the HRM Charter to include immunity from construction taking/ de facto expropriation claims.

MOTION PUT AND PASSED.



REGIONAL MUNICIPAL PLANNING STRATEGY

HALIFAX

REGIONAL MUNICIPAL PLANNING STRATEGY

THIS IS TO CERTIFY that this is a true copy of the Halifax Regional Municipal Planning Strategy which was passed by a majority vote of the Council of the Halifax Regional Municipality at a duly called meeting held on the ____ day of _____, _____, and reviewed by Municipal Affairs and Housing on the ____ day of _____, _____, and is in effect as of the ____ day of _____, _____.

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

Municipal Clerk

CONTENTS

List of Maps	7
Chapter 1: Introduction.....	9
1.1 Introduction	9
1.2 Acknowledgment.....	9
1.3 Regional Context.....	9
1.3.1 Historical Settlements	10
1.3.2 Regional Plan Geographies	11
1.3.3 Urban Settlement	12
1.3.4 Rural Settlement	13
1.4 Regional Vision and Principles	14
1.4.1 Vision.....	14
1.4.2 Guiding Principles	14
1.5 Regional Planning Framework.....	15
1.6 Provincial Role in Planning	16
1.6.1 Statements of Provincial Interest	16
1.6.2 Minimum Planning Requirements	17
1.7 Plan Organization.....	18
1.8 Interpretation	18
1.8.1 Key Terms	19
Chapter 2: Planning for the Region.....	22
2.1 Introduction	22
2.2 Objectives	22
2.3 Regional Planning	22
2.3.1 Regional Land Use Structure	24
2.3.1.1 Open Space and Natural Resource Designation	25
2.3.1.2 Urban Settlement Designation	26
2.3.1.3 Urban Reserve Designation	26
2.3.1.4 Rural Commuter Designation.....	27
2.3.1.5 Rural Resource Designation	28
2.3.1.6 Agricultural Designation	29
2.4 Community Planning	30
2.5 Strategic Growth Planning	31
2.5.1 Population Growth and Monitoring.....	31
2.5.2 Strategic Growth and Infrastructure Planning.....	33
2.5.3 Strategic Growth and Land Use Planning	35
Chapter 3: Building Healthy and Complete Communities.....	38
3.1 Introduction	38
3.2 Objectives	38
3.3 Community Planning Framework.....	39
3.3.1 Regional Centre Planning	40
3.3.1.1 Regional Centre Vision, Core Concepts and Guiding Principles.....	40
3.3.2 Suburban Community Planning	41
3.3.2.1 Suburban Planning Vision and Core Concepts	41
3.3.3 Rural Community Planning	43
3.3.3.1 Rural Planning Vision.....	44
3.4 Urban Area Land Use	45
3.4.1 Regional Centre Growth Areas	46

3.4.2 Suburban Growth Areas.....	47
3.4.3 Future Serviced Communities.....	49
3.5 Rural Area Land Use.....	52
3.5.1 Rural Services and Mobility.....	52
3.5.2 Community-Led Planning.....	53
3.5.3 Planning for Rural Centres.....	53
3.5.4 Development Outside Rural Centres	55
Chapter 4: Strengthening Community Infrastructure	58
4.1 Introduction	58
4.2 Objectives	58
4.3 Parks	58
4.3.1 Parks and Outdoor Facilities Priorities Plan.....	59
4.3.2 Regional Wilderness Parks.....	60
4.3.3 Washrooms and Drinking Fountains	62
4.4 Community Facilities	62
4.4.1 Indoor Recreation Facilities Priorities Plan	64
4.4.2 Libraries.....	65
4.4.3 Public Schools.....	65
4.4.4 Child Care and Health Care	66
4.5 Public Safety and Emergency Services	66
4.6 Food Security and Food Systems	67
4.6.1 Market Gardens	68
4.6.2 Rooftop Landscaping and Greenhouses	69
4.6.3 Indoor Farming.....	69
4.7 Solid Waste Management.....	70
4.7.1 Construction and Demolition	71
4.8 Regional Energy and Telecommunications Infrastructure	71
Chapter 5: Fostering Diverse and Affordable Housing	73
5.1 Introduction	73
5.2 Objectives	74
5.3 Removing Barriers to Housing	75
5.4 Increasing Our Housing Supply	75
5.4.1 Enabling Diverse Housing Types.....	76
5.4.2 Gentle Density and the Missing Middle.....	77
5.4.3 Adaptive Reuse.....	78
5.4.4 Removing Minimum Parking Requirements.....	79
5.5 Increasing Housing Affordability	79
5.5.1 Municipal Initiatives	80
5.5.2 Partnerships	81
5.5.3 Incentive or Bonus Zoning	82
5.5.4 Short-Term Rentals.....	84
Chapter 6: Protecting the Environment and Acting on Climate	86
6.1 Introduction	86
6.2 Objectives	87
6.3 Acting on Climate	87
6.4 Protecting and Connecting Open Space.....	88
6.4.1 Ecological Corridors	89
6.4.2 Naturalization and Municipal Natural Asset Management	91
6.4.3 Urban Forests	91

6.4.4 Bird-Safe Design	92
6.5 Protecting Our Water	92
6.5.1 The Umbrella – Watershed Planning	93
6.5.1.1 Watershed Studies	94
6.5.2 Source Water Protection	95
6.5.3 Stormwater and Flooding	97
6.5.4 Floodplains	100
6.5.5 Lake Monitoring	100
6.5.6 Watercourses and Wetlands	101
6.5.7 Coastal Protection	105
6.6 Protecting Critical Infrastructure	108
6.7 Transitioning to a Low Carbon Future	109
6.7.1 Renewable Energy	109
6.7.2 Wind Energy	111
Chapter 7: Providing Options for Mobility	114
7.1 Introduction	114
7.2 Objectives	114
7.3 Pillars and Principles	115
7.3.1 Mobility Plans, Strategies, and Programs	116
7.4 Setting Targets and Measuring Progress	116
7.4.1 Setting Targets	117
7.4.2 Measuring Progress	117
7.5 Community Planning and Mobility	118
7.5.1 Urban Area Land Use and Mobility	118
7.5.2 Mobility Choices in the Rural Area	119
7.6 Complete Streets and Networks	119
7.6.1 Complete Streets and Strategic Corridors	119
7.6.2 Complete Networks	121
7.6.3 Road Safety and Accessibility	122
7.7 Active Transportation	122
7.8 Transit	124
7.9 Goods Movement	126
7.10 Transportation Demand Management	126
7.11 Vehicle Parking and Loading	127
Chapter 8: Promoting Economic Prosperity	129
8.1 Introduction	129
8.2 Objectives	129
8.3 Economic Strategy	130
8.3.1 Major Institutional Partners	130
8.3.1.1 Post-Secondary Institutions	130
8.3.1.2 Department of National Defence	131
8.3.1.3 Halifax Stanfield International Airport	131
8.3.1.4 Halifax Port Authority	132
8.4 Mixed Use Communities and Mixed Employment Centres	132
8.5 Industrial Employment Lands	133
8.5.1 Industrial Employment Land Use Framework	134
8.5.1.1 Heavy Industrial	134
8.5.1.2 Light Industrial	135
8.5.1.3 Commercial Industrial	135

8.5.1.4 Cannabis-Related Land Uses	135
8.5.2 Long-Term Industrial Land Protection.....	136
8.5.3 Harbour Industrial Lands.....	138
8.5.3.1 Water Lots	138
8.5.3.2 Halifax Ocean Supercluster	139
8.6 Rural Employment Lands.....	139
8.7 Tourism	140
8.7.1 Rural Tourism.....	141
8.8 Inclusive Economic Prosperity	142
8.8.1 Historical African Nova Scotian Community Action Planning	143
8.9 Green Economy	144
Chapter 9: Celebrating Culture, Arts and Heritage	146
9.1 Introduction	146
9.2 Objectives	146
9.3 Sharing Our Stories.....	147
9.3.1 Mi'kmaq and Indigenous Reconciliation.....	147
9.3.2 African Nova Scotian Culture and Heritage	148
9.3.3 Community-Led Approaches	149
9.4 Protection of Heritage Resources	149
9.4.1 Heritage Registry	150
9.4.2 Heritage Conservation Districts	151
9.4.3 Heritage Development Agreement Policy	152
9.4.4 Heritage and Sustainable Development	153
9.4.5 Cultural Landscapes	154
9.4.6 Archaeological Resources	154
9.4.7 Conservation Standards.....	155
9.5 Development Abutting Registered Heritage Properties	155
Chapter 10: Implementation.....	159
10.1 Introduction	159
10.2 Objectives	159
10.3 Community Engagement	159
10.3.1 Public Participation for Planning Applications and Planning Documents	159
10.4 Planning Tools	160
10.4.1 Secondary Municipal Planning Strategies	160
10.4.2 Priorities Plans	161
10.4.3 Discretionary Applications.....	161
10.4.4 Conservation Design Developments.....	163
10.4.5 Adaptive Reuse in Rural Areas.....	168
10.4.6 Special Planning Areas	169
10.4.7 Regional Opportunity Sites	170
10.4.7.1 Urban Area Sites	170
10.4.7.2 Rural Area Sites	172
10.4.7.3 Sites Supporting Affordable Housing Initiatives.....	173
10.4.8 Transit Oriented Suburban Area Opportunity Sites	173
10.5 The Regional Subdivision By-Law	175
10.5.1 Rural Growth Management.....	175
10.5.1.1 Beaver Bank and Hammonds Plains Growth Control Areas	177
10.5.1.2 Special Provisions for Legacy Subdivision Approvals	178
10.5.2 Land Titles Clarification Initiative	179

10.5.3 10-Hectare Lots.....	179
10.5.4 Parkland Dedication	180
10.5.5 Infrastructure Charges	181
10.5.6 Underground Telecommunication Systems	181
10.6 Water and Wastewater Services.....	182
10.6.1 Urban Service Area	182
10.6.2 Water Service Areas	184
10.6.3 Ground Water Supplies.....	185
10.6.4 Private On-site Sewage Disposal Systems and Wastewater Facilities	186
10.7 Municipal Design Guidelines.....	186
10.8 Measuring Success, Reviewing the Plan and Adapting to Change.....	187
10.9 Transition to this Plan.....	188
Appendix A: Data Monitoring	190
Appendix B: Existing Secondary Municipal Planning Strategies	191
Appendix C: Lands Subject to Policy IM-74.....	193

LIST OF MAPS

Map 1	Regional Land Use Structure
Map 2	Regional Plan Geographies
Map 3	Urban Growth Areas
Map 4	Rural Centres
Map 5	Blue Mountain Birch Cove Lakes Partnership Lands
Map 6	Source Water Protection Areas
Map 7	Strategic Corridors
Map 8	Urban Transit Service Boundary

CHAPTER 1: INTRODUCTION

CHAPTER 1: INTRODUCTION

1.1 INTRODUCTION

The Halifax region is a beautiful place with a unique and valued blend of communities and nature. Many communities are located near the striking Nova Scotian coastline, while others communities have grown around abundant lakes and waterways. Rural communities showcase rich traditional and working landscapes. Historic sites and neighbourhoods connect to a visible history. The municipality is growing and changing, with diverse and inclusive communities and public spaces.

The Halifax Regional Municipality is known for being community-minded and has been recognized as one of the best places to live in Canada. Despite this, more needs to be done to help community members who are most in need, especially when it comes to finding adequate and affordable housing, amenities, and services. Immigrants, newcomers, and people of all ages, abilities, incomes, and backgrounds need to be reflected in our spaces and places. Historically marginalized communities are disproportionately affected by policy changes, and their voices must be brought into decision-making. The Regional Plan offers an opportunity to identify a diversity of interests and needs across our communities and bring forward transformative changes in how we grow as a region.

1.2 ACKNOWLEDGMENT

The Halifax Regional Municipality is located in Mi'kma'ki, the ancestral and traditional lands of the Mi'kmaq people. The Municipality acknowledges the Peace and Friendship Treaties signed in this Territory and recognizes that we are all Treaty People.

Nova Scotia is the birthplace of the African presence in Canada. African Nova Scotians are a distinct founding people in our community who have contributed to and have been a key part of Nova Scotian culture and history for over 400 years.

Between 2015 and 2023, Halifax Regional Council has endorsed the Truth and Reconciliation Commission's Calls to Action, the recommendations of the *Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History*, and the *Road to Economic Prosperity for African Nova Scotian Communities*.

1.3 REGIONAL CONTEXT

The Halifax Regional Municipality is located in the Sipekni'katik and Eskikewa'kik districts of Mi'kma'ki, the traditional and ancestral lands of the Mi'kmaq First Nations. Halifax is commonly known to the Mi'kmaq as K'jipuktuk, meaning Great Harbour.

The Halifax Regional Municipality is the largest municipality in Nova Scotia in terms of geography and population. It is bordered by Hants County and the Municipality of Colchester to the north, the Municipality of the District of Lunenburg to the west, Guysborough County to the east, and the Atlantic Ocean along the Municipality's southern border. The Municipality was formed of four former municipalities, the City of Halifax, the City of Dartmouth, the Town of Bedford, and the Municipality of the County of Halifax (Halifax County),

which were amalgamated in 1996. Now, Halifax Regional Municipality is comprised of a variety of urban and rural communities, each with unique identities and histories but with many shared attributes that contribute to the Municipality as a whole.

The Halifax Regional Municipality has a variety of roles. It is the capital of Nova Scotia. It is the primary point of international entry to and from Atlantic Canada. It is an important centre of production and for the delivery and management of goods and services. It is also a major cultural centre that people outside of Atlantic Canada look upon as a reflection of the region, and which people within the region look to as a leader.

1.3.1 HISTORICAL SETTLEMENTS

The Mi'kmaq established permanent settlements in K'jipuktuk and also moved in seasonal rounds from coastal regions in the summer where they fished and hunted, to inland areas in the wintertime. There is evidence of permanent settlements dating as far back as 10,000 years in locations such as Turtle Grove, which is a Mi'kmaq settlement on the Dartmouth (Punamu'kwati'jk) side of the Halifax Harbour, now known as Tufts Cove¹.

The first Europeans to arrive to the Atlantic region were likely Basque fishermen from the Bay of Biscay, who began whaling and fishing around 1525.² In the period between 1534 and 1600, early French settlers made voyages to the Atlantic east coast and landed in the Maritimes, and established alliances with Indigenous peoples in the area. Those alliances and relations emphasized peace and collaboration in trade.³

In 1746, the British government sponsored their first settlement plan in Canada, focused on present-day Halifax, and established the Town of Halifax in 1749.⁴ The design of the settlement was laid out in the typical British military manner of the time, with a regular grid system protected by military fortifications. In the same year, many warships were decommissioned and converted to transporter vessels of settlers. In 1750, the ship Alderney arrived and disembarked new settlers on the east side of the Halifax Harbour, who took up residence in what is now known as downtown Dartmouth.⁵

The establishment and evolution of the Town of Halifax resulted in escalated tensions and war over land rights with the Mi'kmaq, the original inhabitants of the lands. These conflicts also led to multiple British deportation campaigns of the French-speaking Acadians between 1755 and 1764. Between 1725 and 1779, the British Crown signed a series of treaties with the Mi'kmaq Nation, and various Indigenous nations living in various parts of what are now the Maritimes and neighbouring areas. Commonly known as the Peace and Friendship Treaties, these agreements were mainly designed to prevent war and facilitate trade. These treaties guaranteed hunting, fishing, and land-use rights for the descendants of the Indigenous signatories.⁶ The Peace and Friendship Treaties remain in effect today.

¹ Coulter, A., Ruitenbeek, I., & Rutgers J. (2019). The Story of Turtle Grove. Retrieved July 20, 2020, from signalhfx.ca/the-story-of-turtle-grove/

² Bélanger, R. (2006). Basques. Retrieved July 20, 2020, from thecanadianencyclopedia.ca/en/article/basques

³ Wallace, S. (2018). Peace and Friendship Treaties. Retrieved on July 20, 2020, from thecanadianencyclopedia.ca/en/article/peace-and-friendship-treaties

⁴ Mccann, L. (2012). Halifax. Retrieved July 20, 2020, from thecanadianencyclopedia.ca/en/article/halifax

⁵ Kernaghan, L. (2012). Dartmouth. Retrieved July 20, 2020, from thecanadianencyclopedia.ca/en/article/dartmouth

⁶ Wallace, S. (2018). Peace and Friendship Treaties. Retrieved on July 20, 2020, from thecanadianencyclopedia.ca/en/article/peace-and-friendship-treaties

In 2015, the Federal Government of Canada, the Provincial Government of Nova Scotia, and the Council of the Municipality issued various official Statements of Reconciliation to acknowledge a new approach and commit to reconciliation with the Indigenous Peoples of Canada, the First Nations, Inuit, and Métis.⁷ These statements act as a commitment to learning from the lessons of the Truth and Reconciliation Commission, and to taking action to recognize the needs and aspirations of Indigenous peoples.

Between 1783-1815, Black settlers arrived in the Halifax region from the United States and the Caribbean. These settlers immigrated to Halifax in three distinct waves: the Black Loyalists in 1783, exiled Jamaican Maroons in 1796, and the War of 1812 Refugees between 1813-1815. Historical African Nova Scotian communities— including Beechville, Cherry Brook, Lake Loon, East Preston, Lucasville, North Preston, and Upper Hammonds Plains— are some of the oldest African Canadian communities in Canada.

The British government granted many African Nova Scotian families land around the outskirts of Halifax and Dartmouth. This land was rocky and infertile. Moreover, Black settlers received “tickets of location” and/or “licenses of occupations” for land rather than clear legal titles. These unclear land titles still prevent many African Nova Scotians from bequeathing or selling land, acquiring mortgages, or accessing housing grants. Acquiring legal title to these lands for African Nova Scotian families is a historical and ongoing issue. Chapters 8, 9 and 10 of this Plan include policies relating to the Municipality’s role in fostering inclusive economic prosperity, community planning, and the Land Titles Clarification initiative.

The municipality is comprised of distinct communities and waves of settlement. In recent decades it has been the point of entry and ultimate home to Lebanese, Kosovar, Syrian, and Ukrainian immigrant and refugee communities, and many more who have left their unique mark on the cultural identity of the region. The municipality is home to eight post-secondary educational institutions, which attract domestic and international students to settle here either temporarily or permanently.

1.3.2 REGIONAL PLAN GEOGRAPHIES

The Regional Plan sets out planning policy and regulation for the entire municipality which includes region-wide direction as well as three major geographic areas: The Regional Centre, the Suburban Area, and the Rural Area. The Regional Centre and Suburban Area are together referred to as the Urban Area in this Plan. The evolution of these areas has been influenced by a wide range of economic, cultural, environmental, and social factors that continue to influence the physical form and character of communities and neighbourhoods.

The Regional Centre area is the most urban and densely populated area of the Municipality and is comprised of distinctive neighbourhoods that have evolved over hundreds of years through use and settlement. It features a wide mix of land uses, landscapes, neighbourhoods, parks, and public spaces, building types and designs, industries, services, and attractions. In the Regional Centre, most concentrated commercial districts are located within a walking distance of established neighbourhoods and communities, and within an easy reach of parks and open spaces. Also, the Halifax Harbour remains an important asset that facilitates trade and the growth of commercial, industrial, and institutional activities in the region.

⁷ Moran, R. (2015). Truth and Reconciliation Commission. Retrieved July 22, 2020, from thecanadianencyclopedia.ca/en/article/truth-and-reconciliation-commission

The Suburban Area is comprised of distinct communities, some densely populated and some more dispersed. These communities have developed independently over the years, each with their own history and character, but have become more connected as urban development has expanded out to meet them. As a result, the Suburban Area generally features more variation in settlement patterns than is found in the Regional Centre. In some communities, this has created greater separation between residential neighbourhoods and commercial districts, requiring more travel by vehicle to access jobs, services, and attractions.

The Rural Area is the largest and most geographically diverse area. As with the rest of the municipality, settlement in the rural area has taken place over centuries and is characterized by a mix of land uses and landscapes. This area is also recognized for the unique ecological, social, economic, and cultural values it provides to the municipality. The Rural Area is predominantly comprised of small community hubs where commercial uses serve surrounding traditionally rural areas. However, some parts of the Rural Area are more suburban in character due to past dispersed development patterns within commuting distance of the urban core. The Rural Area plays a crucial role in the economy of the Municipality, which continues to be shaped by historic rural farming, resource, and fishing activities.

1.3.3 URBAN SETTLEMENT

Economic development and settlement patterns in the urban and suburban parts of the Municipality, and particularly Halifax, Dartmouth, and Bedford, were affected and shaped by conflicts such as the Napoleonic Wars (1793-1815), the American Revolutionary War (1775-83), World War I (1914-18), and World War II (1939-45). This resulted in direct military investment that supported many associated shipbuilding and military supply businesses. Wartime activity maintained the local economy in the region.

The development of the railway system in the late 1800s and early 1900s also opened new lands for development, and improved connections to communities in Nova Scotia and Canada. As such, economic growth based on privateering, international shipping, and trade expanded wealth and population, which resulted in the prosperity of the region in the mid- to late-1800s. The commercial prosperity continued until the Halifax Explosion in 1917, which had significant impacts on many businesses and industries, as well as development patterns.⁸ The Halifax Explosion levelled many areas in the North End of Halifax and portions of Dartmouth. This destruction, in part, led to the realignment of various street grids in Halifax and Dartmouth.⁹

In the post-World War II years, most of the region's housing stock was built to accommodate returning servicemen and their families. With the advent of the automobile, construction of the highway system, popularity of suburban shopping malls, and extension of trunk water supply lines, development spread outward from Halifax and Dartmouth and began to connect to existing smaller towns, villages and communities, such as Bedford, Fairview, Armdale, Beechville, Spryfield, Cole Harbour, and others, as well as in largely undeveloped or formerly rural areas like Clayton Park, Woodside, and Hammonds Plains. The steady development and economic growth since the 1950s mostly stemmed from wholesale distribution, transportation, and specialized institutions. By the end of the 1950s, most lands within the Regional Centre were developed and the Suburban Area had begun to grow significantly in both population and geography.

⁸ McCann, L. (2012). Halifax. Retrieved July 20, 2020, from thecanadianencyclopedia.ca/en/article/halifax

⁹ Kernaghan, L. & Foot, R. (2011). Halifax Explosion. Retrieved on July 21, 2020, from thecanadianencyclopedia.ca/en/article/halifax-explosion

The urban renewal movement changed the face of the Regional Centre. It included the creation of a Master Plan for the City of Halifax in 1949, and the opening of the Angus L. MacDonald Bridge in 1955 and the A. Murray MacKay Bridge in 1970. A number of urban renewal projects in the 1960s and 1970s resulted in the large-scale redevelopment of various blocks in Downtown Halifax. The partial construction of the Harbour Drive Highway included the displacement of established communities to make way for the Cogswell Interchange's construction in 1969 to 1970.

The urban renewal movement affected the African Nova Scotian community of Africville which was located on the edge of the Bedford Basin. In 1961, the City of Halifax began the movement of Africville residents to make way for planned industrial development and the construction of the A. Murray MacKay Bridge connecting Halifax to Dartmouth. In 1996, the Africville site was recognized as a National Historic Site as it continues to serve as a symbol of the Black Nova Scotian cultural identity, and past racial injustices.¹⁰ In 2010, Halifax Regional Council issued an apology to the former residents of Africville. A non-profit society, known as the Africville Heritage Trust Society, was established in 2012 to be the governing body intended to own and operate a museum and a community church, known as the Seaview Baptist Church and Africville Interpretive Centre.¹¹

During the latter half of the 20th century, residential, commercial, and industrial growth continued in the Regional Centre and expanding into suburbs. This was guided by geographic and topographic limitations as well as land use planning and investment in highways, bridges and infrastructure. There was an increasingly regional approach as parts of Halifax County were annexed to become parts of the cities of Halifax and Dartmouth. During this time, commercial and industrial growth expanded in the Suburban Area with the introduction and expansion of the Burnside Park in Dartmouth in the 1970s and of the Bayers Lake Business Park in Halifax in the 1980s. As major employment centres, Burnside and Bayers Lake influenced the growth of nearby suburban communities and these communities saw increasingly urban residential typologies, but the infrastructure tended to continue to be focused on the private vehicle.

The 21st century has seen a focus of planning policy to direct growth in population and jobs to the municipality's Urban Area. Recognizing the environmental, social, and economic importance of growth management, in 2006, the first Regional Plan was adopted by Halifax Regional Council. It provided region-wide policies and defined an urban service boundary. The Regional Plan and several subsequent planning documents and adjustments, notably including the Downtown Halifax Plan (2009) and the Centre Plan (2019, 2021), encouraged densification in the Urban Area. During the same period, the adoption of several heritage conservation districts recognized the importance of a connection to historical neighbourhoods and structures. These policy changes have been accompanied by strong mixed-use development activity in the Urban Area since 2010. Since 2015, the municipality's population has grown significantly faster than anticipated, and the construction of housing has fallen behind demand. This has led to an unprecedented housing, homelessness, and affordability crisis.

1.3.4 RURAL SETTLEMENT

Rural development in the Municipality has been diverse in terms of geography, population density, and proximity to the urban core. Economic development and settlement patterns in the rural area have been

¹⁰ McRae, M. (n.d.). The Story of Africville. Retrieved July 22, 2020, from humanrights.ca/story/the-story-of-africville

¹¹ A.L. Arbic Consulting and Genesis Consulting. (2010). *Seaview Church & Africville Interpretive Centre: Update to December 2006 Feasibility Study/Business Plan*. Halifax Regional Municipality.

influenced by the same drivers that led to the expansion of the urban area – notably, naval expansion and immigrant and refugee settlement. As well, railway and highway expansion in the 20th century has led to continued growth and change in the rural area. As settlement expanded out from the urban area, linear development in the rural area along routes to the Regional Centre became more common, comprised of large estate lots, long farm lots and smaller lots along watercourses, the coast, and the highways.

Many rural communities have been uniquely shaped by their local industry, including farming, fishing, and resource activities. In the rural area, many communities are still strongly driven by these traditional industries, like farming in the Musquodoboit Valley, fishing and coastal industry in Sambro, or mining in Moose River. Communities also continue to be shaped by existing protected wilderness areas and parks, and other natural areas that offer important ecological services to the entire municipality. Many historical African Nova Scotian communities are in the Rural area and maintain a strong connection to land, culture, and history.

Throughout the 20th century, population expansion in the municipality has led to population growth in existing rural centres. Much of this development has continued the pattern of rural character, driven by the rural economy and new housing settlement, while maintaining ecological, economic, social, and cultural values of these areas. However, during the 1980s and 1990s, some rural areas within commuting distance of the urban core experienced significant residential development due to the pre-amalgamation subdivision regulations which allowed dispersed development patterns. In some instances, these developments have led to concerns around the availability of services and infrastructure, emergency response and egress, environmental impacts, and the maintenance of private roads.

1.4 REGIONAL VISION AND PRINCIPLES

1.4.1 VISION

The Regional Plan Vision was first developed in 2006 following significant engagement with municipal residents and the Regional Planning Committee. This Vision continues to guide this Plan:

To enhance our quality of life by fostering the growth of healthy and vibrant communities, a strong and diverse economy, and sustainable environment.

1.4.2 GUIDING PRINCIPLES

This Plan:

- **Addresses the needs of the Halifax Regional Municipality as a whole, recognizing the diversity of its residents, communities, and geographies;**
- **Strategically directs housing, services, infrastructure, and employment in support of healthy and connected communities;**
- **Guides investments in physical and community infrastructure at the regional and local level;**

- **Supports increasing housing supply across the region to meet the needs of residents of all ages, income levels, and abilities;**
- **Recognizes the importance of parks and open space, wilderness, natural assets, and environmentally sensitive areas to supporting residents' quality of life and the region's environmental health;**
- **Promotes action to mitigate and adapt to the effects of climate change;**
- **Organizes land use and infrastructure investment to improve mobility and promote a range of choices for getting around;**
- **Promotes community-led initiatives and collaborative planning;**
- **Supports quality of life and equitable economic growth;**
- **Reflects the Municipality's commitments to diversity and inclusion and acknowledging the needs and aspirations of Indigenous people; and**
- **Provides a framework for cost-effective, timely, and evidence-based decision-making.**

1.5 REGIONAL PLANNING FRAMEWORK

The *Regional Municipal Planning Strategy* (referred to as the "Regional Plan" or "this Plan") is the overarching planning document guiding the growth and development of the entire municipality. The Halifax Regional Municipality's first Regional Plan was adopted in 2006 and reviewed and readopted in 2014. This Plan (2025) guides the Municipality's planning and decision-making in several main ways:

- **Sets Strategic Direction**
This plan sets a common vision, guiding principles and long-range, strategic policies for where, when, and how the region will grow and develop.
- **Guidance for Community Plans (Secondary Municipal Planning Strategies)**
The policies of this Plan provide the guiding framework for locally oriented policies found in the Municipality's community plans (formally called Secondary Municipal Planning Strategies), which apply to specific areas of the municipality. All comprehensive reviews or site-specific amendments to community plans will be aligned with the policies of this Plan. Policies in this Plan which provide guidance for amendments to community plans typically include statements such as: "When considering amendments to secondary municipal planning strategies, the Municipality shall consider..." or "It shall be the intention of Council to consider..."
- **Land Use Regulations**
The planning direction contained in this Plan is implemented through the community plans (formerly secondary municipal planning strategies), land use by-laws, and the Regional Subdivision By-law.. These planning documents, along with the heritage by-laws, govern land use on each property within a given plan area. Policies in this Plan that directly regulate land use typically include statements such as: "The Municipality shall, through the applicable land use by-law..." or "The Municipality shall, through the *Regional Subdivision By-law*..."

- **Priorities Plans and Strategic Plans**

The Municipality's Priorities Plans, strategies and guidance documents are intended as management plans to guide detailed actions to be taken to carry out the policy directives of this Plan. They do not represent land use policy, but rather act as detailed management guides for the Municipality's strategic initiatives, including programs, services, partnerships, and facilities, and their associated budgetary requirements.

- **Future Study**

This Plan establishes the Municipality's intent to conduct future research program or studies. These studies may be needed to further the work identified by a Priorities Plan or to support amendments to land use regulations, including future amendments to this Plan.

1.6 PROVINCIAL ROLE IN PLANNING

Municipal planning documents, including this Plan and all supporting secondary planning strategies, land use by-laws, and the *Regional Subdivision By-Law*, must be reasonably consistent with Statements of Provincial Interest and fulfill the minimum planning requirements as set out by the *Halifax Regional Municipality Charter* and any associated regulations (referred to in this Plan as the *HRM Charter*).

1.6.1 STATEMENTS OF PROVINCIAL INTEREST

Statements of Provincial Interest enacted in accordance with the Nova Scotia *Municipal Government Act* outline the Province's vision for protecting Nova Scotia's land and water resources, and growth of communities. They are adopted as regulations under the *Municipal Government Act* and apply to all municipalities. The statements are intended to help provincial government departments and municipalities make land use decisions that support the principles of sustainable development. The six statements include the:

1. Statement of Provincial Interest Regarding Drinking Water;
2. Statement of Provincial Interest Regarding Flood Risk Areas;
3. Statement of Provincial Interest Regarding Agricultural Land;
4. Statement of Provincial Interest Regarding Infrastructure;
5. Statement of Provincial Interest Regarding Housing; and
6. Statement of Provincial Interest Regarding the Development of the Nova Centre.

This Plan considers and is consistent with the following Statements of Interest as described below.

Provincial Statement (1): Drinking Water

The Municipality's drinking water supply is supplied from surface water and groundwater located across the Region. The protection of these municipal water supply watersheds is addressed by this Plan in Chapter 6.

Provincial Statement (2): Flood Risk Areas

Low-lying areas in the municipality sometimes experience flooding from intense weather events. This Plan includes policies and regulations on planning for flood risk areas, stormwater management, and watercourse buffers to reduce and mitigate the risk of flooding through policies contained in Chapter 6. Community plans also address flood risk areas through land use designation policies and regulations.

Provincial Statement (3): Agricultural Land

By enabling strategic growth in existing communities, this Plan provides for a variety of housing and development opportunities in urban and suburban areas where services already exist, thereby reducing development pressure on agricultural lands in other parts of the municipality. This Plan provides protections and regulations for agricultural land across the municipality in Chapters 2 and 10 and highlights the importance of agricultural land for food security in Chapter 4.

Provincial Statement (4): Infrastructure

This Plan supports the efficient use of municipal infrastructure by enabling the densification of areas where municipal water, sewer and transit services exist (the Urban Area). Growth in these areas is supported by policy in Chapters 2, 3, 7 and 10 in this Plan and by land use policies in community plans.

Provincial Statement (5): Housing

This Plan recognizes that the Municipality is experiencing a housing shortage crisis, and responds to this challenge by enabling a variety of residential forms and uses through the region, as provided by policies in Chapter 5.

Provincial Statement (6): Development of the Nova Centre

The Development of the publicly sponsored convention centre with associated retail, hotel, residential, and office uses is recognized by the *Regional Centre Municipal Planning Strategy* and *Land Use By-Law*, which are enabled by this Plan. This use is recognized as the Nova Centre (NC) Special Area in these planning documents.

1.6.2 MINIMUM PLANNING REQUIREMENTS

Under subsection 229(4) of the *HRM Charter*, the Minister may make regulations (a) prescribing matters in respect of which the inclusion of statements of policy in a municipal planning strategy is either mandatory or discretionary, and (b) prescribing requirements that a municipal planning strategy must fulfill. These have been established by the Minister as the *Minimum Planning Requirements Regulations*.

Section 4 of the *Minimum Planning Requirements Regulations* sets out mandatory content that a municipal planning strategy must contain, and Section 4A sets out mandatory content related to housing supply. Section 14 identifies specific mandatory requirements related to wind turbine setbacks.

The mandatory content identified in the *Regulations* is addressed as follows:

- Each Chapter of this Plan includes background and contextual information informing the Municipality's goals and objectives;
- Maps 1 and 2 depict the intended future uses of the lands;

- Policy related to residential uses is included in Chapters 2, 3, 5 and 10;
- Policy related to commercial and industrial uses is included in Chapters 2, 3, 8 and 10;
- Policy related to institutional uses is included in Chapters 2, 3, 4, 8 and 10;
- Policy related to resource uses is included in Chapters 2, 3, 6, 8 and 10;
- Policy describing the procedures to be followed when reviewing this Plan and provide for public consultation and notice is included in Chapter 10;
- Policy related to housing supply is included in Chapters 2, 3, 5, and 10; and
- Policy related to wind energy is included in Chapter 6.

1.7 PLAN ORGANIZATION

This Plan establishes policies which are implemented through secondary municipal planning strategies, land use by-laws, the Regional Subdivision By-law, and priorities plans.

This Plan is divided into the following chapters:

1. **Introduction:** An overview of the history of settlement in the area into urban and rural communities, the Regional Plan Vision and Guiding Principles, planning framework and the use of key terms;
2. **Planning for the Region:** Establishes the regional land use structure, and sets direction for strategic growth and infrastructure planning and (See also *Maps 1 and 2*);
3. **Building Healthy and Complete Communities:** Direction on community planning for urban and rural areas, and planning for future serviced communities (See also *Map 3 and 4*);
4. **Strengthening Community Infrastructure:** Direction on parks, community facilities, emergency services, food security, solid waste management, and utilities (See also *Map 5*);
5. **Fostering Diverse and Affordable Housing:** Direction on removing barriers to housing and supporting initiatives for a range of safe, sustainable, and affordable housing options;
6. **Protecting the Environment and Acting on Climate:** Direction for acting on climate, protecting natural areas including source water, watercourses, wetlands, watersheds, and coastlines (See also *Map 6*), protecting critical infrastructure, and transitioning to a low carbon future;
7. **Providing Options for Mobility:** Direction for providing connected mobility networks, complete streets, identifying multi-modal strategic corridors (see also *Map 7*), coordinating regionally for mobility, and planning for efficient transit services (see also *Map 8*);
8. **Promoting Economic Prosperity:** Direction for working with institutional partners, providing additional opportunities for mixed use and employment, protecting industrial lands, cannabis-related uses, rural employment, tourism, inclusive economic prosperity, and the green economy;
9. **Celebrating Culture, Arts and Heritage:** Direction for recognition and protection of culture and heritage, including with Mi'kmaq and African Nova Scotian communities and other traditionally underrepresented groups; and
10. **Implementation:** Direction on available tools implementing the Plan, transitioning to the Plan, engaging residents, and monitoring and reviewing the Plan.

1.8 INTERPRETATION

This Plan is written in the active voice to indicate purposeful direction for future development and outcome. Under the provisions of the *HRM Charter*, a Municipality cannot regulate directly from the *Regional Municipal Planning Strategy* or a secondary municipal planning strategy; rather, it must regulate from a land

use by-law or subdivision by-law adopted by the Municipality to carry out the intent and direction of this Plan. The Municipality may also regulate by development agreement.

Implementing the actions, initiatives, and programs identified in this Plan will need to be reviewed against the priorities and financial capacities of current and future Municipal work plans, as well as other plans.

1.8.1 KEY TERMS

This Plan uses the following key terms:

- **Land Use By-Law** means a by-law that implements the intent of a municipal planning strategy.
- **Land Use Structure** means a map of the lands within the Municipality or within parts of the Municipality that depicts the intended future uses of the lands as contemplated by the municipal planning strategy. This is sometimes referred to as a generalized future land use map.
- The **Municipality** means the Halifax Regional Municipality.
- The **municipality** (lower case) denotes the physical area of the Halifax Regional Municipality.
- **Priorities Plan** means a subject-focused, strategic plan used to guide detailed actions to be taken to carry out the policy directives of this Plan. They do not represent land use policy, but rather act as detailed management guides for the Municipality's strategic initiatives, including programs, services, partnerships, and facilities, and their associated budgetary requirements.
- **Secondary Municipal Planning Strategy** means a community-level plan that provides more detailed land use policy and regulations for a particular area of the Municipality. The term "Community Plan" is also used in this document to refer to these types of plans.

In this Plan, there are commonly used terms found in various policy statements:

- **"may"** denotes permissive action, and when used in policies the Municipality is not obliged to undertake any action.
- **"Regional Centre"** means the Halifax Peninsula and Dartmouth within the Circumferential Highway (see also *Map 2*).
- **"Rural Area"** means the Rural Area as shown on Map 2 and are lands where municipal water, wastewater services and conventional transits are not available or are planned to be considered under this Plan (see also *Map 2*).
- **"shall"** denotes mandatory action, and when used in policies the Municipality must implement the policy through the applicable implementation tools.
- **"shall consider"** when used in policies, means the Municipality is required to consider, but is not obligated to undertake, any action or expend any money.
- **"Suburban Area"** means the area shown as the Suburban Area on Map 2 and where municipal water and wastewater services and conventional transit are available or planned (see also *Map 2*).
- **"this Plan"** means the Regional Municipal Planning Strategy for Halifax Regional Municipality.

- **“Urban Area”** means the Regional Centre and the Suburban Area as shown on Map 2 and where municipal water and wastewater services and conventional transit are available or planned (see also *Map 2*).

CHAPTER 2:

PLANNING FOR THE

REGION

CHAPTER 2: PLANNING FOR THE REGION

2.1 INTRODUCTION

To be responsive to a quickly growing population, this Plan envisions that the municipality will grow to be a region supporting one million people. The policies of this Plan have been developed with a forward-looking view to supporting this growth in population over the long term, by strategically directing housing, jobs, and community infrastructure in a way that supports goals for healthy, connected, and inclusive communities.

Population growth and development cannot be considered without a view to greater socio-economic and environmental well-being. To achieve the vision for healthy communities, equitable and sustainable growth, this Plan encourages cooperation amongst municipal business units, residents, community groups, interest groups, and all levels of government.

As the municipality's population grows, most new development will be directed to established centres in urban and rural communities. The municipality's physical geographic constraints, existing and planned water and wastewater infrastructure, impacts of climate change, transit service boundary, and the location of employment and community infrastructure will guide where the most significant growth will occur.

2.2 OBJECTIVES

- 1. Organize housing growth, employment, infrastructure, and service delivery to support a future population of one million people in the municipality.**
- 2. Establish a planning framework organized around four geographic areas: Region-Wide, Regional Centre, Suburban and Rural Areas.**
- 3. Develop and implement a Strategic Growth and Infrastructure Priorities Plan guided by the Objectives and Policies in this Plan and supported by financial tools and investments.**
- 4. Organize the delivery of community services to support healthy and connected communities with a high quality of life.**
- 5. Foster healthy ecosystems by designing communities which encourage protection of significant environmental and cultural features.**
- 6. Preserve agricultural and resource lands.**

2.3 REGIONAL PLANNING

This Plan provides a vision for supporting a growing population and employment base through a coordinated and managed approach to locating new development and critical services. Key principles for organizing this growth include infrastructure management and service delivery, protecting our environment and cultural heritage, improving mobility, and planning cooperatively with partners.

Settlement is to be organized in a manner that strives to protect and enhance the open space and environmental network to reduce our urban footprint. In situating housing and employment, we also must consider that where people live and how they move about for their daily activities affects their personal finances, influences their work-life balance, and helps determine their carbon footprint. Reducing car dependency is critical to achieving these goals. Making sure that the region's communities are well-connected with each other is important for residents' access to physical activity, supports their mental health and well-being, social interactions, and access to nature.

Past studies undertaken for the Municipality have found that:

- More compact forms of development with higher densities can save taxpayers money when located to make the best use of existing infrastructure and services;
- Extending central municipal water and wastewater management services long distances to serve communities with lower densities can be less cost-effective;
- Protecting and enhancing existing parks and open spaces and green elements, including trees, forests, waterways, wetlands, and wilderness, provides multiple benefits in maintaining air quality, water quality, mitigating flooding and managing carbon emissions;
- Compact, high-density forms of development located close to high frequency transit can help generate the required ridership, support quality transit service, and equitable communities; and
- Proactive measures are needed to address climate change and reduce our carbon footprint by planning for complete communities that encourage low-carbon transportation, protect the natural environment and promote renewable energy adoption.

When considering where settlement and new growth may occur, four critical regional-scale services are analyzed:

1. Natural and Cultural Services

The open space network, valuable ecological lands, regional parks, natural corridors, culturally significant places, and working landscapes will be assessed and these assets considered when planning for our region's communities.

2. Water and Wastewater Services

Most growth will be in the form of infill directed to where there is existing or planned municipal water and wastewater services and infrastructure can be delivered in a cost-effective manner.

3. Mobility Services

Infill and land use growth will be further organized to support mobility systems that improve movement of people and goods, whether by walking, rolling, cycling, transit or in a vehicle.

4. Community Services

As infill and growth occur, this will increase the demands for community services like schools, libraries, parks, recreation facilities, solid waste, emergency services, and energy. Gaps in service may be analyzed and addressed as part of strategic growth planning.

With these services in mind, this Plan envisions that most new growth will occur through urban infill, with focused growth around areas with access to frequent transit, to allow the Municipality and Province to plan delivery of future community services in these areas. Historically underserved communities and vulnerable populations will require special focus, so that investments can be directed in an equitable way and support

those with the greatest need, as opposed to simply responding to population growth. As work proceeds with African Nova Scotia communities and Mi'kmaw communities it is recognized that shifts may be required in this vision to support outcomes. New partnership initiatives similar to the *Road to Economic Prosperity for African Nova Scotian Communities* and future Mi'kmaw Friendship Accord are needed so that the Municipality may reconsider how it invests in people and places.

- RP-1 The Municipality shall consider the natural environment and biodiversity when planning for new development.**
- RP-2 The Municipality shall consider directing housing and employment growth to strategic locations where water and wastewater infrastructure services are already available or planned to be considered over time.**
- RP-3 The Municipality shall coordinate land use and mobility to improve the movement of people by aligning infill and growth with transit services, including high frequency transit service.**
- RP-4 The Municipality shall organize the delivery of community services to support building healthy, well serviced, and connected communities.**
- RP-5 The Municipality may work with the African Nova Scotian communities and Mi'kmaq communities to reconsider how it invests in people and places.**

2.3.1 REGIONAL LAND USE STRUCTURE

This Plan provides direction for what type of development may occur in different geographic areas of the region, using six general land use designations and two land use sub-designations to manage growth. These are illustrated on Map 1 (The Regional Land Use Structure Map) with the intent and policy direction for each explained in this chapter, as summarized below:

- The **Open Space and Natural Resource** designation applies to the region's natural network of open spaces, typically on government-owned and private resource sector or conservation lands.
 - The **Urban Settlement** designation is applied to areas where development serviced with municipal water, wastewater, and conventional transit service exists or is planned in the short term to medium term.
 - The **Urban Reserve** designation is applied to areas which may be considered to accommodate future growth, where development serviced with municipal water, wastewater, and conventional transit service is being considered in the long-term.
 - The **Rural Commuter**, **Rural Resource**, and **Agricultural** designations apply to areas of rural settlement.
 - The **Business/Industrial Park** and **Halifax Harbour** Sub-Designations are applied as an overlay to main designations to prioritize certain lands for employment uses. Policies establishing these Sub-Designations are included in Chapter 8.
- RP-6 To manage growth and future land use, this Plan shall establish the Regional Land Use Structure for the municipality and shall include the following designations and sub-designations, as set out in Map 1: Open Space and Natural Resource, Urban Settlement, Urban Reserve, Rural Commuter, Rural Resource, Agricultural Designation; Business/Industrial Park and Halifax Harbour Sub-Designations.**

2.3.1.1 OPEN SPACE AND NATURAL RESOURCE DESIGNATION

Growth and development throughout the municipality has been shaped by a natural network of open space, covering much of the municipality. The open space network consists of large areas of provincial Crown lands, lands owned by private companies for forest production and harvesting, parks and trail systems.

The open space network serves many important functions for the region. Open spaces shape the settlement form and character of the municipality's communities. Protecting open spaces helps to direct urban development to appropriate locations and creates clear neighbourhood edges. The region's public parks and other public open spaces allow residents to access nature for outdoor recreation and aesthetic enjoyment, which improves mental and physical health. As a system, these open spaces perform important environmental services such as connecting natural areas for critical wildlife migration, retaining stormwater, mitigating flooding, preventing erosion, uptake of nutrients, abatement of pollution and moderation of climate. Therefore, it is the intent of this Plan to strengthen the connection between public open spaces and public parks to conserve biodiversity, provide opportunities for outdoor recreation, recognize the region's natural and cultural heritage, and support ecosystem functions.

RP-7 To recognize the importance of the open space network the Open Space and Natural Resource Designation shall be established on the Regional Land Use Structure Map (Map 1), as the area encompassing a natural network of open space in the Municipality. The Open Space and Natural Resource Designation may apply to public and private resource sector lands identified for their role in the open space network, and generally include:

- a) federal parks;**
- b) habitat protected by federal and provincial legislation;**
- c) regional parks;**
- d) trail and greenway networks;**
- e) provincially designated parks;**
- f) provincial parks reserves;**
- g) provincially designated wilderness areas and nature reserves;**
- h) provincial Crown lands classified C1(resource) and C2 (resource and recreation);**
- i) private conservation areas;**
- j) all municipal conservation areas;**
- k) commercial forestry, agriculture and fishery lands; and**
- l) environmentally sensitive areas including wetlands, salt marshes and beaches.**

2.3.1.2 URBAN SETTLEMENT DESIGNATION

The Urban Settlement Designation encompasses those areas in the Urban Area (the Regional Centre and Suburban Area) where development has access to municipal water, wastewater, and conventional transit services or where those services are proposed to be considered to accommodate population growth. To support building healthy, well-connected communities and the growth targets of this Plan, it is the intent of this Plan to focus most new development to existing serviced areas and undeveloped lands that may be considered for future serviced development within the Urban Settlement Designation. Housing and employment growth in the Urban Settlement area will be encouraged in complete communities shaped by their access to services and amenities, and that are well-connected with transit and active transportation routes, as detailed in Chapter 3.

RP-8 To support building healthy, well-connected communities and the growth targets of this Plan, the Urban Settlement Designation shall be established on the Regional Land Use Structure Map (Map 1). The Urban Settlement Designation shall apply to those areas where existing municipal services (including piped water, wastewater, and conventional transit services) are located and to undeveloped lands that may be considered for future serviced development.

2.3.1.3 URBAN RESERVE DESIGNATION

The Urban Reserve Designation is applied to lands that may be suitable for serviced urban development in the longer-term horizon. Since 2006, the Urban Reserve designation had included several areas to be considered as potential future serviced communities after 2031 to accommodate housing and employment growth. An assessment of these lands is required in accordance with Policy RP-11 before they may be redesignated as Urban Settlement or any comprehensive planning process is undertaken, to ensure alignment with Regional Council's priorities. Two areas, the interior lands bounded by Highway 7, Ross Road, Highway 207, and Broom Road in Cole Harbour/Westphal, and the Ragged Lake Lands, have been advanced by Regional Council already for further study. The interior lands bounded by Highway 7, Ross Road, Highway 207, and Broom Road in Cole Harbour/Westphal have also been designated by the Province of Nova Scotia as a Special Planning Area. One area, the Purcell's Cove Backlands, was studied previously, but additional work is required to complete the assessment. The remaining land areas, known generally as Kidston Lake Lands, Anderson Lake Lands, Governor Lake North Lands and the private lands in the Blue Mountain Birch Cove Lakes area, will be studied for the potential for future growth in alignment with the Strategic Growth and Infrastructure Priorities Plan. This work will determine where and how the municipality may decide to grow, to accommodate future population growth beyond the areas designated Urban Settlement in this Plan.

RP-9 The Urban Reserve Designation shall be established on the Regional Land Use Structure Map (Map 1) to identify lands that may be required for future serviced development.

RP-10 The Municipality shall, through the applicable land use by-law, establish an Urban Reserve Zone to regulate development of lands within the Urban Reserve Designation. This Zone shall permit open space uses and limit residential development to existing lots.

RP-11 Amendments to the Regional Land Use Structure Map (Map 1) to change the Urban Reserve Designation to Urban Settlement Designation shall only be considered once the Strategic Growth and Infrastructure Priorities Plan as identified under Policies RP-27 and RP-28 is

completed and shall be guided by long-term scenarios for future growth, infrastructure and service delivery capacity and the criteria set out by that process. Where it has been determined through that process that lands designated Urban Reserve are not suitable for future serviced development, amendments to this Plan may be considered to apply an appropriate alternative designation.

- RP-12** Further to RP-11, the Municipality shall undertake a land suitability analysis of the lands in the Purcells Cove Backlands area designated Urban Reserve, and may use that analysis to consider the Rural Commuter designation for these lands, in accordance with Policy RP-15, and an appropriate community plan designation, zone, land uses, development density, site design, and built form standards.
- RP-13** Notwithstanding Policy RP-11, to support the *Road to Economic Prosperity Action Plan* objective to support the Akoma-led planning process for the restoration of the historic Nova Scotia Home for Coloured Children and development opportunities for African Nova Scotia communities, the Municipality may undertake analysis in accordance with Policy HC-12 to consider changing the Urban Reserve Designation to another Regional Plan designation for the lands bounded by Highway 7, Ross Road, Highway 207 and Broom Road in Cole Harbour/Westphal, and surrounding lands.
- RP-14** Notwithstanding Policy RP-11, the Municipality may undertake analysis in accordance with Policy HC-12 to consider changing from the Urban Reserve Designation to another Regional Plan designation for the Ragged Lake lands for industrial and park development.

2.3.1.4 RURAL COMMUTER DESIGNATION

The intent of the Rural Commuter Designation is to direct development and services to centres within commuting distance to the Regional Centre while continuing to protect rural settlement patterns and abundance of open spaces, wilderness, and natural resources. While residential development within this designation has historically been characterized by large lot residential subdivisions and dispersed development on established roads, most new development is to be encouraged within centres and through clustered development.

Lands adjacent to Morris Lake, including CFB Shearwater, were initially identified for future serviced development prior to the adoption of the 2006 Regional Plan as part of the Morris/Russell Lake Secondary Planning Strategy. At that time, it was expected that the Department of National Defence would be divesting of CFB Shearwater, and that these lands would be included in the growth area. Subsequently, it was confirmed that CFB Shearwater would remain an active base, and the 2014 Regional Plan identified that there may instead be an opportunity to consider shifting the growth area to the north, because of the change in status of CFB Shearwater. These lands, known as the Morris Lake Expansion Lands, are currently designated Rural Commuter, and will be studied to determine if a future serviced community may be supported here. This area of land has been designated as a Special Planning Area to support the development of housing and allows the Minister to make decisions on planning matters.

The Halifax Exhibition Centre lands on Prospect Road are currently designated Rural Commuter due to their location in the Planning District 4 (Prospect) Secondary Municipal Planning Strategy. In 2022, the Halifax Exhibition Centre lands were identified as an opportunity site where a mixed-use development may be considered through a neighbourhood planning process, as outlined in Policy IM-20 in Chapter 10. As

part of the neighbourhood planning process, changes may be required to this Plan to bring these lands into the Urban Settlement Designation.

RP-15 The Rural Commuter Designation shall be established on the Regional Land Use Structure Map (Map 1) and applied to areas within commuting distance of the Regional Centre that have been predominantly characterized by low-density residential development. The intent of this designation is to:

- a) manage growth by focusing residential subdivision in Rural Centres (Map 4) and away from open space and natural resources as identified in Policies IM-30 to IM-37;**
- b) support a range of uses in centres so that surrounding rural communities have local access to services;**
- c) encourage clustered forms of residential development using the Conservation Design Development approach, including higher residential densities within Rural Growth Centres, as identified in in Policies IM-10 to IM-17;**
- d) support resource-based uses such as agriculture, forestry, and renewable energy.**

RP-16 Notwithstanding Policy RP-15, the Municipality may consider changing from the Rural Commuter Designation to another Regional Plan designation for the Morris Lake Expansion Lands, in accordance with Policies HC-12 to HC-14 and the policies of this Plan.

RP-17 Notwithstanding Policy RP-15, the Municipality may consider changing from the Rural Commuter Designation to another Regional Plan designation for the Halifax Exhibition Centre, in accordance with Policy IM-20 of this Plan.

2.3.1.5 RURAL RESOURCE DESIGNATION

HRM's Rural Area holds distinct characteristics, often shaped by an abundance of natural features such as forests, coastal views, waterbodies and wetlands, and open spaces. These areas typically have low-density development, limited commercial activity, and a strong connection to the natural environment, ecological features and scenic landscapes.

Many of the municipality's rural communities were built around and continue to support traditional industries like farming, fishing, and other natural resource activities. These working landscapes support rural economic activities, provide local resources for the region's food, construction, and manufacturing sectors, and contribute to natural landscape connectivity. Directing rural residential development away from working landscapes helps to protect these industries and minimize potential conflict with any new residential development.

The Rural Resource Designation is applied to rural communities along the Eastern Shore which are beyond the traditional commuter-shed of the Regional Centre and have not been heavily influenced by suburban development pressures. The intent of the Rural Resource Designation is to direct development to local centres that act as hubs for commercial uses and community services that residents need. Outside of centres, land use policies are intended to support resource industries while protecting important natural features and built heritage which define the rural character of communities and are important to the tourism industry.

RP-18 The Rural Resource Designation shall be established on the Regional Land Use Structure Map (Map 1) to encompass lands and communities along the Eastern Shore. The intent of this designation is to:

- a) support natural resource-based industries by directing residential development away from working landscapes to protect these industries and the natural resources they depend on;**
- b) direct development to local centres, as generally shown on the Rural Centres Map (Map 4), and support a range of uses to provide commercial and community services to residents;**
- c) encourage clustered forms of residential development using the Conservation Design Development approach, as identified in IM-10 to IM-17 of this Plan; and**
- d) manage the amount and form of residential subdivision, as identified in IM-30 to IM-37.**

2.3.1.6 AGRICULTURAL DESIGNATION

The Agricultural Designation encompasses part of the Musquodoboit Valley. It contains the only remaining prime farmland within the municipality which is largely unaffected by non-agricultural uses. Although the number of farms within the area has declined in recent decades, the Musquodoboit Valley is still used for dairy and mixed farming, forestry, and mining. A substantial portion of Valley residents are employed in the resource sector, which is a substantive economic base to support other employment sectors. Due to productive agricultural soils and climatic conditions within the Valley, these lands are highly suitable for agricultural production.

The Agricultural Designation is intended to preserve land for farming and other forms of resource production, prevent wide-spread residential uses in resource production areas where such development may conflict with the operations of a farm, forestry, or extractive facility, and protect a traditional way of life.

The Agricultural Designation supports the Municipality's implementation of the *Statement of Provincial Interest Regarding Agricultural Land*. This Provincial legislation requires this Plan to identify agricultural lands within the planning area, and address the protection of agricultural land through measures such as giving priority to agricultural uses over other land uses and limiting the density of development.

RP-19 The Agricultural Designation shall be established on the Regional Land Use Structure Map (Map 1) to encompass a significant portion of the Musquodoboit Valley. The intent of this designation is to:

- a) encourage the use of this area for natural resource-based activities and industries such as farming, forestry, and renewable energy, and to protect these uses from the intrusion of incompatible non-resource related uses;**
- b) support services for the surrounding agricultural communities by establishing a series of centres, as generally shown on the Rural Centres Map (Map 4);**

- c) **encouraging clustered residential development within established centres using the Conservation Design Development approach, as identified in IM-10 to IM-17 of this Plan; and**
- d) **managing the amount and form of residential subdivision, as identified in IM-30 to IM-37 of this Plan.**

2.4 COMMUNITY PLANNING

In addition to the region-wide policies, this Plan also provides guidance for the development of communities and neighbourhoods across the municipality. It sets policy direction at a regional scale by showing where and how to build communities in a way that makes the best use of municipal services and amenities, strengthens equity and residents' quality of life. It guides community-level planning which outlines in more detail how communities may be organized and developed. Community Plans (formally called Secondary Municipal Planning Strategies) further govern land use on each property in any given planning area. The Community Planning program is discussed in more detail in Chapter 3.

The Community Planning program will organize the planning framework around subregional geographies, as generally shown on Map 2. While this plan directs most growth to the Urban Area, some growth is also anticipated in communities in the Rural Area. The municipality's settlement pattern has changed over time and will continue to change. The Rural Area is particularly diverse, and includes communities of suburban-rural, semi-rural, and rural character. Further analysis of communities, especially those around the edge of the Urban Area is needed to determine how growth and land use may be managed over time, or where infrastructure and services may be further extended. The Municipality will examine existing and proposed land use and densities, settlement patterns, services and infrastructure capacities, and engage with residents to further refine these boundaries and guide the Community Planning program.

RP-20 The Municipality shall undertake a Community Planning program to develop new secondary municipal planning strategies and land use by-laws and review existing secondary municipal planning strategies and land use by-laws, aligned with the policies, goals, objectives, and growth targets of this Plan.

RP-21 The Municipality shall organize the Community Planning program using the following subregional geographies as generally shown on Map 2:

- a) **the Urban Area, which includes the Regional Centre (Halifax Peninsula and Dartmouth within the Circumferential Highway) and Suburban Area (lands outside of the Regional Centre, where municipal water and wastewater services and conventional transit are available or planned to be considered); and**
- b) **the Rural Area, which includes all lands outside the Urban Area inside of the municipality's boundary.**

RP-22 The Municipality shall refine subregional geographies as community planning proceeds, while considering watershed boundaries, including potable water sources, existing and future planned municipal services, new growth areas or future serviced communities, local context, community input, and any other relevant technical studies.

2.5 STRATEGIC GROWTH PLANNING

To guide the direction of new growth, this Plan sets targets for housing growth. Housing plays a crucial role in shaping the region's settlement patterns, land use, infrastructure and service delivery. The policies of this Plan, supported by the regulations of the *Regional Subdivision By-Law*, determine where housing is located throughout the region.

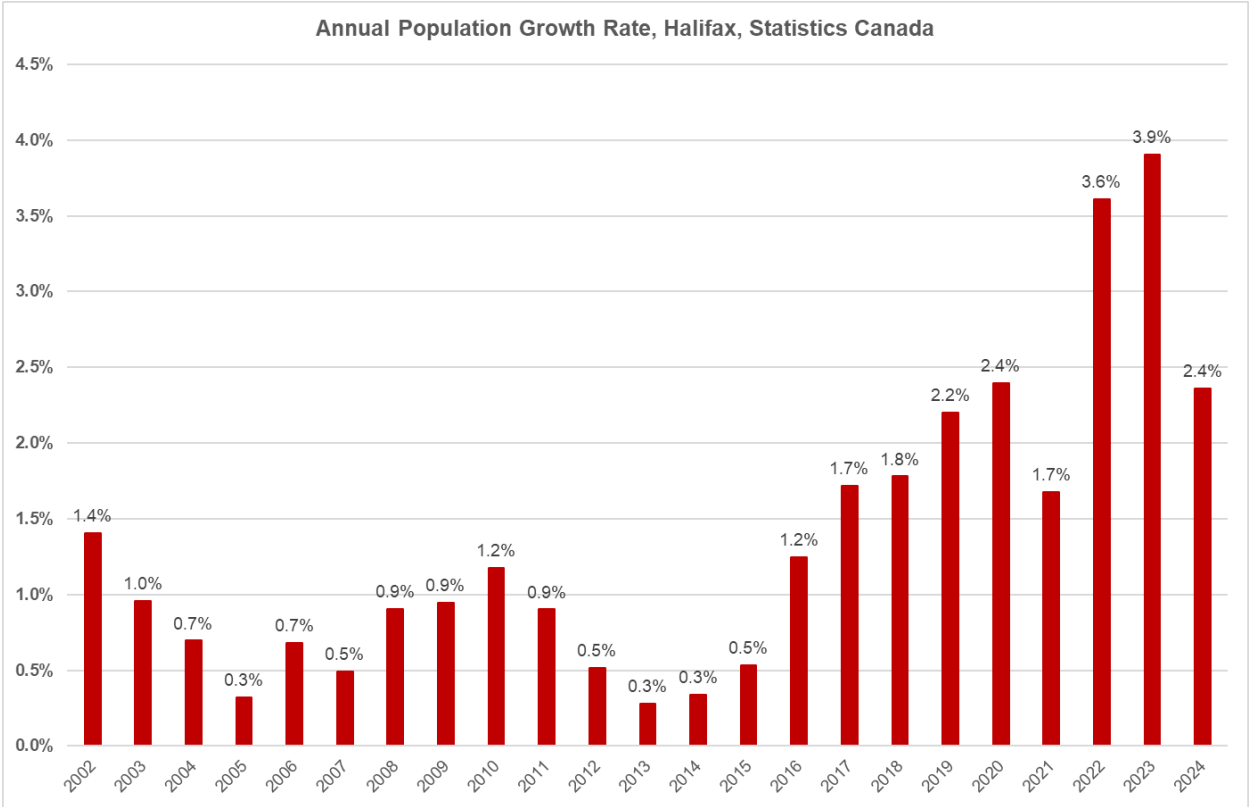
Strategic growth management enables coordinated investments in infrastructure by the Municipality and Province, ensuring the long-term fiscal, environmental, and social well-being of the Municipality, Nova Scotia, and the Atlantic Region. By planning strategically, communities can effectively provide the necessary services and infrastructure to support existing and new growth.

To understand and manage growth in our extensive region, the Municipality studies various development scenarios, evaluates potential growth targets, and undertakes ongoing monitoring. These tools provide an evidence-based decision-making framework for land use planning policies and regulations and help the Municipality make informed decisions regarding land development for the greater benefit of the public. This section provides an overview of these tools.

2.5.1 POPULATION GROWTH AND MONITORING

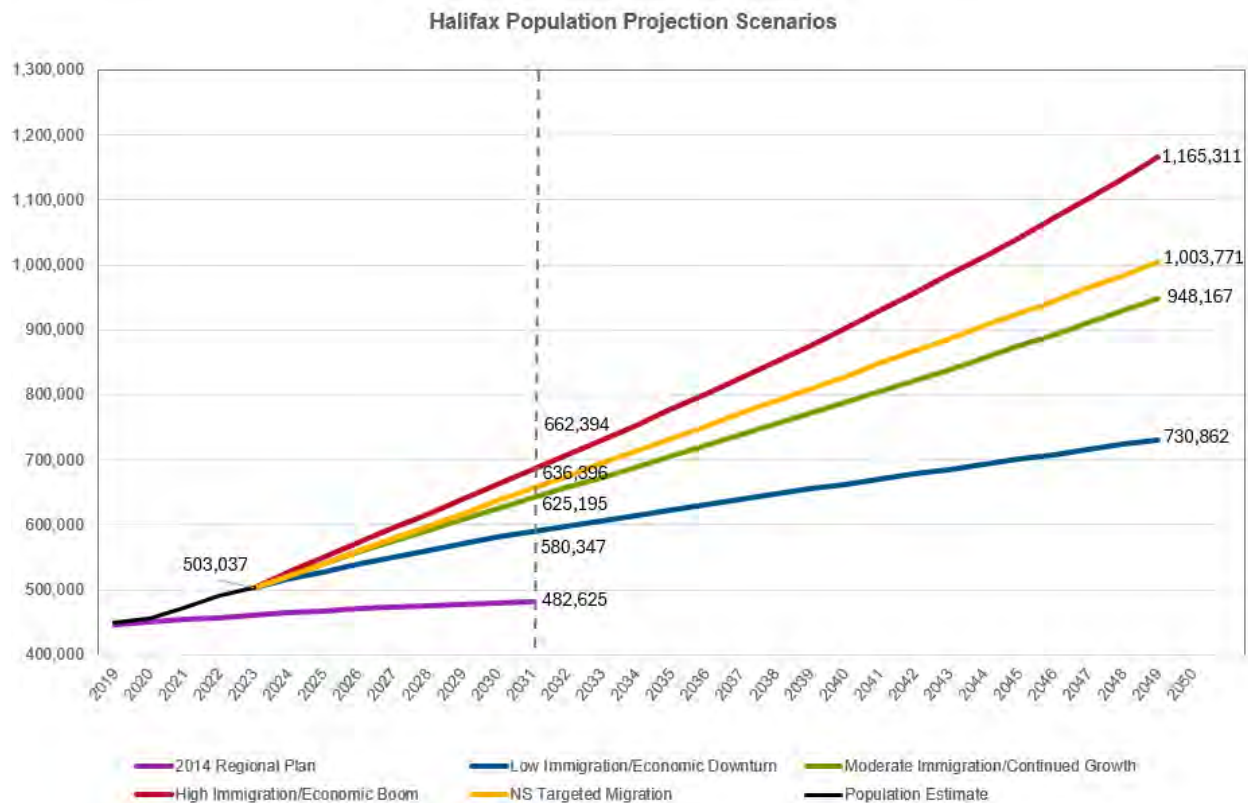
Since the last review of the Regional Plan in 2014, the municipality has experienced higher than historical rates of population growth. Since 2015, the region has grown significantly faster than anticipated. By 2023, the region had exceeded the growth that the 2014 Regional Plan expected for 2031, and saw population grow to more than 500,000 people in 2024. The annual change in growth can be found in Figure 2.1:

Figure 2.1: Annual Population Growth



So that planning policy can be responsive to changing conditions, rather than establishing a specific horizon year, policies of this Plan have been developed with a forward-looking view to supporting population growth, as the municipality grows to support a million people. The Municipality has developed a range of population scenarios to help consider how growth might occur over time. As of 2025, four projection scenarios were developed as described below and shown in Figure 2.2. NS Targeted Migration (NSTM) refers to population growth represented by the target announced by the Province of Nova Scotia in September 2021 for a provincial population of two million people in 2060.

Figure 2.2: Population Projection Scenarios, 2025



The Municipality will continue to monitor population growth trends over time to inform future updates to the policies of this Plan and supporting planning documents so that they are responsive to the municipality's population, housing, and employment conditions. Demographic trends – such as residents' ages, income levels, ethnic and cultural backgrounds, and immigration status – can be regularly monitored and compared to the available supply of housing to understand whether residents' housing needs are being met. Employment and economic trends can inform the need for commercial space and the supply of industrial employment lands.

Growth projections can also be used to help evaluate and direct Municipal investments in community infrastructure, such as emergency services, parks, community facilities, and libraries. The Municipality will continue to share these projections with Halifax Water and HRM departments, along with the Provincial Government to collaborate on growth, transportation, schools, healthcare facilities and public housing.

- RP-23 The Municipality shall consider organizing strategic growth, infrastructure, and municipal service delivery to support a future population of one million people and facilitate a supply of safe, sustainable, and affordable housing.**
- RP-24 The Municipality shall share population projections, growth scenarios and ongoing monitoring with other infrastructure and service providers, including the Provincial Government of Nova Scotia, on an ongoing basis.**
- RP-25 Regular updates of the Municipality's population, housing and employment conditions and growth scenarios shall guide reviews and amendments to this Plan, secondary municipal planning strategies, and any supporting planning documents or studies and shall be shared with the Provincial Government of Nova Scotia.**

2.5.2 STRATEGIC GROWTH AND INFRASTRUCTURE PLANNING

This Plan envisions that over time, the municipality's population will grow to one million people. As the region grows, investing in infrastructure and services will be critically important for maintaining quality of life for residents. While scenarios are designed to anticipate and plan for different rates of growth, the Municipality will analyze how housing will be developed in strategic places that support overall policy goals. The 2014 Regional Plan established growth targets to direct at least 75% of new housing units to the Regional Centre and suburban communities (the Urban Area), with at least 25% of new housing units within the Regional Centre.

Since 2014, Regional Council adopted the *Regional Centre Secondary Municipal Planning Strategy* (the Centre Plan). The Centre Plan was intended to accommodate up to 40% of the municipality's housing growth anticipated within the 2014 Regional Plan within the Regional Centre. The *Integrated Mobility Plan* identified that locating 90% of housing growth in the Regional Centre and Suburban Area (i.e. the Urban Area) would best support the Municipality's mobility goals. The *Halifax Green Network Plan* and *HalifACT* identified that minimizing sprawl will allow the Municipality to make efficient use of resources, protect critical areas of open space and minimize carbon emissions by reducing vehicle use and improving sustainable mobility options.

To support the region's projected growth, and respond to the cumulative impacts of density, the Municipality will monitor growth and aim to share the results annually with service providers. Furthermore, to prepare for population growth to one million people, a Strategic Growth and Infrastructure Priorities Plan will help forecast needs for renewing or building new infrastructure and services to accommodate growth.

To further this vision, the Strategic Growth and Infrastructure Priorities Plan can provide a framework for long-term planning and fiscal management, allowing the Municipality to look ahead and ask: What infrastructure and services will we need? Where will we need this? Why do we need it? When do we need it and how will we pay for it? A Strategic Growth and Infrastructure Priorities Plan can improve the capital budget planning process, as the Municipality's Business Units will have longer term direction and Regional Council will have additional guidance and information upon which to base current and future capital expenditure decisions. This process would also benefit from an improved understanding of asset management and the lifecycle of assets as they relate to significant growth planning.

As new growth can affect existing communities and their assets (such as recreation facilities, libraries, parks, schools, and fire stations), the Municipality will continue to assess the impact of this growth and determine how investments in new and existing assets are to be directed. The Municipality also can

consider how investments can be made equitably, as some communities may have experienced less investment over time, including how investments also support vulnerable populations that are critical to supporting community health, wellness and prosperity.

Finally, there is potential for new growth areas to emerge inside and outside of the municipality's boundaries, within the one-hour commuter-shed of the Regional Centre. New projects being undertaken by the Province focused on transportation planning also have the potential to shift where future growth may occur. Therefore, this Plan recommends the Municipality begin to immediately consider how a population of one million might be accommodated, using new scenarios for growth, and the policy direction contained in this Plan.

RP-26 It is the intent of this Plan to target at least 75% of new housing units to be located in the Urban Area.

RP-27 The Municipality shall create a Strategic Growth and Infrastructure Priorities Plan to guide planning and investment by identifying potential locations and settlement patterns for long-term growth to support the efficient delivery of services and use of existing infrastructure and assets, and shall make this information publicly available.

RP-28 In developing the Strategic Growth and Infrastructure Priorities Plan, the Municipality shall consider:

- a) identifying different scenarios for locating future housing and employment growth organized to meet the needs of a potential population of one million people;**
- b) analyzing the implications of changing the extent of the Urban Area and directing up to 90% of new housing units to the Urban Area;**
- c) assessing each scenario for growth based on:**
 - i. environmental impacts such as watershed health, flood mitigation, landscape connectivity and biodiversity;**
 - ii. climate impacts such as minimizing reliance on carbon-based energy and transportation, increasing naturalization and protection of biodiversity, increasing carbon sequestration, and assessing the resilience of scenarios against potential future changes in climate;**
 - iii. impacts to long-term provision of water, wastewater, stormwater, energy, and community infrastructure;**
 - iv. impacts to mobility and opportunities for active transportation, transit-oriented development, or other new and emerging forms of transportation; and**
 - v. impacts to health, equity, and well-being using evidence-based parameters;**
- d) the relationship between different growth scenarios, and whether the scenarios align with growth targets and strategic growth objectives of this Plan;**

- e) **whether the settlement pattern, growth targets or infrastructure and service delivery may need to change to facilitate strategic investments in community-building;**
- f) **considering financial tools such as infrastructure charges, capital budgeting, asset management, integration opportunity and long-term infrastructure planning;**
- g) **considering the municipality's expected growth in relation to growth in the rest of Nova Scotia, particularly in communities that are within a one-hour travel time to the Regional Centre; and**
- h) **considering investment models that emphasize co-location and planning for infrastructure and community services.**

2.5.3 STRATEGIC GROWTH AND LAND USE PLANNING

Across the region, new housing and employment growth can be directed strategically so that services and infrastructure can be comprehensively planned and coordinated at the regional scale and guide local infrastructure investments. As the region continues to grow, this Plan prioritizes building complete communities and neighbourhoods that are sustainable, inclusive, and resilient places where people can live, work, and thrive. A well-designed complete community provides a diverse mix of housing, jobs, services, and amenities, connected by efficient transportation modes and networks.

This Plan aims to direct growth in a strategic manner to maximize existing infrastructure and services to reduce costs and environmental impact, while also enhancing the quality of life for all residents. All communities across the region need access to housing, jobs and essential services to support social cohesion, economic vitality, and environmental sustainability. This Plan prioritizes planning for communities that will manage growth in a way that balances development with long-term service delivery, ensuring that new and existing neighborhoods remain functional, livable, and adaptable to future needs.

The municipality's settlement pattern varies widely, from a dense and compact urban core in the Regional Centre and suburban areas, to lower density suburban and rural neighborhoods, to traditional rural, dispersed communities. It is the intent of this Plan to plan for complete communities at these varying scales. Housing and employment density targets can guide the Community Planning program and comprehensive planning processes so that new development will be supported by existing or planned transit routes.

In the Urban Area, where municipal piped services and conventional transit are located, housing and employment may be supported by community design that includes a mix of land uses, pedestrian-oriented design, short blocks, and active transportation connections to help reduce car dependence and transportation costs for residents. Areas with existing or planned frequent transit can better support higher residential and job densities than areas with only local, less frequent, transit service.

In the Rural Area, communities are diverse in terms of their geography, population density, and proximity to the Urban Area of the Municipality, and further work must be done to understand these differing contexts and tailor approaches to planning complete communities based on those contexts. Communities within commuting distance to the urban core are often more suburban than rural in nature and could continue to grow more urban over time. New future serviced communities could be considered in strategic locations. Approaches to land use and community design in these cases may be similar to approaches in the Urban Area, with housing and employment supported in mixed-use, walkable neighbourhoods. Traditional rural

communities, often supported by natural resource industries with dispersed settlement patterns, will continue to access smaller local centres where residents can access the goods and services they need.

RP-29 The Municipality shall plan for and support the development of complete communities by strategically directing growth to areas that optimize existing and/or planned infrastructure, services, and transportation networks. In doing so, the Municipality shall consider:

- a) encouraging housing and employment growth in new or existing neighbourhoods by incorporating a mix of land uses and housing options; and
- b) prioritizing planning for mobility environmental sustainability, and the delivery of essential services and community facilities to ensure that both new and existing communities remain resilient over the long term.

RP-30 It is the intent of this Plan to support transit-oriented communities and plan for growth at the regional scale, including provision of services and infrastructure. This may require adopting new or amending existing planning documents to adjust the location of growth centres as generally shown on Maps 3 or 4, or to account for a significant increase in expected residential or employment density. When considering adopting or amending planning documents for these purposes, the Municipality shall consider:

- a) current population and employment projections as they relate to the need for additional opportunities for new housing or employment lands;
- b) housing and employment densities, informed by the guidelines generally outlined in Table 2.1 to support existing or planned transit service and help achieve the mobility mode share targets outlined in Policy M-4; and
- c) the infrastructure and service levels required to support future development, aligned with overall strategic growth objectives of this Plan, the forthcoming Strategic Growth and Infrastructure Priorities Plan and the long-term scenarios for future growth and criteria set out by that process, consistent with Policy RP-27 and RP-28.

Table 2.1: Transit Supportive Land Use Guidelines

Available Transit Service Type	Distance from Transit Service*	Neighbourhood Density Guidelines**
Local Transit Route Service (30 to 60 Minute Frequency)	Up to 400 metres	22-36 units per hectare/ 50-79 residents and jobs combined
Corridor Route Service (5 to 30 Minute Frequency)	400-800 metres	Minimum 37 units per hectare/ 80 residents and jobs combined
Rapid Transit: Existing/Proposed Bus Rapid Transit and Ferry Service (5 to 15 Minute Frequency)	Up to 800 metres	Minimum 72 units per hectare/ 160 residents and jobs combined

**Generally describes expected walking/rolling distances, with consideration for accessible paths of travel with grades of approximately 5% or less.*

*** The densities listed are provided as a guideline at a neighbourhood scale and may be adjusted when considering infrastructure and servicing needs, site or neighborhood constraints and compatibility, or the overall structure of the planning framework.*

CHAPTER 3: BUILDING HEALTHY AND COMPLETE COMMUNITIES

CHAPTER 3: BUILDING HEALTHY AND COMPLETE COMMUNITIES

3.1 INTRODUCTION

Chapter 2 outlined the ways that the Municipality can be deliberate in directing new housing and jobs to strategic places across the region, so that the settlement pattern supports the delivery of the environmental, social and fiscal goals of the municipality. This Chapter provides a more detailed vision for how this strategic direction can be realized at the local level to achieve complete, healthy, and inclusive communities. The strategic directions found in this Plan are implemented through community plans and land use by-laws (which apply to specific geographic areas of the municipality), and the *Regional Subdivision By-law*. This Plan affirms the Municipality's commitment to working with all communities to enhance and protect their unique identities, and in particular Indigenous and African Nova Scotian communities, so that policies at the regional and community level support the goals of those communities.

3.2 OBJECTIVES

- 1. Develop regional-scale policy to guide amendments to community plans, land use by-laws, and the Regional Subdivision By-law to be implemented through locally oriented policies.**
- 2. Identify a Community Planning framework, including a vision and guiding principles for the Regional Centre, Suburban and Rural Areas.**
- 3. Foster communities that are attractive, healthy places to live for people of all ages, incomes, backgrounds and abilities and where residents can access goods, services and facilities they need.**
- 4. Focus new growth in centres where supporting services and infrastructure are already available or are planned.**
- 5. Within the Urban Area, enable the design of compact, walkable, transit-supportive communities that are safe and welcoming to residents.**
- 6. Within the Rural Area, support development of compact rural centres where residents can access services they need using a range of mobility options.**
- 7. Develop clear and easy to understand planning documents that can adapt to changing community needs and conditions.**

3.3 COMMUNITY PLANNING FRAMEWORK

Many of the Municipality's community plans were developed before amalgamation in 1996. Each is accompanied by regulations in a Land Use By-Law. The plans have been developed in a variety of formats, using different definitions, policies, and processes to regulate land use and development.

Recognizing the age of these existing community plans and the need to provide a comprehensive update for the entire region, the Community Planning program (formerly Plan and By-law Simplification) has been established to modernize planning policy to better serve the needs of residents and to improve administration. The goal of this program is to reorganize the community plans generally around the subregional geographies as shown on Map 2 (the Regional Centre, the Suburban Area, and the Rural Area).

The *Regional Centre Secondary Municipal Planning Strategy* (Centre Plan), adopted in 2021, was the first phase of this work, replacing four community plans and land use by-laws with one plan and by-law. As the municipality grows, policies for the Regional Centre will be updated and be reasonably consistent to the guiding principles and policies of the Regional Plan.

Likewise, planning for the Suburban and Rural Areas must be guided by the overall objectives of the Regional Plan and Priorities Plans, as well as best practice research, demographic and economic trends, and community engagement. In the interim, the Regional Plan provides certain policies directed at the existing community plans and land use by-laws where a region-wide approach is important to achieving key strategic objectives.

The Community Planning program will use the lens of complete and inclusive communities to help create positive health outcomes for communities, support sustainable and equitable change, and in some cases transformation. While communities range in their size and density and have their own character and identity, some of the common building blocks of complete and healthy communities include:

- **Places to live**, in a range of housing types for all ages, incomes and abilities;
- **Places to learn, work and shop**, including schools and libraries, institutions, and employment areas;
- **Places to play and access nature**, including parks, community centres, recreation facilities and libraries;
- **Places to celebrate culture, heritage, and arts**, including gathering spaces, cultural landscapes, museums, heritage buildings, arts and performance spaces, and place of worship;
- **Places that are protected**, including important environmental or natural resource areas, wilderness areas, coastal areas, wetlands, floodplains, and wildlife habitats;
- **Places that produce and provide access to healthy and affordable food**, including space for food production, and support for local food systems;
- **Places that are well-connected**, with affordable and accessible transportation, including transit, active transportation routes and trails, and roads; and
- **Places that provide basic services and safety** including emergency services, waste collection, water, wastewater, and stormwater infrastructure, energy infrastructure, as well as healthcare and childcare facilities.

3.3.1 REGIONAL CENTRE PLANNING

The Regional Centre is the most urban and densely populated area of the municipality and is comprised of distinct communities and neighbourhoods that have been shaped by a wide range of economic, cultural, environmental, and social factors. The Regional Centre is located on the Halifax Harbour and includes a wide mix of land uses including two downtowns, many institutional and industrial employment areas, mixed use and residential areas, parks and public spaces, community facilities, services, as well as regional and national attractions.

Most concentrated commercial districts are located within walking distance of established neighbourhoods, and within easy reach of parks and public spaces. The Halifax Harbour remains an important asset that facilitates the growth of commercial, industrial, recreational, and institutional activities in the region. The *Regional Centre Secondary Municipal Planning Strategy* (Centre Plan) establishes clear and predictable rules for development and intensification, while protecting heritage resources and providing guidance for comprehensive planning for new larger neighbourhoods. The Centre Plan provides policy directions for Downtown Halifax, Downtown Dartmouth, several Centres, and growth nodes with a strong focus on complete communities, pedestrians, human scale design, and strategic growth. The Centre Plan also provides policy direction to maintain established residential areas while providing for additional housing options and gentle infill, and mandates future planning for several Heritage Conservation Districts. With increased levels of population growth in the Municipality, future amendments to Centre Plan will need to consider additional opportunities for housing.

3.3.1.1 REGIONAL CENTRE VISION, CORE CONCEPTS AND GUIDING PRINCIPLES

A vision for the Regional Centre was established during the Centre Plan planning process:

The Regional Centre is the civic, cultural and economic heart of the Halifax Regional Municipality. It is a prosperous and resilient community that supports the needs, health, and well-being of a diverse and growing population. New growth is located strategically to support the creation of complete communities, human-scale design, and pedestrian comfort. The Regional Centre is the core of the best mid-sized city in Canada that welcomes all who want to live, work, play and learn here.

In support of the Vision, the *Regional Centre Secondary Municipal Planning Strategy* (Centre Plan) was based on four Core Concepts and a set of Guiding Principles developed during the *HRMbyDesign* visioning process. The Core Concepts and Guiding Principles are contained in the Centre Plan.

While Centre Plan is already largely aligned with this Plan, regular reviews must be undertaken to align with any changes to this Plan, and direction to consider amending this Plan in new or updated Priorities Plans, or any other strategic plans or policies approved by Regional Council.

HC-1 The Vision, Core Concepts, and Guiding Principles of the *Regional Centre Secondary Municipal Planning Strategy* shall guide any proposed amendments or updates to the *Regional Centre Secondary Municipal Planning Strategy* and *Land Use By-Law*.

HC-2 During reviews of the *Regional Centre Secondary Municipal Planning Strategy* and *Land Use By-Law*, the Municipality shall consider whether updates are required to align with the policies of this Plan and Priorities Plans and other strategic plans and policies where Council authorized the direction contained in those plans and policies as a framework for amendments to the *Regional Centre Secondary Municipal Planning Strategy* and the *Land Use By-Law*.

3.3.2 SUBURBAN COMMUNITY PLANNING

Suburban communities have many distinct characteristics, and their individual history is often tied to the towns and communities that preceded them. While some suburban communities at the edge of the Regional Centre are very urban, others are dominated by low-density and single-use development. Suburban communities were often planned around the separation of land uses and the car as the dominant mode of transportation, which resulted in significant travel distances for residents' daily needs.

Land use and development in the Suburban Area (see Map 2) is governed by several community plans and land use by-laws which have not been comprehensively updated. This Plan recognizes the importance of updating and modernizing community plan policies to remove barriers to more compact and transit-supportive development, while also recognizing the unique assets and characteristics of suburban communities.

The Suburban Planning process will create policies and regulations to achieve the desired form and scale of development at the property level and help identify key investments needed to support both existing and new communities. This Plan sets out policies to guide decision-making for these applications while planning for the Suburban Area is being completed.

3.3.2.1 SUBURBAN PLANNING VISION AND CORE CONCEPTS

A vision for the Suburban Area was developed during the 2021-2025 Regional Plan review and was informed by previous community visioning in several suburban communities. This vision is expected to be further refined as part of the Suburban Planning process.

Urban communities are centred around a network of parks and trails, beautiful, walkable, and vibrant centres, main streets, and neighbourhoods. Residents enjoy an easy access to frequent and reliable transit, a wide range of housing options, food, recreation, services, and employment opportunities.

In addition to objectives of this Plan for community planning, the Suburban Planning process will be guided by the following five Core Concepts, which can also be further refined through the planning process:

Open Space and Culture

Suburban communities feature a wide variety of natural and cultural assets that contribute to the character of each neighbourhood. They also play an important role in supporting the health of residents and the environment. This Plan encourages the protection and enhancement of natural and cultural assets by:

- Applying information about important natural features that contribute to sustainability and sense of place in future growth;

- Supporting the integration of natural processes and energy conservation in site design, including preserving, rehabilitating, and restoring natural system functions, and
- Supporting access to active and passive parks and open spaces.

Complete Communities

Complete communities support people of all ages, backgrounds, abilities, and incomes to sustainably live, work, shop, learn, and play near one another. Historically, suburban communities have developed in a manner that has kept residential areas separate from commercial areas. This means that residents are generally dependent on vehicles to access the services and amenities they require on a daily basis. This Plan supports the creation of more complete and accessible communities by:

- Supporting people of all ages, abilities, and backgrounds to live, work, shop, learn, and play within a short journey;
- Promoting mixed use neighbourhoods with safe and convenient access to goods and services needed in daily life to create positive health outcomes; and
- Using an equity lens when developing land use policies to address housing shortages, and permitting a range of housing options and related land uses.

Human-Scale Design

Human-scale design is focused on building and streetscape design that makes people feel more at ease and allows them to relate to their surroundings. It refers to a relationship between the size, shape, and design of components in the urban environment that matches the pace of pedestrians. Buildings and streets, as well as elements like trees and street furniture, all contribute to providing a scale that is comfortable for people. Human-scale design makes urban environments more interesting, encourages exploration, and draws more people to local shops and services. This Plan provides direction for the built environment that respects the human scale by:

- Supporting options for missing middle housing, which is housing such as small multi-unit dwellings and mid-rise multi-unit dwellings; and
- Supporting human-scale experience for taller buildings through design that provides stepbacks for the upper storeys, low streetwalls with architectural detailing, weather protection, and frequent entrances.

Pedestrians First

Pedestrians first policies prioritize the needs and comfort of people walking and rolling. This Plan provides direction for the built environment that respects the human scale. The intent of this Plan is to create safe, comfortable and enjoyable environments in all seasons for people of all ages and abilities. Pedestrians first design makes walking and rolling, as well as all other forms of sustainable transportation a more convenient and viable transportation choice. It leads to community benefits, such as emission reductions, improved accessibility and improved public health. To increase residents' comfort and convenience when walking or rolling, development in suburban communities will need to be carefully designed. This plan supports pedestrians first by:

- Prioritizing the needs and comfort of people in all seasons to make walking/rolling more convenient and viable, reduce emissions and improve public health;
- Encouraging land use, transportation and design policies that prioritize walking/rolling, cycling and transit to reduce car dependency; and
- Fostering high-quality architecture and urban design that is interesting and comfortable for people at street level.

Transit Supportive Growth

Dependence on personal vehicles to access employment, education, shopping, and other services and amenities has resulted in significant traffic congestion in suburban communities. This Plan supports easier access to transit by:

- Directing growth to transit corridors, nodes, and under-utilized commercial areas to support inclusive and connected communities; and
- Locating the highest density and mix of uses within a short walk or roll of frequent transit services, and mid-rise and missing middle housing within a short walk or roll of transit facilities or corridors.

HC-3 The Municipality shall develop a Secondary Municipal Planning Strategy and Land Use By-Law for the Suburban Area as generally identified on Map 2, and shall consider:

- a) the policies of this Plan and the Suburban Planning Vision and Core Concepts (Open Space and Culture, Complete Communities, Human-Scale Design, Pedestrians First, and Transit Supportive Growth); and**
- b) measures to increase opportunities for safe, sustainable, and affordable housing.**

3.3.3 RURAL COMMUNITY PLANNING

The municipality's Rural Area is the largest sub-region by land area and consists of many diverse rural communities that are critical to the region's success. Communities in this area are diverse in terms of their geography, population density, and proximity to the urban core of the Municipality. Communities within commuting distance to the urban core are often more suburban than rural in nature and could continue to grow more urban over time, while more rural traditional communities have been shaped by their access to natural resources, such as fishing, forestry, and agriculture as well as a network of open space. Rural communities also include distinct Mi'kmaq, African Nova Scotian, and Acadian communities.

Maintaining the integrity of rural land and communities is important to rural residents and a fundamental aspect of the Regional Plan. The distinct character of rural places is often tied to the natural landscape that surrounds these communities. This has been shaped by conservation efforts as well as industries that respect and utilize the various forms of working landscapes across our region. This Plan intends to avoid fragmentation of the land that affects the character of the community, the functionality of its resource-based economy, and emerging industries such as tourism. As outlined in Chapter 2, this Plan manages growth in rural areas through its designations, including the Open Space and Natural Resource Designation, Rural Resource Designation, Agricultural Designation, and Rural Commuter Designation.

The challenges and opportunities in the Rural Area are distinct from urban parts of the region. This includes a culture of close connection to the land, and history of settlement. Some communities are more suburban in character, and some of these places have seen significant growth in recent years. Many of the existing community plans were completed by Halifax County, before amalgamation. These plans and their land use by-laws were developed with significant public input and continue to provide a solid foundation for planning in municipality's rural areas.

Some communities have seen change since the time the plans were written, especially those on the edge of the Suburban Area. As a result, some of the policy guidance and land use regulations no longer reflect

the communities' visions. The existing plans and land use by-laws may allow uses that the community feels are no longer appropriate or restrict uses that the community would like to support. Further, some areas that are included in the Rural Area on Map 2 are also places that are being considered for future services under region-wide policies. Therefore, as work proceeds on strategic growth, some areas may shift from rural to suburban.

As part of the Rural Community Planning program, the Municipality will develop a Rural Planning Framework that builds on existing community plans and provides updated policy and land use by-law regulations for rural communities. Further analysis of communities around the Urban Area which have a suburban or semi-rural character, including the areas designated as Urban Reserve, will be undertaken to determine how settlement, growth and land use may be managed over time, and how these areas should be addressed within the Community Planning Framework.

3.3.3.1 RURAL PLANNING VISION

A vision to help guide community planning in rural areas was developed during the 2021-2025 Regional Plan review, and was informed by previous planning in rural areas. This vision may be further refined as part of the Rural Community Planning process:

Rural communities are defined by natural areas supporting ecological integrity, traditional rural economies, ecotourism, and rural lifestyles. They also include well-defined and walkable centres offering a range of housing options, places to shop, learn, play, and gather. Rural centres are thriving, compact, complete communities with connections to the rest of the region. Some communities near the Urban Area may change to a more suburban or urban form over time.

HC-4 The Municipality shall implement a Rural Community Planning program to develop an updated land use planning framework for the Rural Area as generally identified on Map 2, that supports the overall growth management of the Municipality and the sustainable development of rural communities. In developing and implementing the program, the Municipality shall consider:

- a) managing land use around natural and cultural landscapes;**
- b) managing land use to support working landscapes, such as lands used for agriculture, forestry, fishing and other rural industries;**
- c) recognizing the range of types and scales of communities including suburban-rural, semi-rural and rural communities, and developing policies that support differing community contexts;**
- d) community-led planning with Indigenous and African Nova Scotian communities;**
- e) identifying rural infrastructure needs, such as groundwater capacity and wastewater management, to help better direct where growth can be accommodated;**
- f) exploring options for rural mobility, including partnerships;**
- g) directing growth to centres where compact development patterns can support village main streets and a range of mobility options, including walking/rolling and cycling;**

- h) exploring opportunities to enhance parks and community facilities;
- i) using Conservation Design Development as a tool to encourage clustered residential development that manages land around open space;
- j) fostering community character and investing in unique community assets through land use and economic development policies; and
- k) permitting a diversity of housing types.

3.4 URBAN AREA LAND USE

The Urban Area includes the Regional Centre and the Suburban Area which is generally where municipal piped services and conventional transit are located. While each Community Plan will address local context and community visions through a variety of planning tools, the Urban Area, will be organized within broad land use categories or designations to enable a range of well-connected functions at a regional and local scale. While a mix of compatible land uses supported by built form provisions is enabled in most designations, some lands will require protection and more limited land use permissions to support long-term sustainability.

HC-5 As part of the Community Planning program, when developing Land Use Structures in the Urban Area, the Municipality shall consider including the following designations and any others that may be required:

- a) ***Open Space, Parks, and Community Facilities:*** areas that include places to play and access nature, including protected or sensitive open space lands that help shape communities, parks, and community facilities such as recreation centres, libraries, and places of worship;
- b) ***Downtowns:*** areas that support central business districts, entertainment areas, high mix of land uses, low-rise to high-rise buildings compatible with heritage resources and heritage conservation districts;
- c) ***Centres:*** areas intended to support significant population growth and a mix of land uses along frequent transit services and corridors, and can include commercial main streets. Centres can be major or minor hubs depending on the local context and transit service;
- d) ***Corridors:*** areas intended to support pedestrian oriented development along transit corridors with a mix of land uses but a lesser intensity than Centres;
- e) ***Higher Order Residential:*** areas that support a concentration of existing and potential new multi-unit dwelling communities with compatible commercial uses;
- f) ***Residential:*** areas intended to retain the smaller-scale built form of existing low-density residential neighbourhoods while providing opportunities for additional infill and missing middle housing options;
- g) ***Growth Nodes:*** areas that include large sites that can accommodate population growth and that require more detailed comprehensive planning to determine land uses, mobility

networks, and other supporting services and amenities. Growth Nodes can be major or minor hubs depending on the local context and transit service.

- h) **Employment Lands:** areas that include both large and small institutional lands, and industrial lands needed to support a growing population and thriving economy; and
- i) **Special Areas and Overlays:** can include waterfront areas, heritage districts, and any other areas that require special land use, built form or urban design considerations.

3.4.1 REGIONAL CENTRE GROWTH AREAS

The Centre Plan has identified that growth is to be distributed throughout the Regional Centre in context-specific forms, in strategic areas where complete communities can be supported with human-scale and pedestrian-oriented design. Most of the growth will be directed to the Downtown, Centre, Corridor, Higher-Order Residential, and Future Growth Node Designations, by allowing a mix of uses within a variety of building forms, as outlined in Policy HC-5. These are important growth areas at a regional scale because of their potential to provide a significant number of new housing units and jobs, and the required supporting infrastructure and services. These growth areas are generally identified in Table 3.1 and on Map 3 (Urban Growth Areas). The land use policies that guide their development are included in the Regional Centre Secondary Municipal Planning Strategy and Downtown Halifax Secondary Municipal Planning Strategy.

Table 3.1: Regional Centre Growth Areas

SMPS Designation	Growth Area
Downtown	Downtown Halifax** Downtown Dartmouth
Centre	Fenwick Street Gottingen Street Highfield Park Quinpool Road Robie/Young Street Spring Garden Road Wyse Road
Future Growth Node	Dartmouth Cove Lands Halifax Shopping Centre Lands Joseph Howe Rail Lands Kempt Road Lands M District Lands Penhorn Lands* Shannon Park Lands Southdale Lands* Strawberry Hill Lands West End Mall Lands Young Street Lands Woodside Lands

**Indicates a Provincial Special Planning Area*

***Note that Downtown Halifax Secondary Municipal Planning Strategy continues to be applied to portions of Downtown Halifax.*

- HC-6 It shall be the intent of this Plan to support the strategic and efficient delivery of services and infrastructure and promote complete communities in the Regional Centre that are pedestrian-and transit-supportive and provide safe and convenient access to jobs, goods and services, by directing growth to the Growth Areas as generally shown in Table 3.1 and Map 3.**
- HC-7 The Regional Centre Secondary Municipal Planning Strategy shall establish appropriate designations and detailed land use and built form policies for development in the Regional Centre, consistent with the policies of this Plan, the Regional Centre Vision, Core Concepts and Guiding Principles.**

3.4.2 SUBURBAN GROWTH AREAS

Suburban communities will play a critical role in the region's ability to be responsive to a quickly growing population. In the Suburban Area, the key opportunities for significant mixed-use development will be on underutilized sites which are located close to existing or planned transit terminals, frequent transit routes and proposed rapid transit stations. These centres or hubs can be further supported by mixed use development along other transit corridors, and infill in existing multi-unit neighborhoods. Community services and post-secondary areas can also provide opportunities for additional housing, including student housing.

The Suburban Planning process will direct population and employment density to encourage transit-supportive growth in complete communities, using a built form-based approach to land use planning which prioritizes high quality urban design. Areas of small-scale infill within established residential areas are also envisioned to contribute to the development of complete communities that are compatible with the surrounding context.

Transit-oriented development in complete communities in the Suburban Area will guide strategic investments in services and infrastructure and help to support a viable rapid transit service. Map 3 (Urban Growth Areas) shows the proposed rapid transit routes as identified in the *Rapid Transit Strategy* (2020) and Potential Suburban Future Growth Areas which will be evaluated and further refined through the Suburban Planning process.

The detailed boundaries of growth areas and the land use policies guiding development in the Suburban Area will be determined through the Suburban Planning process. Complete communities must be supported by land use and urban design that provides walkable access to transit, a safe, convenient, and pleasant pedestrian experience. The sites generally shown in Table 3.2 have been identified as existing underutilized sites in key locations that could be redeveloped. These sites have been identified so that they can be studied and considered as part of the Suburban Plan and in support of ongoing regional modelling efforts.

Table 3.2: Potential Suburban Growth Areas

Suburban Growth Areas Type	Location
Potential Future Growth Areas**	Dartmouth Crossing* Dunbrack Street and Lacewood Drive Downsview Mall Herring Cove Road at Dentith Road Mill Cove Portland Street / Norman Newman Drive Tacoma Drive Woodlawn Mall

* Indicates a Provincial Special Planning Area

** The detailed boundaries of growth areas and the land use policies guiding development in the Suburban Area will be determined through the Suburban Planning process.

HC-8 The Municipality shall study existing and needed infrastructure and services to support future population within the areas generally described in Table 3.2. This work can be supported through the Strategic Growth and Infrastructure Priorities Plan described in Policy RP-27 and RP-28 of this Plan.

HC-9 It shall be the intent of this Plan to support the strategic and efficient delivery of services and infrastructure and promote complete communities in the Suburban Area that are pedestrian- and transit-supportive and provide safe and convenient access to jobs, goods and services, by directing growth to high-frequency transit corridors, as generally shown on Map 3 and in Table 3.2, and other areas served by frequent transit.

HC-10 Through the Suburban Community Planning process, when considering detailed policies for potential growth areas, the Municipality shall consider:

- a) the level of existing services and infrastructure supporting existing neighbourhoods, and opportunities for efficient service delivery;
- b) whether the mobility network, including the location of existing or proposed transit services, streets and active transportation facilities prioritize pedestrians, cyclists and transit and are well-connected;
- c) opportunities to design communities that support mixed-use neighbourhoods with a range of housing opportunities, places of employment, and services where daily needs of residents can be met;
- d) opportunities for public parks, open spaces, and community facilities that meet the recreational needs of residents;
- e) measures to support new developments to be integrated with surrounding uses and neighbourhoods;
- f) opportunities to support healthy communities that support food security, urban agriculture, and the conservation of energy;
- g) the presence of any significant environmental and cultural features;

- h) **climate risks and opportunities to mitigate any potential impacts, such as overland and coastal flooding or stormwater management;**
- i) **risks, impacts and opportunities associated with nearby railways, highways, and high traffic arterial roadways; and**
- j) **the applicable policies of this Plan, including the Suburban Planning Vision and Core Concepts; and**
- k) **the neighbourhood density guidelines in Table 2.1 and mode share targets as outlined in Policy M-4.**

3.4.3 FUTURE SERVICED COMMUNITIES

Within or adjacent to the Urban Area, this Plan identifies several areas as potential Future Serviced Communities, where new residential, commercial, or industrial development may be serviced with municipal water, wastewater, and conventional transit services. Policies to support the Future Serviced Communities of Port Wallace, Bedford West Sub-Area 10 and Sub Areas 12 and 1 have been approved and development will be ongoing in the coming years.

Comprehensive planning supported by a series of background studies is required to identify the appropriate land uses, street layout, density, open space, and other community amenities before these lands may be developed. Community engagement and participation is a critically important part of the process. Comprehensive planning processes can take several years to complete before construction of a new community can begin.

Careful consideration must be given to designing these new neighbourhoods in a way that protects the health of the valuable natural features and assets of these areas. The planning process can define the edge between development and the natural areas and consider how development can best be organized in a manner that recognizes environmental features.

The communities that may be considered for future serviced development and will be required to proceed through a comprehensive planning process are outlined in Table 3.3 and shown on Map 3. These include:

Mixed Use Neighbourhoods:

- Sandy Lake and the Highway 102 West Corridor Lands were identified as potential Future Serviced Communities in the 2006 Regional Plan.
- Lands adjacent to Morris Lake were initially identified for future serviced development prior to the adoption of the 2006 Regional Plan as part of the Morris/Russell Lake Secondary Planning Strategy. At that time, it was expected that the Department of National Defence would be divesting of CFB Shearwater, and that these lands would be included in the growth area. Subsequently, it was confirmed that CFB Shearwater would remain an active base, and the 2014 Regional Plan identified that there instead may be an opportunity to consider shifting the growth area to the north, because of the change in status of CFB Shearwater. As outlined in Policy RP-16 in Chapter 2, background studies of these lands are ongoing.
- In 2021, Sandy Lake and Morris Lake Expansion were designated as Provincial Special Planning Areas under the *Housing in the Halifax Regional Municipality Act*. In 2025, the Highway 102 West Corridor Lands were designated as a Provincial Special Planning Area.

Industrial Lands Expansion:

- Burnside Phase 14 includes municipally-owned land that has been identified for future serviced industrial park expansion. These lands will be required to follow the comprehensive planning process outlined in Policies HC-11 to HC-14 and align with the policies outlined in Policy EC-13 in Chapter 8.

Table 3.3: Future Serviced Communities

Mixed Use Neighbourhoods	Sandy Lake* Highway 102 West Corridor* Morris Lake Expansion Lands*
Industrial Lands Expansion	Burnside Phase 14

* Indicates a Provincial Special Planning Area

HC-11 For any of the Future Serviced Communities identified in Table 3.3, before choosing to initiate a planning process, the Municipality shall assess whether detailed study is warranted by considering:

- a) current population and employment projections and the implications related to the need for additional lands for new housing or employment; and**
- b) the fiscal implications to the Municipality, Halifax Water, other infrastructure and service providers and their capacity to provide service and meet additional financial commitments.**

HC-12 Where Council has determined that detailed study is warranted pursuant to Policy HC-11, the Municipality shall undertake comprehensive studies for the area providing background information needed to inform decisions about the potential development of the lands, including:

- a) Land Suitability Analysis – This study shall include the mapping and analysis of the area’s ecological features to identify lands that are constrained, partially constrained, or not constrained for development. Required considerations include:**
 - i. Watercourse and wetland habitat;**
 - ii. Forest habitat;**
 - iii. Species at risk habitat;**
 - iv. Landscape and ecological connectivity;**
 - v. Surficial and bedrock geology;**
 - vi. Steep slopes;**
 - vii. Contaminated sites;**
 - viii. Areas of cultural significance; and**
 - ix. Presence of adjacent parks, wilderness areas, conservation areas, and other similarly designated lands.**
- b) Watershed Study – This study shall identify potential impacts of development on any watersheds located in the area. The study shall comply with Policy EN-17;**

- c) **Transportation Study** – This study shall identify how the area can connect to the rest of the municipality and how internal mobility will be handled. The study shall include:
 - i. Reviewing existing transportation infrastructure, demand, and policy to establish an understanding of existing mobility conditions;
 - ii. Applying the Municipality’s regional travel demand forecasting model to determine potential impacts to regional mobility as a result of development;
 - iii. Recommending land use and network scenarios that support the mobility goals outlined in Chapter 7 and mode share targets in Policy M-4 of this Plan; and
- d) **Water and Wastewater Services Study** – This study shall:
 - i. Establish existing water and wastewater infrastructure conditions;
 - ii. Develop a macro-level servicing strategy that will establish water, wastewater, and stormwater servicing infrastructure requirements for the development, including cost estimates and allocation assessment; and
 - iii. Identify any need to oversize the water, wastewater or stormwater systems to allow for future development, consistent with Policy IM-59.

HC-13 When considering whether initiation of a comprehensive planning process is warranted for any of the potential Future Serviced Communities identified in Table 3.3, the Municipality shall consider the results of the studies as outlined in Policy HC-12, and all applicable policies of this Plan.

HC-14 Where a planning process for any of the potential Future Serviced Communities identified in Table 3.3 has been initiated pursuant to HC-13, the Municipality shall consider adopting site-specific policies and regulations in the applicable secondary municipal planning strategy and land use by-law to guide future site design, land use, density, and form of development. In developing site-specific policies and regulations, the Municipality shall consider the following:

- a) all applicable policies of this Plan;
- b) the subdivision of land;
- c) the phasing of development;
- d) protection and/or restoration of significant environmental and cultural features;
- e) directing development away from sensitive environmental and cultural features, and areas that may be hazardous to the health and safety of residents, including measures to reduce the risk and impact of wildfire, flooding, or other hazards through site and building design and infrastructure;
- f) that the integrity of federal, provincial, and municipal parks, and other protected areas that are adjacent to the lands are maintained and buffered;
- g) the movements of pedestrians and transit service are prioritized over car-oriented design, including short blocks, grid or modified grid mobility networks, pedestrian streetscapes, walking/rolling, cycling, and connections to surrounding community;

- h) the adequacy of public parks, public open spaces, and community facilities that meet the objectives of this Plan and the requirements of the *Regional Subdivision By-Law*;
- i) impacts to municipal infrastructure and the need, if any, to concurrently approve by-laws and/or amendments to the *Regional Subdivision By-Law*, to pay for growth related municipal infrastructure, consistent with Policy IM-60;
- j) the distribution of overall densities intended for the community, and between different development blocks, phases, and landowners;
- k) community-scale or site-level green infrastructure, renewable energy options and other climate mitigation and adaptation design elements;
- l) the provision of a mix of uses, community amenities, public parks and gathering areas; and
- m) provisions for incentive or bonus zoning and off-site improvements necessary to integrate the development in the neighbourhood.

3.5 RURAL AREA LAND USE

The municipality's rural area is the largest sub-region by land area and consists of many diverse rural communities that are critical to the region's success. Land use planning in rural communities is guided by this Plan and several community plans and land use by-laws, most of which were adopted before amalgamation in 1996. While the number of plans and by-laws may be reduced, the large geography of the rural area requires a deeper understanding of the distinctive character of suburban-rural, semi-rural and rural places to help establish an appropriate land use framework. This will be established through the Rural Community Planning program and background studies.

HC-15 As part of the Rural Community Planning program, the Municipality shall develop a rural planning framework and land use structure that responds to the needs and distinct character of suburban-rural, semi-rural and rural communities.

3.5.1 RURAL SERVICES AND MOBILITY

With lower population densities and distance to serviced developments, providing central water, wastewater and transit service can be expensive and inefficient. Housing options may be supported through alternatives such as Wastewater Management Districts and private wastewater utilities for conservation design developments. While not all rural growth centres will be able to intensify, this Plan supports the vitality of existing service centres or villages which provide important community services to large areas of the Municipality.

Connecting rural communities is important for rural economic viability and social equity. Rural mobility can be improved by clustering rural development in established centres, investing in strategic active transportation infrastructure, and expanding the Rural Transit Funding Program to improve rural mobility options. A range of rural mobility options is needed to serve the different types of rural communities, as described in Chapter 7 and the *Integrated Mobility Plan*.

HC-16 As part of the Rural Community Planning program, the Municipality shall continue to study groundwater availability, site-level wastewater treatment technology, localized approaches to on-site wastewater treatment governance, and mobility infrastructure, in support of community planning for the Rural Area.

3.5.2 COMMUNITY-LED PLANNING

Rural communities are looking for ways to strengthen their economies, provide better quality of life, and build on local assets. Some communities are experiencing slow growth or even population decline and shrinking rural areas might find that their policies are not bringing the prosperity they seek, while fast-growing rural areas at the edge of the city face urban-style development pressures and loss of working landscapes. Given the large geographical area and diversity of local issues, it is important that rural community plans are developed by community for community or are co-created to use local knowledge and address important issues while being aligned with other rural areas and the region. A robust community engagement program will develop local visions, action plans and land use policies for rural communities.

HC-17 As part of the Rural Community Planning program, the Municipality shall consider participatory community engagement models to co-create and support the development of community visions, action plans and land use policies that use local knowledge to promote distinctive community character.

3.5.3 PLANNING FOR RURAL CENTRES

The municipality has the largest proportion of rural residents among census metropolitan areas in Canada and the largest rural population of any county in Nova Scotia. Communities within commuting distance to the urban core are often more suburban than rural in nature and could continue to grow more urban over time. Approaches to land use and community design in these cases may be similar to approaches in the Urban Area, with housing and employment supported in mixed-use, walkable neighbourhoods. Traditional rural communities, often supported by natural resource industries with dispersed settlement patterns, will continue to support smaller local centres where residents can access the goods and services they need. Challenges and opportunities regarding development are different from those in more urban areas and warrant policy consideration to address them effectively.

Detailed studies undertaken since the adoption of the 2006 Regional Plan have determined that the municipal costs and risks associated with piped services in rural centres are often prohibitive. Similarly, conventional urban-style public transit with high-frequency service is not typically feasible in rural communities due to population and employment densities. These challenges can be mitigated by using clustered development as a more cost-effective approach for the Municipality to provide municipal services. The policies of this Plan direct new development to rural centres so that open spaces and resource lands continue to be available for economic and environmental purposes.

The 2006 and 2014 Regional Plans identified a range of rural centres at different scales that would serve as hubs for surrounding areas. Some of those centres were envisioned as town or village-like places that would expect growth, while other centres were seen as places that would expect a more modest level of change while acting as service hubs. Some centres are located on the edges of the suburban area and are influenced by that settlement pattern, and other communities are closely tied to the rural economy and lifestyle and see strength in their rural character.

This Plan envisions a range of rural communities of different types and scales, that will require detailed planning based on their own context. These centres are largely the same as those identified in the 2014 Regional Plan, with the following notable adjustments being made in this Plan:

- The boundaries of the **Enfield** growth centre have been adjusted to exclude the area covered by the Grand Lake Source Water Protection Area Near Zone, which provides drinking water for residents of the Municipality of East Hants.
- The boundaries of the **Tantallon Crossroads** growth centre have been adjusted to match the boundaries delineated as part of the planning process for this area, adopted in 2014 within the Planning Districts 1 & 3 (St. Margaret's Bay) Secondary Municipal Planning Strategy.
- The boundaries of the **River-Lakes/ Fall River** growth centres have been adjusted to match the boundaries delineated as part of the planning process for this area, adopted in 2013 within the Planning Districts 14 & 17 (Shubenacadie Lakes) Secondary Municipal Planning Strategy.

The historic African Nova Scotian communities of Cherry Brook, North Preston, East Preston, and Lucasville are identified as rural local centres. Further detail on community-led planning for these and other historic African Nova Scotian communities, as supported by the *Road to Economic Prosperity for African Nova Scotian Communities*, is outlined in Chapter 8.

As part of the Rural Community Planning program and future reviews of this Plan, the rural centres set out in this Plan may be further revised based on identified service and infrastructure needs and capacities, as well as community input. In the interim, controls may be applied to certain lands within some of the rural growth centres so that important sites within those centres are not inappropriately developed before further community planning is completed. Under Policy IM-22 in Chapter 10 of this Plan, land uses may be approved by development agreement provided they are conducive to the creation of a focal point for the centre. This mechanism will remain in place until future community plans are completed and adopted by the Municipality.

HC-18 To protect the character of rural communities and working landscapes, manage land around open space and support clustered rural development, the Municipality shall establish a framework to direct growth in Rural Communities to Rural Growth Centres and Rural Local Centres as shown on Map 4 and in Table 3.4.

HC-19 To further protect the character of rural communities and working landscapes, the Municipality shall establish conservation design policies, as outlined in Policies IM-10 to IM-17 in Chapter 10, to encourage growth within the Rural Growth Centres and to manage growth in between centres.

HC-20 The Municipality shall use the general categories of Rural Centres as set out on Map 4 and Table 3.4 to guide community planning and service provision. The communities, boundaries and characteristics of the Rural Centres identified in Table 3.4 may be further refined through the Rural Community Planning process and the African Nova Scotian Community Action Planning process, and updated through amendments to this Plan.

Table 3.4: Rural Growth Centres and Rural Local Centres

Type of Centre	Name
Rural Growth Centres	Hubbards Upper Tantallon Tantallon Crossroads River-Lakes/Fall River Enfield Lake Echo Porters Lake Musquodoboit Harbour
Rural Local Centres	Cherry Brook* North Preston* East Preston* Head of Jeddore Oyster Pond Tangier Sheet Harbour Moser River Middle Musquodoboit Upper Musquodoboit Hatchet Lake Indian Harbour Lucasville* Waverley Sambro Hubley Whites Lake

* Denotes a Historic African Nova Scotian Community

3.5.4 DEVELOPMENT OUTSIDE RURAL CENTRES

Widespread residential development throughout the Rural Area is inconsistent with the Plan's goals and objectives of creating compact mixed-use communities and protecting rural character, natural environment, and natural resources. Some outdated community plans and land use by-laws permit multiple unit dwellings and townhouses outside of growth centres and in a form that differs from traditional rural community character. Extensive residential development outside of growth centres can strain existing community services and add pressure for the development of costly infrastructure in unplanned areas. Large on-site septic systems and wells must be carefully managed to avoid environmental risks. Further, new roads can fragment open space, affecting important environmental features and leaving islands of natural habitat that may not be large enough to sustain biodiversity.

HC-21 The Municipality shall review and may amend secondary municipal planning strategies and land use by-laws to discourage significant residential development outside of rural growth centres. Reviews shall consider:

- a) where on-site septic and well services are to be used, limiting the range of permitted land uses and residential density outside of rural growth centres;
- b) whether existing built form regulations are appropriate or new regulations are needed to support the character of rural communities; and

- c) limiting development along highways and scenic routes to preserve views and access to natural landscape features.**

CHAPTER 4: STRENGTHENING COMMUNITY INFRASTRUCTURE

CHAPTER 4: STRENGTHENING COMMUNITY INFRASTRUCTURE

4.1 INTRODUCTION

Community infrastructure is essential to building healthy, complete, and sustainable communities. Parks, community spaces and programs, and libraries can provide safe, inclusive, and accessible spaces to gather, build strong and resilient networks, engage in positive social activities, and seek safety from harm. Shared public spaces are important to physical and mental health, leisure, economic development, environmental sustainability, and climate resiliency. Emergency services, solid waste and energy utilities are critical infrastructure for the safety and security of residents.

The region's parks and community facilities, including recreation centres and libraries, are mostly operated by the Municipality, with some administered by other organizations, including federal and provincial agencies, volunteer community boards, third party (for-profit) management companies, and not-for-profit organizations. Collectively, the Municipality provides a diverse range of programs, services, civic events, and safety programs to the community. These are supported by provincial and community services like schools, healthcare and childcare. As the region grows and our population becomes more diverse, it will be important that the public infrastructure within communities be maintained and enhanced to meet the growing need.

4.2 OBJECTIVES

- 1. Plan and direct investment in a network of parks and community facilities at neighbourhood, community and regional scales to meet a diversity of community needs.**
- 2. Continue to plan and develop regional parks including those that provide access to nature.**
- 3. Collaborate with other orders of government and community partners to plan and maintain parks and community infrastructure to support communities.**
- 4. Support equitable access and efficient service delivery by strategically locating investments and exploring opportunities for co-locating services.**
- 5. Consider and plan for emergency prevention and response infrastructure as a critical part of building healthy, complete, and resilient communities.**
- 6. Remove barriers to food security in land use regulations.**

4.3 PARKS

The region's parks and outdoor facilities provide recreation programs and access to nature for leisure, sports, public art, culture, and inclusive civic events. Currently, there are over 900 municipal parks with a range of assets such as playing fields, beaches, trails, playgrounds, sports courts, and community gardens.

Parks support both recreation and natural systems protection. An ecologically and economically sustainable park system contributes to the resilience and connectivity of ecological systems and provides opportunities to access nature. Policies on the conservation and connectivity of ecological systems are contained in Chapter 6. As part of the region's open space network, parks help to clean air, control stormwater runoff, and mitigate the impacts of extreme weather conditions such as heat waves and flooding. The park system helps shape the settlement form and character of the region's communities.

The municipality's park system will need to serve the needs of a rapidly growing and changing population throughout the region. An inclusive and sustainable park system is a key consideration while planning for healthy and complete communities. So that equitable, sustainable, and high-quality provision of parks services and outdoor amenities are available for future generations, different levels of parks and outdoor recreation service can be developed for each type of settlement pattern, along with consideration for a range of mobility options.

- CI-1 The Municipality shall consider supporting community wellness, active living, and the open space network by providing a variety of public parks for a range of purposes including outdoor recreation and environmental protection.**
- CI-2 The Municipality shall establish a Regional Park Zone under applicable land use by-laws which may be applied in any designation. This Zone shall:**
 - a) generally be applied to existing Federal Parks, Provincial Parks, Provincial Park reserves, non-designated Provincial Parks and Regional Park lands owned by the Municipality; and**
 - b) permit recreation uses, park uses, and other uses as provided by applicable secondary municipal planning strategies.**
- CI-3 Where Municipal lands are identified for park use, appropriate park and institutional zoning shall be applied through the applicable secondary municipal planning strategy and land use by-law as part of the Community Planning programs.**

4.3.1 PARKS AND OUTDOOR FACILITIES PRIORITIES PLAN

To plan strategically and respond to changing needs, the Municipality intends to develop a Parks and Outdoor Facilities Priorities Plan for the provision of parks and outdoor facilities and the development of associated standards. This Priorities Plan will also consider related factors such as food security, affordability, learning, culture, events, diversity, equity, and inclusion.

Level of service analysis will be used to identify distances to outdoor recreational facilities and the amount of parkland and amenities available per number of residents. Understanding the level of service as part of the Priorities Plan will help to set appropriate expectations for facilities as part of healthy and complete communities. Growth modelling identified through the Strategic Growth and Infrastructure Priorities Plan may inform the Parks and Outdoor Facilities Priorities Plan.

- CI-4 The Municipality shall develop a Parks and Outdoor Facilities Priorities Plan that responds to population growth and settlement patterns identified in this Plan and the Strategic Growth and Infrastructure Priorities Plan, with consideration for:**
- a) a variety of outdoor recreation and leisure experiences across a variety of park types, ranging from local neighbourhood parks to regional recreation sports hubs and wilderness parks;**
 - b) identifying parks and outdoor facility needs that includes social equity considerations;**
 - c) approaches and analysis for the amount, type, and system of parkland and outdoor facilities for existing and growing areas of the Municipality (Level of Service);**
 - d) opportunities to access a variety of park types by walking/rolling, cycling and transit;**
 - e) recognizing differing needs and approaches for parkland and outdoor facilities between communities and across urban and rural areas of the Municipality;**
 - f) recognizing food security, heritage, cultural, and learning initiatives; and**
 - g) identifying important ecological features within the Municipality's parks and considering ways to both protect those resources and allow for appropriate recreation uses and activities.**

4.3.2 REGIONAL WILDERNESS PARKS

The municipality is home to municipally, provincially, federally, and non-profit owned parks and open spaces that provide wilderness protection and recreation opportunities. At the time of drafting this Plan, the Municipality currently has direct involvement in land ownership and park management for four areas that are being developed as wilderness parks. The primary goal of park planning for these publicly held lands is to retain them in a natural state, protect the quality of the natural ecosystems, biodiversity, and provision of ecosystem services, and offer passive access to nature.

An overview of these areas is provided in Table 4.1 below. Lands that the Municipality currently owns, or provincially or federally owned lands will be subject to future park planning processes. As development proceeds near park areas, it will be important to consider the proposed uses, built form and density of development.

Table 4.1: Description of areas being developed as Wilderness Parks

<p><u>Sandy Lake</u></p> <p>The Sandy Lake Regional Park consists of municipally owned land around Sandy Lake, Marsh Lake and Jack Lake containing a beach, formal trails, and undeveloped wilderness lands. Located near Hammonds Plains Road, it extends up to the Sackville River and encompasses parts of the Sandy Lake watershed, including the watercourse from Sandy Lake, Marsh Lake, and into the Sackville River. The Park also includes Jack Lake, which is part of the Papermill Lake Watershed. The Municipality has an active program to include additional lands to support the further development of this wilderness park.</p>
<p><u>Blue Mountain-Birch Cove Lakes</u></p> <p>Blue Mountain-Birch Cove Lakes (BMBCL) is an area located on the western edge of the Halifax urban core and comprises Acadian forest, wetlands, and a system of lakes and headwaters. The Provincial</p>

Designated Wilderness Area and adjacent Municipal lands offer wilderness opportunities to many residents and visitors. In 2021, the Municipality signed a statement of collaboration with Parks Canada to consider part of the Blue Mountain-Birch Cove Lakes (BMBCL) area as a candidate National Urban Park, under a new federal program. The subject area considered for park planning consists of land owned or under the control of a partnership group (as shown on Map 5).

Shaw Wilderness and McIntosh Run

Shaw Wilderness Park and McIntosh Run Regional Park are two large parks located on the Chebucto Peninsula, adjacent to provincial lands. Both parks provide for popular hiking and biking trails and hills with unique scenic views. The parks also contain distinct ecological aspects that include the Jack Pine / Broom Crowberry Barrens ecosystem, which is globally rare. The Municipality has established working partnerships with community organizations for these lands and intends to continue to work these partners to develop further programming.

Western Common Wilderness Common

The Western Common Wilderness Common, situated within the Western Common, extends over lands owned by the Municipality between Highway 103 to the north and Highway 333 (Prospect Road) to the south. It extends from the Ragged Lake Business Park in the east to the Nine Mile River in the west. Following the policies and conceptual land use plan approved for the Western Common within the Halifax, Timberlea/Lakeside/Beechville and Planning District 4 (Prospect) Secondary Municipal Planning Strategies on July 2, 2000, the Western Commons Wilderness Common Master Plan was adopted on June 15, 2010 as guidance for future development and management of the park. The Master Plan identified that the park will provide outdoor recreation opportunities such as hiking and canoeing, while also serving local needs for swimming and community trails. Ongoing planning for the potential expansion of the Ragged Lake Industrial Park will need to consider impacts on the Western Common Wilderness Common and the areas designated for Active Recreation in the Western Common Conceptual Land Use Plan.

A goal of wilderness park planning and management of public lands is to retain them in a natural state over the long term. The intent is that conservation planning and management would allow limited recreation opportunities but prohibit incompatible activities, adopt mechanisms for managing compatible activities, and collaborate with other levels of governments and key partners on conservation outcomes.

Wilderness parks can contribute to federal and provincial goals for nature and wilderness protection. The Government of Canada is committed through the *Target 1 Challenge* to conserving 25 percent of Canada's land and 25 percent of its oceans by 2025. The Province of Nova Scotia has committed to protecting 20% of its lands and waters by 2030 through its development of the *Nova Scotia Collaborative Protected Areas Strategy*. The Canadian Protected and Conserved Areas Database (CPCAD) is compiled and managed by Environment and Climate Change Canada, in collaboration with federal, provincial, territorial jurisdictions, and other data providers. CPCAD outlines criteria for inclusion in the database relating to protection and conservation standards and wilderness parks may be included in the future.

CI-5 As park planning proceeds for the wilderness parks generally known as Blue Mountain Birch Cove Lakes, Sandy Lake, Shaw Wilderness Park and McIntosh Run, the Municipality shall consider:

- a) the goals and objectives of this Plan, and any future Parks and Outdoor Facilities Priorities Plan as outlined in Policy CI-4;**

- b) the relationship of planned park facilities within the park to adjacent lands and community;
- c) applying best practices and an equity lens to park planning and design processes;
- d) determining safe and environmentally sensitive access points;
- e) using the analysis and findings from ecological features assessments, watershed studies, or land suitability analyses;
- f) where opportunities arise, coordinating and partnering with Provincial and Federal governments and conservation groups to help establish wilderness parks, which may result in pursuing inclusion of wilderness parks in the Canadian Protected and Conserved Areas Database.

CI-6 The Western Common Wilderness Common Master Plan, endorsed by the Municipality on June 15, 2010, shall provide guidance for the development and management of the Western Common Wilderness Common.

4.3.3 WASHROOMS AND DRINKING FOUNTAINS

Providing access to safe, clean, and accessible washroom and drinking fountains is essential as the municipality grows. Park washroom facilities play a critical role in bolstering the municipality's overall network of public washrooms. This network comprises an essential part of the ongoing work of building a more inclusive public sphere, supporting more equitable access to all the municipality's public and open spaces.

The *HRM Washrooms and Drinking Fountains Strategy*, endorsed by the Municipality in 2020, outlines policy and design recommendations and a proposed action plan for the municipality in considering the planning, recapitalization, and installation of facilities in municipal parks. This strategy mainly focused on the recreational user needs for washrooms and drinking fountains. It does also recognize other broader society needs for washrooms and drinking fountains that are not within its scope and addressed the needs for additional subsequent work on the matter.

CI-7 The recommendations of the *HRM Washrooms and Drinking Fountains Strategy*, as may be amended from time to time, shall be considered in the planning, recapitalization, and installation of washrooms and drinking fountains in the municipality's parks and open spaces.

4.4 COMMUNITY FACILITIES

The Municipality operates a range of community facilities that include recreation assets such as gymnasiums, ice surfaces, swimming pools, and multi-purpose rooms. It is crucial to also recognize the contribution of community facilities provided by other organizations in supporting the municipality's needs, including libraries, schools, childcare services, cultural venues, places of worship, sport clubs, and emergency facilities. While the primary role of many community facilities is to provide opportunities for people to stay active and engaged, these shared physical spaces increasingly play a role in filling gaps in the social safety net, supporting public health and even emergency services. Libraries and recreation

centres in particular are at the front lines of serving vulnerable populations be it through housing supports, food programs, welcoming seniors and youth, tutoring newcomers or providing a safe space for people experiencing homelessness. Community facilities are therefore part of the social infrastructure that can build strong interpersonal and social networks and can be easily mobilized when either a personal or a community emergency arises, such as a loss of housing or extreme weather events. They are the essential building blocks of healthy, inclusive, and resilient communities.

As the municipality's population grows, it will be important to understand any gaps in the equitable access to facilities across the region. Community facilities and services will need to respond to population growth, as well as demographic and social change, in particular when serving vulnerable populations.

It is important to take community facilities into consideration when planning for future development, as they play a vital role in the functioning and livability of the municipality's communities. This can be accomplished through maintaining or acquiring strategic public land holdings, creating partnerships, and co-locating services in mixed use neighbourhoods or buildings.

CI-8 Further to Policies RP-27 and RP-28, the Municipality shall consider recommendations for the location and distribution of community facilities to support anticipated future population growth as part of the Strategic Growth and Infrastructure Priorities Plan.

CI-9 The Municipality shall support the development of healthy and complete communities by:

- a) retaining existing public lands that may support current or future community use in areas that are identified for growth;**
- b) identifying gaps in equitable distribution of community facilities and emergency services;**
- c) exploring partnerships to co-locate community facilities in mixed use developments or multi-use facilities;**
- d) prioritizing location of community facilities in areas accessible by walking/rolling, cycling, or transit; and**
- e) reviewing the tools available to preserve or acquire lands for future community facilities in areas planned for growth.**

CI-10 When developing new or amending existing secondary municipal planning strategies, the Municipality shall consider the needs for community services and facilities by:

- a) permitting municipal community facilities in all zones;**
- b) consulting with service providers about the service needs of current and future residents;**
- c) considering lands for current or future institutional uses;**
- d) maintaining lands, where they exist, in public ownership in strategic locations; and**

- e) **considering strategic location and co-location of Municipal community facilities within communities, coordinated with one another, other service providers, and mixed-use development.**

4.4.1 INDOOR RECREATION FACILITIES PRIORITIES PLAN

The Municipality recognizes that fostering lifelong participation through a variety of accessible recreational opportunities contributes to healthy lifestyles, vibrant communities, and a sustainable environment. In 2017, the Municipality approved *The Community Facility Master Plan 2 (CFMP2)* as a framework for municipal decision-making regarding recreation facilities. CFMP2 gives direction for a strategic approach to community facilities management to provide a more cohesive infrastructure and encourage more integrated and universally accessible programming. It identifies aging facilities that may need investment or replacement to meet accessibility standards, safety requirements and changing user needs. It provides a “Hub and Spoke” model which identifies a large “hub” facility with other complementary recreation infrastructure located in the surrounding area serving as “spokes.” Considering facilities in this way allows residents to access a wider variety of programming than can be delivered in a single facility.

The Municipality intends to develop an Indoor Recreation Facilities Priorities Plan to guide the provision of facilities such as multi-district centres, arenas, aquatic facilities, and gymnasiums for both existing and new growth areas. This plan will be developed in conjunction with the Strategic Growth and Infrastructure Priorities Plan and will consider the location and distribution of community facilities. It will be important to consider the ability to access these facilities by walking/rolling, cycling, transit, or short car trips.

- CI-11 The Municipality shall review and consider recreation trends, demographics, equity, mobility, and community needs as part of planning for complete communities and striving to provide services in an equitable manner, particularly for historically underserved communities.**
- CI-12 The Municipality shall develop an Indoor Recreation Facilities Priorities Plan, that responds to population growth and settlement patterns identified in this Plan and the Strategic Growth and Infrastructure Priorities Plan, with consideration for:**
 - a) providing a variety of recreation and leisure experiences;**
 - b) the regional distribution of recreation facilities;**
 - c) the potential efficiency of clustering facilities;**
 - d) connectivity and proximity to parks and outdoor recreation experiences;**
 - e) connectivity to the mobility network for all modes of transportation;**
 - f) analysis of the amount, type, and system of indoor recreation facilities for existing and growing areas of the Municipality and approaches for service provision; and**
 - g) the recognition of differing needs for indoor recreation facilities between communities and across urban and rural areas of the Municipality.**

4.4.2 LIBRARIES

Libraries play an important role in communities, in the broad range of free services provided, and in the communal space where everyone is welcome. In addition to providing residents access to books and other forms of information, libraries provide free Wi-Fi, technology for public use, social and meeting spaces, cultural activities, programming, and learning opportunities for all ages, including English language and literacy programming, and support and referral services for those at risk in the community. Libraries provide many virtual programs, including extensive digital collections, as well as home delivery services and community-based services in many locations outside of branches. Halifax Public Libraries has facilities located in urban and rural areas of the municipality. Some libraries are co-located with other community or regional facilities.

Given the evolving role of libraries and the high level of community use, many existing older facilities do not have adequate space, or are not designed to meet modern demand. Halifax Public Libraries identifies branches that are priorities for investment, based on facility condition, population growth and social need in the community. Halifax Public Libraries has a combination of both larger facilities and smaller branches that are located in community, with many connected to walking/rolling, cycling, and transit routes.

CI-13 Further to Policies RP-27 and RP-28, the Municipality, working together with Halifax Public Libraries, shall consider the location and distribution of libraries to support anticipated future population growth as part of the Strategic Growth and Infrastructure Priorities Plan.

4.4.3 PUBLIC SCHOOLS

School location, design and amenities play a significant role in neighbourhoods and quality of life. Schools have heavy impacts on transportation and transit services, road service demand, residential development, and housing choice. Convenient access to quality schools is an important consideration for community when deciding where to live. Although decisions about school locations are not made by the Municipality, the location of existing and planned schools is an important part of building healthy and complete communities and are important to HRM's long-term planning.

In HRM, the Halifax Regional Centre for Education (HRCE) oversees English public schools and the Conseil Scolaire Acadien Provincial (CSAP) oversees all French public schools. Each Centre or Board is required to publish a Long-Range Outlook annually. These documents provide information regarding the situation at each school, the delivery of education programs and services, historical and projected student enrollment. Based on the results of the Long-Range Outlook, a Centre or Board may identify a school for review to determine the viability of the facility.

CI-14 Further to Policies RP-27 and RP-28, the Municipality, working together with the Halifax Regional Centre for Education and Conseil Scolaire Acadien Provincial, shall consider the capacity, location, and distribution of schools to support anticipated future population growth as part of the Strategic Growth and Infrastructure Priorities Plan.

CI-15 The Municipality shall encourage the Provincial Government and the Halifax Regional Centre for Education and Conseil Scolaire Acadien Provincial to consider the Municipality's projected population and planned settlement pattern as outlined in this Plan and secondary municipal planning strategies when deciding where to locate schools and other public facilities.

4.4.4 CHILD CARE AND HEALTH CARE

Childcare and health care facilities are critical components of complete communities. While the Province takes a leading role in both areas, this Plan recognizes that the Municipality has a role to play in supporting these uses across the region.

In Nova Scotia, day care is provincially regulated and provided by individuals, commercially or by non-profit groups. In July 2021, the provincial and federal governments signed a 5-year funding agreement, the Canada-Nova Scotia Canada-Wide Early Learning and Child Care Agreement, to increase access to childcare. The intent of this Agreement is to significantly reduce child care fees and create new early learning and childcare spaces, and enhance before and after school care options. It will therefore be important that community plans and land use by-laws, which currently have differing regulations for the size and requirements for childcare facilities, enable childcare uses broadly. The Municipality currently houses childcare and day care programs within Municipally owned buildings that are leased to outside entities, so that childcare is available in communities.

To support the health and well-being of residents, it will be similarly important to permit health care uses broadly, including family medicine, primary health care, walk-in clinics, dentist offices, and other practitioner services.

CI-16 When developing new or amending existing secondary municipal planning strategies, the Municipality shall consider the needs for childcare and health care by allowing these uses in residential, commercial, mixed use, and institutional zones at a scale appropriate to the community needs and context.

CI-17 The Municipality shall work with the provincial government to support goals for growing capacity and improving access to health care and childcare in response to existing community needs and anticipated future growth.

4.5 PUBLIC SAFETY AND EMERGENCY SERVICES

The Public Safety Strategy 2023-2026 provides a vision and mandate for the Municipality to advance holistic, upstream approaches to public safety and ensures public safety is a shared responsibility for the greatest collective impact. Public safety is about creating the conditions in which people feel safe from harms, and when harms do happen, that people trust that there are services available to provide necessary supports. In the municipal context, this includes programs and services to enhance protective factors that build resilient individuals and communities. Protective factors can be promoted through the equitable provision of services such as youth programming and literacy development; neighbourhood planning for social cohesion and supporting community-led safety and wellbeing initiatives. The *Public Safety Strategy* is focused on three action areas:

- Community-Led Public Safety Leadership;
- A Broader Spectrum of Responses to Social Issues and Harms; and
- A Centre of Responsibility for Collective Impact.

Community-led public safety requires safe and inclusive public spaces where community members can gather, grow their networks, and build resilience. These forms of 'social infrastructure' are essential aspects of preventative approaches to crime and violence prevention – for example by creating spaces where young people can gather and feel safe, where people experiencing homelessness can access needed supports,

programs, and services, and where community groups can organize and collaborate. When planning community facilities and infrastructure, the Municipality may consider a social infrastructure perspective.

An important consideration when locating growth in the municipality is providing adequate emergency services for the safety of all residents. Planning and delivery of emergency management is coordinated between governments, public agencies, service providers, and community organizations. Emergency services include hospitals, police stations, fire stations, and critical infrastructure (such as emergency shelters, community medical/wellness sites, comfort centers, community educational spaces and safe community spaces/refuges). These services are dispersed throughout communities as distance and response time are key to ensuring their effectiveness. The Municipality relies on an interconnected network of fire stations and other emergency response facilities that are mandated to achieve Emergency Response Time Targets. The Municipality will continue to work closely with emergency service providers when planning communities.

CI-18 The Municipality shall consider undertaking the actions identified in the *Public Safety Strategy 2023-2026*.

CI-19 Further to Policies RP-27 and RP-28, the Municipality shall consider the location and distribution of emergency service infrastructure as part of the Strategic Growth and Infrastructure Priorities Plan, and shall collaborate with emergency service providers on service provision to accommodate existing and future community needs.

CI-20 When adopting new or amending existing secondary planning strategies, the Municipality shall consider the need for new or expanded municipal emergency services within or to support proposed developments. In evaluating a location for new or expanded emergency services, the Municipality shall consider present and future population density, projected community uses and hazards and travel time to/from existing adjacent emergency service facilities.

4.6 FOOD SECURITY AND FOOD SYSTEMS

Household food insecurity is the inadequate or insecure access to food due to financial constraints. Community food security exists when all residents have access to enough good food from a food system that maximizes food independence and can be sustained for generations to come. Food insecurity, at both the community and household level, is complex with economic, social, geographic, and political factors. In 2022, and among Canadians, the percentage of individuals living in food insecure households was highest in Atlantic Canada. In Nova Scotia, the percentage of people living in food insecure households increased from 17.7% in 2021 to 22.0% in 2022. In the Census Metropolitan Area of Halifax in 2022, the percentage of people living in food insecure households was 20.5%.

Although financial constraints are the strongest predictor of household food insecurity, the physical accessibility of quality, affordable food also impacts food security. Given the prominence and far-reaching impacts of food insecurity, in 2023 the Municipality approved in principle the *JustFOOD Action Plan for the Halifax Region*, a long-range strategy towards a healthy, just, and sustainable food system for the Halifax region. *JustFOOD* sets the stage for our regional food system, captures public engagement findings, and includes 56 recommendations for positive food system change. *JustFOOD* is designed to bring communities and key players together to improve food security, reduce food inequities, support inclusive economic growth, foster resilience in the face of climate change, and promote the health and well-being of

all residents. *JustFOOD* informs the policies in this section and the need to increase opportunities for communities to more readily access food within their communities and strengthen the local food system.

Rural communities in particular have a rich history of food production and continue to be home to a wide range of agricultural uses including crop and livestock production, aquaculture, fisheries, and forestry products. Notably, the Musquodoboit Valley contains the Municipality's only remaining arable land largely unaffected by non-agricultural uses and as such, this Plan includes these lands in the Agricultural designation. Avoiding non-agricultural development on and near agricultural land and allowing farms opportunities for development or expansion helps to protect the municipality's local farming industry. Supporting the maintenance of sufficient land for farming within the municipality also keeps food supply chains local and promotes the local rural economy while contributing to food security.

CI-21 The *JustFOOD Action Plan*, as may be amended from time to time, shall be considered by the Municipality for actions and programs related to increasing food security, strengthening the local food system, and advancing food justice and sovereignty. To further the goals and advance action on the *JustFOOD Action Plan*, the Municipality may consider amending secondary municipal planning strategies and land use by-laws.

CI-22 When preparing new or amending existing secondary municipal planning strategies, the Municipality shall consider opportunities to promote food security, address access to food and local food systems, by:

- a) permitting food production and food retail uses, including new forms of production such as on-land, closed containment fish farms where appropriate;**
- b) preserving existing agricultural land used for food production; and**
- c) requiring building and site designs that promote food sustainability, including rooftop landscaping, amenity garden space, and edible landscaping.**

CI-23 The Municipality shall consider, as part of the Rural Community Planning program, measures to preserve existing agricultural land and uses so that sufficient lands are available for food production within the municipality.

CI-24 Where Provincial programs support preserving agricultural land and promoting local agriculture, the Municipality may complement or further such programs through its policies or regulations.

4.6.1 MARKET GARDENS

The *JustFOOD Action Plan* emphasizes an increased demand and interest in local food production and the need to reduce barriers and create opportunities for local food production. Land use by-laws have historically restricted where residents are able to sell food they produce and where they can buy food in their residential neighbourhoods. While residents have always been permitted to grow fruit and vegetables, egg-laying hens and beekeeping have not always been permitted. Backyard hens can provide personal food production, while minimizing impacts to a surrounding residential neighbourhood. Bees as pollinators play an important role in local ecosystems and biodiversity. As residents produce food locally, there is interest in being able to sell products to neighbours and the surrounding community. This is referred to as

a “market garden.” Market gardens allow residents to grow food on properties and in greenhouses to sell at their own property or at farmers’ markets.

CI-25 The Municipality shall consider, through the applicable secondary municipal planning strategies and land use by-laws, permitting market gardens to facilitate the production, and distribution of food at a scale appropriate to the surrounding context and in conjunction with a residential use, except in zones created with the intent to limit development near environmentally sensitive watercourses, infilled water lots, and coastal shorelines. Permitted uses shall include:

- a) accessory keeping of bees and egg-laying hens;**
- b) small accessory structures to support the sale of goods; and**
- c) farmers’ markets, except in low-density residential zones.**

CI-26 Further to Policy CI-25, the Municipality may amend secondary plans and land use by-laws to permit:

- a) the use of shipping containers for food production and processing; and**
- b) the secondary processing and distribution of food.**

4.6.2 ROOFTOP LANDSCAPING AND GREENHOUSES

Rooftop soft landscaping and greenhouses can offer environmental, economic, and social benefits. They can support space for private or shared gardens. Green roofs can also reduce the urban heat island effect and reduce the amount of energy needed to heat and cool buildings.

CI-27 The Municipality shall consider, through the applicable land use by-laws, allowing rooftop greenhouses and soft landscaping on rooftops, with rooftop greenhouses permitted to protrude above the maximum permitted height for main buildings.

4.6.3 INDOOR FARMING

Indoor farming (or Controlled Environment Agriculture) encompasses a wide range of farming techniques where produce is grown indoors year-round, and farmers can control light, temperature, water, and carbon dioxide levels. Indoor farming can appropriately be accommodated in agricultural zones and industrial zones. Common indoor farming production includes plants, vegetables, fibres, and edible insects. Indoor agriculture allows reliable year-round food production, helping to reduce the distance food needs to travel, and reducing land needs for food production.

CI-28 The Municipality shall consider, through the applicable land use by-laws, allowing indoor food production of plants and insects as a permitted main use within appropriate industrial zones.

CI-29 The Municipality shall consider permitting the use of shipping containers for indoor food production of plants and insects as a main or accessory use in zones that permit agricultural and industrial uses.

CI-30 In commercial and mixed use zones and where the produced products from indoor food production are sold on the same property, the Municipality may allow indoor food production as a main use by development agreement. In considering approval of such agreements, the Municipality shall consider the following:

- a) whether the proposal meets all provisions of the land use by-law;
- b) the adequacy of the size of the lot on which the proposed facility will be located;
- c) the adequacy of separation distances from residential and other sensitive uses, wells, watercourses, and riparian areas, given the size and scale of the proposed facility;
- d) the adequacy of mitigation measures for noise, vibration, and odours from the proposed facility;
- e) the design of the proposed facility, including that its height, massing, and location on the lot adequately considers the visual impact on adjacent properties, public roads, community facilities and open spaces; and
- f) **Policy IM-9 of this Plan.**

4.7 SOLID WASTE MANAGEMENT

Acknowledging the success of solid waste resource management in HRM and Nova Scotia based on principles of source separation and landfill ban policies implemented in the 1990s, the *Solid Waste Strategy* was last reviewed in 2014. There is a need to improve waste diversion, align Halifax's *Solid Waste Strategy* with *HalifACT*, and promote the circular economy.

The 2014 *Solid Waste Strategy* update included objectives to:

- Maximize reduction, reuse, and recycling of waste resources;
- Maximize environmental and fiscal sustainability of the waste program; and
- Foster public stewardship and conservation.

An updated *Solid Waste Strategy* shall consider the goals of *HalifACT* and the Province of Nova Scotia's 2021 *Environmental Goals and Climate Change Reduction Act* to reduce emissions, reduce waste generation and waste disposal, and increase waste diversion.

The circular economy concept supports waste reduction and disposal through the idea that products and systems should be designed in a way that they can be reused, repurposed, or remanufactured rather than discarded as waste. To further support waste reduction efforts, the Province of Nova Scotia enacted Extended Producer Responsibility legislation in 2023. This legislation will require major changes to the Municipality's recycling program, shifting responsibility of program delivery to industry.

CI-31 The Municipality shall consider updating the *Solid Waste Strategy* to align, revise, and adopt policies and regulations consistent with *HalifACT*, the *Environmental Goals and Climate Change Reduction Act*, and Provincial legislation related to Extended Producer Responsibility. The Municipality shall consider amendments to secondary municipal

planning strategies, land use by-laws or any other by-laws to implement any recommendations of a solid waste strategy system review.

4.7.1 CONSTRUCTION AND DEMOLITION

In 2023, the Province updated the Solid Waste Management Facilities Guidelines for Construction and Demolition Debris Storage, Transfer, Process and Disposal. As a result, the Municipality will consider updating any regulatory and policy documents to align with the Provincial Guidelines.

CI-32 The Municipality may update any administrative orders, licenses, secondary municipal planning strategies, land use by-laws, or other regulations to align with the Provincial guidelines for Construction and Demolition Debris Storage, Transfer, Process and Disposal Facilities.

4.8 REGIONAL ENERGY AND TELECOMMUNICATIONS INFRASTRUCTURE

As a privately owned, publicly regulated utility, Nova Scotia Power Incorporated (NSPI) is responsible for generating and distributing electricity throughout the province. The company aspires to 80% renewable energy generation by 2030, by connecting to clean energy sources in other provinces (notably hydro power in Newfoundland and Labrador), as well as wind and solar generation, battery storage and conversion of coal-fired plants. NSPI must also ensure that the electricity grid remains dependable and grows to meet new demands from an expanding population.

Communication facilities, such as telecommunications towers, are regulated by Industry Canada which has recognized that municipalities may have an interest in the siting of these facilities, particularly with regard to aesthetic impacts on the built form and landscapes. A federal policy has been established that encourages consultation between proponents and local governments before a decision is made whether to grant a license. The means of consultation is not specified but left for the Municipality to decide upon. While Municipality does not have ultimate decision-making authority on telecommunications applications, its residents still have a vested interest in their outcome. In 2016, Council formalized the process through Administrative Order 2015-005-GOV to provide a recommendation to Industry Canada that includes feedback from residents.

CI-33 The Municipality may-cooperate with Nova Scotia Power Incorporated (NSPI), its assignees or successors, in their efforts to conserve energy, anticipate and provide for future electricity needs, increase reliability, reserve space for transmission lines and equipment, and protect public health and safety, while considering other policies in this Plan, and other relevant Priorities Plans and Functional Plans.

CI-34 The Municipality shall follow the protocol as described in Administrative Order 2015-005-GOV, as amended from time to time, as a consultation approach for the siting of telecommunication towers and antenna and provide recommendations to Industry Canada in accordance with the Administrative Order.

CHAPTER 5: FOSTERING DIVERSE AND AFFORDABLE HOUSING

CHAPTER 5: FOSTERING DIVERSE AND AFFORDABLE HOUSING

5.1 INTRODUCTION

Housing is a key determinant of health. Housing affordability and availability are significant challenges facing the municipality. At the time of drafting this Plan, the Municipality is experiencing a housing shortage crisis, and it is currently the most urgent priority in municipal land use planning, regulation and development approval to rapidly increase the supply of housing.

There are a variety of housing models that respond to different family structures, income levels, and stages of life. These housing models include a range of market and non-market housing models. The municipality needs more housing of all models. Due to social, economic, and geographic factors, the full range of housing needs in a community are not always met by market housing. The housing needs of individuals and families within the low to moderate income range or with special housing needs are often met by non-market housing provided by the public and not-for-profit sectors. Non-market housing encompasses a wide range of housing models, including housing with varying levels of social supports and subsidies.

The housing landscape has been significantly impacted by the region's high rate of population growth since 2016. The rapid population growth rate, influenced by interprovincial and international migration, present challenges for the Municipality to ensure there is sufficient affordable housing for all. The COVID-19 pandemic and remote work possibilities increased inter-provincial migration from other Canadian provinces. At the time of drafting this Plan, supply-chain challenges, high commodity prices, and labour and logistical constraints continue to present challenges for new housing construction.

The region's record-high home prices and low vacancy rates have led to affordability issues for both renters and potential homeowners. A low vacancy rate has continued to contribute to unaffordable rents: although the apartment vacancy rate increased to 2.1% from a historic low of 1% between 2021-2023, a healthy rate is considered between 3% and 5%. The rental market has experienced significant rent increases, far surpassing historical growth rates. Only a small percentage of available rentals are affordable for households in the lowest income bracket.

As a result, the municipality is experiencing an affordable housing and homelessness crisis. The *HRM Charter* defines 'affordable housing' as "housing that meets the needs of a variety of households in the low to moderate income range," and Canada Mortgage and Housing Corporation (CMHC) defines 'core housing need' as households who cannot access housing that meets standards for adequacy (housing condition), suitability (enough space), and affordability (less than 30% of before-tax income). The 2021 Census showed that 42.5% of households in Halifax are renters. Of that number, 36.7% of these households are in core housing need. For homeowners, the number of households in the municipality in core housing need is 10.6%.

Halifax-based outreach workers have noted significant increases in the number of people experiencing homelessness and lack sufficient health supports and personal income to afford housing. They have also noted an increase in the number of seniors experiencing homelessness, many of them for the first time in their lives. Between 2018 and 2022 the number of people who are homeless more than doubled with the

number of people forced to shelter outside increased 500%.¹² While the rise in homelessness is driven by several factors, the primary one is a lack of affordable, stable, and supportive housing.

Although 2024 has started to show signs of more modest population growth than what has been experienced in recent years, the Municipality continues to place priority and focus on increasing housing supply region-wide. At the time of the drafting of this Plan, the demand for housing still outpaces current supply, and quickly increasing housing supply will require rethinking historical approaches to land use while also positioning our communities to be ready for growth. The best qualities of the municipality's varied neighbourhoods are found in the people living there, and this Plan will provide more people with choices of where and how to live. Increasing density in neighbourhoods where there are existing services and infrastructure improves housing inventory in the places best able to support growth. Enabling the development of a mix of housing types throughout the municipality helps residents to find an affordable housing option that matches their household size, composition, level of ability, and lifestyle. Supporting the development of affordable housing across all housing models is needed so that everyone has safe and supportive housing. Having a range of housing options helps to create socially inclusive communities by allowing for a diverse range of households in every neighbourhood.

This Plan recognizes that tools are needed to both maintain the existing housing stock, which is also often more affordable, along with building new housing units. Increasing the affordability and range of housing available across the region is essential to ensuring resilient and socially inclusive communities where everyone can access housing.

5.2 OBJECTIVES

- 1. Collaborate with government, non-profit and private sector partners to end homelessness and housing poverty in the municipality.**
- 2. Identify and remove existing barriers to increasing housing supply for all residents across the municipality.**
- 3. Support opportunities for diverse forms of housing, including shared housing, culturally inclusive housing, and community land trusts.**
- 4. Expand opportunities and incentives to support developing and retaining affordable housing.**
- 5. Increase the diversity of housing types available in all communities so that all residents can choose housing that meet their needs.**
- 6. Support increased housing density and options in areas with access to transit and services.**

¹² A Framework to Address Homelessness in the Halifax Regional Municipality.
<https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230221rc1515.pdf>

5.3 REMOVING BARRIERS TO HOUSING

Many of the existing community plans were developed at a time when the region was facing a low rate of growth, and these plans must be updated to reflect recent population trends and allow the Municipality to respond to the growing demand for all types of housing. All community plans must be aligned with the policies and objectives of this Plan with regard to increasing housing supply, diversifying available housing options, and increasing housing affordability.

H-1 When preparing new secondary municipal planning strategies or amendments to existing secondary municipal planning strategies, the Municipality shall consider prioritizing the increased supply of safe, sustainable, and affordable housing, and furthering housing choice and social inclusion by:

- a) enabling a mix of housing types that serve all residents;**
- b) encouraging growth in locations where frequent transit is or will be available;**
- c) reducing minimum required lot frontage, lot size, and parking;**
- d) allowing residential uses in all zones except for:**
 - i. areas zoned for industrial, military, park, transportation reserve and utility uses; or**
 - ii. zones intended to protect the environment, water supply, floodplains or another similar interest;**
- e) identifying existing affordable housing and measures to protect it;**
- f) enabling the adaptive reuse of structures;**
- g) considering innovative approaches that meet unique cultural needs;**
- h) removing angle controls and establishing height maximums that support mid and high-density residential developments, including using mass timber construction.**

5.4 INCREASING OUR HOUSING SUPPLY

At the time of the drafting of this Plan, the Province and, in particular, the Municipality are experiencing a housing shortage crisis. Recognizing that meeting the demand for housing is critical for building a successful region, in addition to identifying major locations for new growth as set out in Chapter 3, the Municipality will aim to increase the supply of housing by:

- Allowing more **diverse housing types** in all residential areas;
- Increasing **gentle density** and **missing middle** housing;
- Enabling **adaptive reuse**; and
- Removing or reducing parking requirements.

- H-2 Responding to the housing shortage crisis and meeting the housing needs of a growing population is the most urgent priority in municipal land-use planning, regulation and development approval. It is the intention of this Plan to rapidly increase the supply of housing in the Municipality by removing barriers to housing and allowing a variety of residential forms and uses, including temporary housing in non-permanent structures, throughout the region.**

5.4.1 ENABLING DIVERSE HOUSING TYPES

This Plan encourages the development of diverse forms of housing to allow people variety and flexibility in deciding how to live, and is an important component to helping the Municipality meet the strategic growth objectives of this Plan. Housing types exist on a size and density spectrum, ranging from tiny houses that are home to a few people to large multi-unit apartment buildings that are home to hundreds. Flexible zoning and built form requirements help to enable a range of housing types in all communities that can accommodate multi-generational families, seniors looking to age in place, students and young people, and housing that allows for various forms of shared accommodation.. Allowing more housing options in all types of residential areas can increase housing capacity on an existing supply of land and provide opportunities for homeowners and renters to choose a neighbourhood that meets their needs.

Diversifying the housing stock requires looking beyond historical approaches to home construction and neighbourhood design to focus on providing housing that meets the needs of people now and into the future. Special measures, such as removing requirements for residential buildings to include a mix of units or limiting ground floor commercial space, may only be considered during an urgent housing shortage crisis.

Shared housing use is a broad term that describes a variety of household forms where housing is shared by a group of individuals living under separate leases or agreements where support services may or may not be provided. Shared housing with special care is a form of shared housing use that is designed to provide a level of care to residents with cognitive, physical, or behavioural limitations.

Cluster housing can provide opportunities to place multiple residential buildings on a single property, either in the style of a traditional manufactured home park, or other form where the development of a new public street is not practical or needed to support pedestrian connectivity or other goals of this Plan. Cluster housing may include land-lease communities, a type of housing tenure where the resident owns their home but leases the land on which their home is situated.

- H-3 To support the development of increased housing supply, the Municipality shall, through the applicable land use by-laws:**

- a) permit tiny homes, inclusive of mobile dwellings, converted shipping containers and manufactured housing, as a form of residential use; and**
- b) establish height maximums that offer flexibility and support the construction of mid and high-density residential developments;**
- c) for multi-unit residential buildings that begin construction on or before April 1, 2027, provide that no requirement related to unit mix applies; and**
- d) for multi-unit residential buildings that begin construction on or before April 1, 2027, provide that no requirement for more than 20% ground floor commercial space applies.**

- H-4** Shared housing use is a broad term that describes a variety of household forms where housing is shared by a group of individuals living under separate leases or agreements where support services may or may not be provided. To support the provision of shared housing uses, the Municipality:
- a) shall, through the applicable land use by-laws, permit shared housing forms in all zones that permit residential uses at a scale and density that is compatible with the intent of the applicable zones. Additional controls beyond those for dwelling units shall be minimized to reduce regulatory barriers for shared housing developments;
 - b) may, through the applicable land use by-laws, permit shared housing in institutional zones at a scale and density that is compatible with surrounding uses; and
 - c) may, through the applicable land use by-laws and secondary municipal planning strategies, permit shared housing uses through a development agreement at a larger scale than would be permitted by the zone or in zones that do not permit residential uses.
- H-5** Shared housing with special care is a form of shared housing use that is designed to provide a level of care to residents with cognitive, physical, or behavioural limitations. Within existing secondary municipal planning strategies and land use by-laws, references to residential care facilities, nursing homes, long term care, assisted care or housing targeted towards seniors housing shall be replaced with the term shared housing with special care.
- H-6** To support the construction of diverse and affordable housing options, the Municipality shall continue to further explore and remove barriers to cohousing and land sharing initiatives.
- H-7** To support the provision of cluster housing, through the Community Planning programs, the Municipality shall consider amending applicable secondary municipal planning strategies and land use by-laws to:
- a) permit multiple residential buildings on one or more lots in a clustered form;
 - b) regulate land uses within manufactured home parks, including land lease communities; and
 - c) allow for development patterns that meet unique cultural needs.

5.4.2 GENTLE DENSITY AND THE MISSING MIDDLE

Many of the Municipality's community plans envisioned low-density neighbourhoods with primarily single unit detached houses and limited areas where apartments would be located. Planning and zoning in this way has limited residents' choices of where and how to live. Enabling the full range of the housing continuum in existing and future neighbourhoods includes supporting development of 'gentle density' and 'missing middle' housing.

Gentle density refers to providing additional housing options with minimal impact on a neighbourhood's built form and character. Examples of gentle density include backyard suites and internal conversions to

add additional units to existing single-unit homes. These types of projects can be less expensive and complex than new home construction and can provide affordable and well-located units in existing or new neighbourhoods. These housing options also allow homeowners increased flexibility to explore aging-in-place, intergenerational living, and an additional source of income.

Missing middle housing refers to housing intended to fill the gap between single-unit dwellings and large multi-unit apartments or mixed use residential buildings. It is called ‘missing’ because many communities have fewer of these building types when compared to their overall housing stock. Examples include townhomes, two and three-unit dwellings, and smaller scale multi-unit dwellings.

Supporting the development of gentle density and missing middle housing creates additional housing options in areas best able to accommodate growth and provides residents an opportunity to access housing that aligns with their household demographics, neighbourhood, and lifestyle preferences. These buildings respect the existing neighbourhood scale while increasing the amount of housing available across communities, particularly in desirable neighbourhoods with access to services and amenities. Providing more housing options in more neighbourhoods can help to create socially inclusive communities for residents with different household sizes and incomes.

H-8 To enable more housing choice across the municipality, the Municipality shall consider:

- a) in the Urban Area, permit at least four dwelling units on a lot through the applicable secondary municipal planning strategies and land use by-laws; and**
- b) in the Rural Area, consider amending applicable secondary municipal planning strategies and land use by-laws to permit up to four units on a lot where municipal water service or sufficient groundwater is available.**

5.4.3 ADAPTIVE REUSE

Adaptive reuse is the process of changing the primary function of an existing building and giving it a new life by adapting it and allowing new uses. When buildings have outlived their original purpose, adaptive reuse is an alternative to tearing the structure down and building a new one in its place. Enabling the repurposing of structures is environmentally sustainable, can help to protect structures of historical and cultural value to their communities, and provides opportunities for creative residential spaces. The housing possibilities presented by adaptive reuse support the Municipality’s efforts to increase housing availability.

The Community Planning programs will examine opportunities across the region to enable the adaptive reuse of existing structures by providing greater flexibility in land use policy. Adaptive reuse conversions will be permitted for consideration in the Rural Area by development agreement, as outlined in Policy IM-18 in Chapter 10.

In recent years, office vacancy rates have been high as employees have shifted to working from home in the wake of the pandemic. There may be opportunities to encourage repurposing underused office buildings or other commercial or institutional buildings for residential units through financial incentives.

H-9 The Municipality shall consider:

- a) encouraging the adaptive reuse of existing structures for housing by including flexibility in land use requirements in applicable secondary municipal planning strategies and land use by-laws; and**
- b) studying the viability of incentives for non-residential to residential conversion.**

5.4.4 REMOVING MINIMUM PARKING REQUIREMENTS

Minimum parking requirements are regulations that require minimum ratios of parking spots per dwelling unit. Parking raises the overall cost of construction and is often provided in the form of surface parking lots that reduce potential greenspace or development footprint. Not all residents require a parking spot associated with their home as many do not or cannot drive. Providing more flexibility homeowners, developers, and business owners to decide their own parking needs acknowledges that there is not a one-size-fits-all approach to parking.

The Province of Nova Scotia has also recognized the barriers that minimum parking requirements place on the cost of residential land development. The *Minimum Planning Requirements Regulations* prohibit the Municipality from requiring on-site parking for residential land uses within the Urban Service Area boundary. Where developments choose to provide parking for residential uses, land use by-laws will continue to regulate associated loading, siting and landscaping requirements.

H-10 To support development of additional housing and efficient use of land, there shall be no required parking spaces for residential uses within the Urban Service Area.

5.5 INCREASING HOUSING AFFORDABILITY

Housing affordability has become a critical issue across the municipality's urban, suburban, and rural areas. Historically considered one of Canada's more affordable cities, the municipality's housing prices and rents rose dramatically over the past several years prior to the drafting of this Plan. As the cost of housing rises, unprecedented numbers of residents are unable to find housing that is affordable and meets their needs. The number of people experiencing homelessness has continued to rise, with highest number of people needing housing and the most people sheltering outside in the municipality's recent history, other than after the Halifax Explosion in 1917.

Marginalized and underserved residents can often face systemic barriers to accessing housing, and past approaches to land use planning have historically contributed to the uprooting and displacement of these vulnerable communities. A disproportionate number of those experiencing homelessness today identify as Indigenous, Black, and/or have a disability or, mental health or addiction challenges. Immigrants, refugees, and migrant individuals and families can also experience language barriers, discrimination, and struggle to find safe and affordable housing. One of the principles guiding the Municipality's *Framework to Address Homelessness* is 'Housing First,' an approach that focuses on moving people experiencing homelessness quickly from a shelter or sleeping rough to safe, sustainable, and supportive housing. Building new affordable housing and retaining the Municipality's existing stock of affordable housing units is essential to the Housing First approach and meeting residents' needs across the entire housing continuum. Housing programs must include incentives to retain existing affordable housing stock. When drafting new or preparing amendments to existing community plans, it will be important to consider the impact of

redevelopment by proactively assessing for unintended consequences (such as displacement of existing housing units).

The Municipality acknowledges the need for affordable housing across the housing continuum and is supporting the development and maintenance of affordable housing through:

- **Exploring municipal initiatives** to support the creation and retention of affordable housing such as inclusionary zoning, incentive or bonus zoning, opportunities to provide surplus land to the not-for-profit sector, and policies requiring no net loss of existing affordable housing; and
- **Participating in partnerships and programs** with local housing organizations and other orders of government, the Province, and the Government of Canada.

5.5.1 MUNICIPAL INITIATIVES

The Municipality's role in supporting and encouraging affordable housing has increased steadily over the past several years. The Municipality can play an important role in supporting affordable and diverse housing options through policies and regulations. Examples of key tools that support affordable housing include:

- **Inclusionary Zoning** – A planning tool that requires private market developments to include a percentage or portion of the new units as affordable housing units. Affordable units can be required to be maintained as affordable for a set period or may be required to be affordable for the life of the development. Inclusionary zoning helps to create mixed-income housing, and affordable units may be designed to be indistinguishable from market-rate units.
- **Incentive or Bonus Zoning (also known as Density Bonusing)** – A planning tool that allows the Municipality to require a development to provide public benefits or cash-in-lieu in exchange for relaxing certain requirements if the applicant exceeds other requirements or undertakes other action. The intent of this tool is to allow additional development rights and supplement other municipal investments so that new density is accompanied by the amenities and public benefits (including contributions to affordable housing) that can contribute to complete and inclusive communities.
- **Municipal Surplus Land and Grants for Affordable Housing** – Funds collected through the Density Bonusing programs are used as part of the funding for the Municipality's Affordable Housing Grant Program. The Municipality has also created an affordable housing category for municipally-owned land deemed surplus. These programs allow the Municipality to support registered non-profit or charitable organizations who provide deeply affordable housing units.
- **No Net Loss/Rental Replacement** – No Net Loss/Rental Replacement housing policies typically require that when existing residential buildings are redeveloped, the new development will incorporate the displaced (and often more affordable) residential units, and/or assists displaced tenants in locating alternative and suitable housing.

The Municipality continues to explore and implement these tools, among other initiatives, to support affordable housing construction, maintenance and retention across all areas of the municipality.

- H-11 The Municipality shall monitor housing and demographic trends to assist in determining future housing needs through regular updates to the Housing Needs Assessment and evaluating data from the federal and provincial governments, By Name List and Point in Time Count.**

- H-12 The Municipality may utilize the Affordable Housing Grant Program and continue to explore other opportunities to financially support the construction and maintenance of affordable and deeply affordable housing.**

- H-13 The Municipality shall continue to remove barriers to and support various forms of affordable housing through reviews of planning documents, by-laws and administrative orders.**

- H-14 The Municipality shall develop a Housing Strategy which shall identify ways to support the construction and retention of affordable housing. Considerations may include inclusionary zoning, density bonusing, policies requiring no net loss/rental replacement of existing affordable housing, and opportunities to acquire or dispose of land for affordable housing. The Housing Strategy shall respond to updated Housing Needs Assessments and include considerations for the Municipality's efforts to address homelessness, and may align with this Plan's data monitoring policies.**

- H-15 The Municipality shall consider opportunities to incentivize development of housing on surplus municipal property.**

5.5.2 PARTNERSHIPS

While the provision of affordable housing is often noted as the responsibility of the Province, the Municipality acknowledges it is a shared responsibility. As a regulator of land uses, the Municipality plays a significant role in where and how housing can be developed. Municipal land use regulations impact housing supply, housing types and densities. Formed in 2013, the Housing and Homelessness Partnership is a collaborative of nine partners from the three levels of government, the private sector, and non-profit organizations in Halifax. The mandate of the Partnership is to “end homelessness and housing poverty in Halifax” by addressing policy and systemic issues, with the acknowledgment that affordable housing and homelessness cannot be solved by any single group or any single solution. For any significant change, all partners need to work together. In 2018, Regional Council endorsed six key initiatives to support affordable housing through the Affordable Housing Work Plan, which could not have been implemented without successful partnerships with community, housing professionals, Municipal business units and other orders of government.

The theme of partnership has been integral for ongoing work related to housing and affordable housing, ranging from the Municipality's participation in national programs such as the Rapid Housing Initiative and the Housing Accelerator Fund to more localized initiatives such as partnering with United Way Halifax in exploring a Community Land Trust model and through working with community service providers in addressing urban encampments and homelessness. The Municipality has also played a formal role in provincial housing initiatives including participation in the Provincial Housing Commission and with the Provincial Housing Task Force.

- H-16** Where Federal and Provincial strategies or programs are made in support of affordable housing, the Municipality shall consider opportunities to further or complement such strategies or programs through its programs, policies, or regulations.
- H-17** The Municipality may consider partnerships or financial support for housing organizations and continue to participate in funding affordable housing projects through Municipal programs and supporting programs offered by other orders of government.
- H-18** The Municipality may continue to explore partnerships with non-profit housing organizations, private developers and other orders of government to encourage the development and retention of affordable housing.
- H-19** The Municipality shall study and consider the viability of new tools and programs to further leverage surplus or available land to support affordable housing, including supporting the development of community land trusts.

5.5.3 INCENTIVE OR BONUS ZONING

Incentive or bonus zoning is a planning tool enabled under the *HRM Charter* that allows the Municipality to require a development to provide public benefits in exchange for additional development rights or relaxing certain requirements. The intent of this tool is to supplement other municipal investments so that new density is accompanied by the amenities and public benefits that can contribute to complete and inclusive communities. Most developments in the Regional Centre that exceed 2,000 square metres of floor area are already required to provide bonus zoning public benefits.

To support growth and development in the suburban communities before a comprehensive plan review is completed, incentive or bonus zoning is required where applications are approved by Council to amend this Plan or a Secondary Municipal Planning Strategy to enable new or increased density of residential, commercial, or mixed land use in the Urban Area outside of the Regional Centre, including future serviced communities. Public benefits will be required in addition to any other requirements.

Public benefits shall include a mandatory contribution to affordable housing and may include other public benefits as set out in the applicable land use by-law. Where the proposed development includes public benefits in the form of affordable housing provided by a not-for-profit or registered Canadian charitable organization, or a government organization, the public benefit requirements may be waived at the development permit stage.

- H-20** The Municipality shall require incentive or bonus zoning public benefits or money-in-lieu of a contribution in those areas identified in the land use by-law when considering site specific amendments to this Plan or to a secondary municipal planning strategy after February 28, 2023 outside of the Regional Centre in the Urban Area as shown on Map 2, or Future Serviced Communities to permit:
- a) new multi-unit residential, commercial, or mixed use development; or
 - b) additional density.
- H-21** Further to Policy H-20, the applicable land use by-laws shall require incentive or bonus zoning agreements or money-in-lieu of a contribution for any developments resulting from

a plan amendment process considered after February 28, 2023, and shall provide for a method of tracking such developments in the land use by-law. Affordable housing developments developed by a registered Canadian charitable organization, or not-for-profit organization, or where such organizations have a housing agreement with a government organization for the site, shall not be required to provide bonus zoning public benefits.

H-22 Further to Policy H-20, the applicable land use by-laws shall provide a method for determining the value of incentive or bonus zoning public benefits for any developments resulting from a plan amendment process as outlined in Policy H-20 and may prescribe different rates of public benefits for multi-unit sites developed through a zone and for larger sites developed by a development agreement.

H-23 Further to Policy H-20, the applicable land use by-laws shall identify:

- a) the sites or areas subject to incentive or bonus zoning requirements, consistent with Policy H-20, including a method of tracking any future plan amendments;
- b) the matters that the Development Officer may consider before approving an incentive or bonus zoning agreement;
- c) the method to be used to determine the contribution for incentive or bonus zoning;
- d) the density bonus rates and districts based on average market land values in specified areas multiplied by a coefficient of 0.6 for multi-unit sites;
- e) a method to determine the value of public benefits for sites larger than 10 hectares and developed by development agreement;
- f) the method used to annually update local area incentive or bonus zoning rates;
- g) the method to determine, evaluate and accept the value of the public benefits; and
- h) the means of administering an incentive or bonus zoning agreement.

H-24 Subject to Policy H-20, where a development is enabled by a development agreement, the development agreement may provide for a method of when the public benefit value is paid.

H-25 Further to Policy H-20, the applicable land use by-laws shall set out the public benefits that are eligible for incentive or bonus zoning, including when money-in-lieu of a contribution shall be accepted. The majority of the calculated value of the public benefit shall be dedicated toward affordable housing, except for registered heritage properties and properties located within a Heritage Conservation District. In addition to affordable housing, the public benefit may be in the form of:

- a) conservation of a registered heritage property or a property located within a Heritage Conservation District;
- b) improvements to and acquisition of lands for municipal parks;
- c) affordable community or cultural indoor space;

- d) public art; or
- e) other public benefits identified in the land use by-law.

For registered heritage properties and properties located within a Heritage Conservation District, the majority of the public benefit shall be dedicated to the conservation of heritage buildings and part of the remainder of the public benefit shall be dedicated toward affordable housing.

- H-26 The Municipality shall establish policies to administer public benefits provided as money-in-lieu of a contribution to ensure that the funds are used for the purposes for which they were collected. This may include grants and programs in the Urban and Rural Areas of the Municipality.**

5.5.4 SHORT-TERM RENTALS

Short-term rentals are dwelling units rented out by property owners or tenants that provide temporary overnight accommodation. Short-term rentals may be offered as a rental of an entire dwelling unit, or in the form of a short-term bedroom rental, where individual bedrooms are rented out separately. This form of short-term rental is often associated with bed and breakfasts, but can also include less formal types of tourist accommodation such as lodging houses. While short-term rentals can provide unique opportunities for tourism, they can also have an impact on the long-term rental market if unregulated. The Municipality intends to provide a consistent approach to the regulation of short-term rentals throughout the municipality to protect housing supply while still providing opportunities for tourist accommodations.

The Municipality is exploring alternative approaches to tourist accommodations in the Rural Area, recognizing there are distinct rural housing challenges and the tourist industry in rural areas has unique needs. Whereas the intent of short-term rental regulations is to mitigate the impact on the long-term rental market, and while there is in many cases a lack of suitable long-term rental accommodation in Rural Area, some short-term rentals in rural communities are non-winterized second properties or cottages which can not otherwise be used for long-term housing. In addition, some zones in rural areas permit commercial accommodation uses. Short-term rental regulations may address the Rural Area context, as further outlined in Policy EC-33 in Chapter 8.

- H-27 The Municipality shall, through the applicable land use by-laws, establish special provisions to:**
- a) permit short-term rentals in residential zones, where the short-term rentals are located within the short-term rental operator's primary residence; and**
 - b) permit short-term rentals in zones where commercial tourist accommodation uses are permitted.**

CHAPTER 6: PROTECTING THE ENVIRONMENT AND ACTING ON CLIMATE

CHAPTER 6: PROTECTING THE ENVIRONMENT AND ACTING ON CLIMATE

6.1 INTRODUCTION

The natural environment is one of the defining features of the Halifax region, with its extensive coastline, lakes, rivers, wetlands, and vast natural and forested areas. Residents are highly aware of the potential impacts of climate change and some residents advocate for the protection of the natural environment, which are key priorities for preserving quality of life, climate resilience, community identity, and opportunities for outdoor recreation. The natural environment also provides many ecological and economic benefits to the residents of the Municipality. Environmental stewardship requires the collaboration of all levels of government and the community working with Mi'kmaw Nations, and incorporation of Mi'kmaw Knowledge. The concept of *Netukulimk*¹³ has guided the Mi'kmaq in their approach to sustainable living, and this approach teaches us that we must recognize the interconnectedness of our natural world, our role in it and our relationships to all living things. An integrated approach for environmental management assists in maintaining the health and well-being of the whole natural system.

The municipality has a full spectrum of open spaces, consisting of lands for natural resources, agriculture, recreation, environmentally sensitive areas, hazard prone lands, cultural landscapes, natural corridors, trails, parks, wilderness areas, and preservation areas for potable water as well as areas for waste/resource management. Open spaces shape development, provide ecosystem services, capture carbon, retain lands for agricultural and forestry uses, and provide recreational opportunities. In addition to the services they provide to human communities, open spaces and intact ecosystems support biodiversity and ecological functionality which are inherently valuable.

An intent of this Plan is to manage land use around lands of high ecological value that provide ecosystem services, habitat, and biodiversity. "Ecosystem services" are the many and varied benefits to humans provided by the natural environment and healthy ecosystems. Ecosystems can provide natural pollination of crops, mitigate extreme weather and flooding, and help to protect waterways and groundwater from contamination, along with being a benefit for human mental and physical well-being. Natural systems have traditionally been undervalued as built/grey infrastructure has been widely perceived to work better than natural systems. Increasingly, this is being disproven, particularly as growing climate hazards expose weaknesses in human-built systems. Ecosystem services often cannot be replicated by human-made systems or can only be replicated at a tremendous cost.

The impacts of climate change are already being felt through the increased frequency and severity of climate events. The Municipality recognizes that these impacts will continue over time, and that we need to adapt to these changes. Climate change adaptation includes planning for, and acting on, the anticipated impacts of climate change. This can be achieved by readying existing infrastructure and communities, and

¹³ "Netukulimk is the use of the natural bounty provided by the Creator for the self-support and well-being of the individual and the community. Netukulimk is achieving adequate standards of community nutrition and economic well-being without jeopardizing the integrity, diversity, or productivity of our environment." (<https://www.uinr.ca/programs/netukulimk/>). See also: https://curriculum.novascotia.ca/sites/default/files/documents/resource-files/Netukulimk_ENG.pdf

by making new policies and standards to adapt our communities and infrastructure. Climate resiliency is the ability to recover quickly from the negative impacts of a climate hazard or event. This applies to both communities and to infrastructure. By identifying vulnerabilities, we can prioritize where and how to adapt.

The development of this chapter was informed by the *Urban Forest Management Plan* (UFMP and formerly known as the Urban Forest Master Plan) (2025), the *Halifax Green Network Plan* (HGPN) (2018), and *HalifACT* (2020) and the objectives of this Plan. This includes advancing and protecting the natural environment and recognizing climate change.

6.2 OBJECTIVES

- 1. Adopt development practices that sustain and nourish air, land, soil, water, and groundwater resources, and reduce negative impacts to surrounding areas.**
- 2. Foster a land management and regional landscape planning approach that assists in preserving land and aquatic systems with ecological, recreational and educational value.**
- 3. Collaborate with other orders of government, agencies, residents, and organizations to facilitate a comprehensive approach to respond to climate change and environmental management.**
- 4. Collect, use and share environmental data and climate change projections to inform municipal projects and policy, and direct updates to development practices and standards in response to changing environmental conditions and climate hazards;**
- 5. Support the rapid transition to a low carbon future by promoting the use of renewable energy resources.**
- 6. Support the development of resilient, prepared, and connected communities and infrastructure informed by climate change risks, vulnerabilities, and hazards.**

6.3 ACTING ON CLIMATE

Climate change is urgent, complex, and a global crisis. The changing climate poses hazards to health, economic growth, safety, and the natural world. Making a rapid shift to a low carbon future is challenging due to dispersed impacts across the globe and the transformational societal and systems changes required. Actions required include deep greenhouse gas (GHG) reductions and preparing for the hazards associated with climate change. In 2020, Halifax Regional Council authorized the direction contained in *HalifACT 2050: Acting on Climate Together (HalifACT)*, the Municipality's climate action plan, and directed that the actions be carried out as part of the multi-year budget and business planning process. The goals of *HalifACT* are to reduce emissions, help communities adapt to climate change, work to mitigate further worsening climatic conditions, and sustain ecological functionality throughout the region. To align with the 1.5-degree Celsius pathway recommended by the world's leading scientific body on climate change, the Intergovernmental Panel on Climate Change, *HalifACT* has proposed collaborative actions to achieve appropriate climate response and action out to 2050. At the Provincial level, the *Environmental Goals and Climate Change Reductions Act* (2021) set Nova Scotia's targets to be at least 53% below the 2005 emissions by 2030, and

net zero by 2050 by balancing GHG emissions with GHG removals and other offsetting measures. At the Municipal level, *HalifACT*'s targets include 75% reduction in community emissions over 2016 levels by 2030, net zero municipal operations by 2030, and net-zero community emissions by 2050.

The three themes of *HalifACT* provide guidance for immediate and future work related to climate:

- **Decarbonized and Resilient Infrastructure** includes increasing efficiencies of buildings, increasing renewable energy, decarbonizing transportation, greening government operations, protecting water systems and supplies, reducing risk to critical infrastructure, improving natural areas and green infrastructure, integrating climate into planning processes (including carbon-neutral district energy and microgrids, land protection, and land acquisition), and coastal preparedness.
- **Prepared and Connected Communities** includes emergency management, community capacity, food security and resiliency, and supporting businesses for decarbonization.
- **Coordinated Governance and Leadership** includes monitoring and reporting, carbon accounting, mainstreaming climate into municipal operations, and governance and capacity for action.

EN-1 When preparing business plans and programs, the Municipality may consider *HalifACT*.

EN-2 The recommendations of *HalifACT* provide guidance for corporate priority actions to manage the risks associated with climate change and actions to achieve municipal and community targets for reducing greenhouse gas emissions. To implement or further an action or program of *HalifACT*, the Municipality may consider amendments to this Plan, secondary municipal planning strategies, land use by-laws or any other by-laws of the Municipality.

EN-3 The Municipality shall co-operate with external interest holders and various levels of government in developing policies and programs to reduce greenhouse gas emissions, increase resilience, and, where deemed advisable by the Municipality, shall consider adopting or amending by-laws to achieve these objectives.

6.4 PROTECTING AND CONNECTING OPEN SPACE

As the region grows and changes, retaining natural and ecologically connected areas is important to maintaining healthy communities, retaining biodiversity, and adapting to and mitigating climate change. An intent of this Plan is that natural areas help shape the municipality's communities, establish community edges, and provide opportunities to connect to nature. Balancing ecological protection with human activity is important so that sensitive places are protected and the benefits of natural ecosystems are maintained while allowing for development and change.

The development pattern of the region has been shaped by a natural network of open space, consisting of Crown lands and privately held lands for natural resource extraction (such as forest production and harvesting), along with large natural areas, natural corridors, parks and trail systems that form a backbone of interconnected green space. The Open Space and Natural Resource Designation identifies the primary areas in this network that are natural spaces and working landscapes. As outlined in Policies IM-30 to IM-37 of Chapter 10, the *Regional Subdivision By-Law* will further control subdivision outside of rural centres and manage land use intensity around open space and working landscapes.

In 2018, Council authorized the direction contained in the *Halifax Green Network Plan* (HGNP), as framework for amending the Regional Plan, Secondary Municipal Planning Strategies and developing new planning documents. The HGNP defines an interconnected open space system for the municipality, highlights ecosystem functions and benefits, and outlines strategies to manage open space. Specifically, the HGNP provides land management and community design direction to:

- maintain ecologically and culturally important land and aquatic systems;
- promote the sustainable use of natural resources and economically important open spaces; and
- identify, define, and plan land suited for parks and corridors.

The HGNP recommended actions to be taken, including as guidance for ongoing municipal programs and operations, and other actions to be considered through an ongoing program of work and amendments to planning documents as identified in this Plan.

EN-4 When preparing business plans and programs, the Municipality may consider the *Halifax Green Network Plan*.

EN-5 The Municipality may undertake studies to identify areas that are important to maintaining biodiversity and climate change mitigation and adaptation. The Municipality may consider amending applicable planning documents to manage land uses to implement the findings of these studies.

EN-6 The Municipality shall, through the applicable land use by-law, establish a Protected Area Zone. This Zone shall be applied to protect environmentally sensitive areas including wilderness areas which have been designated under the *Wilderness Areas Protection Act*, nature reserves designated under the *Special Places Protection Act*, and conservation-related properties owned by government, non-profit conservation organizations, and private conservation organizations. The Zone shall permit scientific study and education, nature-related recreation and interpretation activities, and conservation uses.

6.4.1 ECOLOGICAL CORRIDORS

To support healthy and sustainable natural ecosystems, the Municipality may study the feasibility of preserving and enhancing ecological corridors. The International Union for Conservation of Nature's *Guidelines for Conserving Connectivity Through Ecological Networks and Corridors* defines ecological corridors as "clearly defined geographical spaces that are governed and managed over the long term to maintain or restore effective ecological connectivity and biodiversity."¹⁴ Ecological connectivity can:

- Help species adapt to climate change;
- Lessen the impact of human development on natural habitats;
- Connect various habitat types needed for species' different life stages, including migration and mating;
- Support vital ecosystem services like provision of food and clean air, as well as nutrient, and water cycles;
- Promote human-wildlife coexistence; and,

¹⁴ Guidelines for conserving connectivity through ecological networks and corridors, International Union for Conservation of Nature, <https://portals.iucn.org/library/sites/library/files/documents/PAG-030-En.pdf>

- Foster ways for people to connect with nature.

This Plan recognizes that the municipality may require different approaches to ecological corridors. While some corridors may accommodate the movement of species over land, some may require approaches to vertical space for the movement of flying, or subterranean, species. Detailed studies are needed to consider what a well-functioning corridor looks like, the kinds of policy tools and program actions that could be used, and where best to use them. Differences between urban and rural contexts are important to consider. After these studies are complete, the Municipality may consider a variety of actions, including amendments to planning documents, partnerships, and establishing infrastructure standards.

EN-7 The Municipality may establish a program to identify opportunities to maintain or improve ecological connectivity, with a goal of maintaining and restoring ecosystem services, biodiversity, and better protections for species at risk. This work may consider:

- a) the characteristics of a well-functioning corridor, including optimal and possible corridor widths;
- b) mapping of ecological features, including habitats for species at risk using the most up-to-date occurrence data;
- c) areas of existing development, existing development rights and land ownership;
- d) aquatic corridors;
- e) opportunities for wildlife crossings over or under transport corridors such as highways, roads and railways;
- f) identifying possible corridor locations to be the focus areas for future work;
- g) types of corridors; and
- h) types of potential policy tools or programs that would be best suited for each corridor type.

EN-8 Further to Policy EN-7, where ecological corridors have been defined, the Municipality may consider:

- a) creating programs to restore connectivity on public land; and
- b) amending this Plan, applicable secondary municipal planning strategies and land use by-laws where necessary.

EN-9 The Municipality may coordinate and partner with the Provincial and Federal government, adjacent municipalities, utility providers and private landowners including conservancy groups. Where corridors have been identified, the Municipality may work with interest holders to encourage opportunities for corridor protection or restoration including for wildlife crossings, naturalization, and fish passage on and across infrastructure such as roads, highways, trails, utility corridors, dams, and water control infrastructure.

6.4.2 NATURALIZATION AND MUNICIPAL NATURAL ASSET MANAGEMENT

Healthy ecosystems like wetlands, forests, rivers, and natural parks are valuable natural assets because they provide important services to communities. These natural areas help reduce the impacts of climate change—for example, shorelines can prevent erosion, urban trees can cool cities, and wetlands can manage stormwater. They also filter air and water, protect land, store carbon, offer recreational spaces, and support mental and physical health. Because they renew and sustain themselves, natural assets are cost-effective and durable. Investing in them lowers long-term maintenance and boosts a community's ability to adapt to climate change. Green infrastructure—solutions that work with nature—play a key role in building a more climate-resilient municipality.

Since 2019, the Municipality has been working towards a naturalization initiative, beginning with a pilot program. Various community and corporate projects have been implemented, and in 2022, Regional Council approved the expansion of the naturalization pilot into a region-wide program. Sites in municipal parks and rights-of-way have been identified for naturalization potential, ranging from riparian areas to pollinator meadows.

In 2020-2021, the Municipality began the first step in formal natural assets management by developing a natural assets management inventory as part of the Municipal Natural Assets Initiative. The Municipality also participated in the Natural Assets Initiative (NAI)'s Natural Asset Management Road Map exercise, which seeks to develop strategies for managing natural assets as critical infrastructure.¹⁵ Municipal Natural Assets refer to natural features or ecosystems that provide local, sustainable municipal services. The location of natural assets can also inform decisions related to future development, including housing and employment uses, so that future development recognizes and enhances the value of these assets. Where the Municipality has identified important natural assets, development of site-specific management plans may be required. Management Plans can both ensure proper management and also capitalize on educational, recreational, and cultural opportunities.

EN-10 The Municipality shall consider supporting a region-wide naturalization program and promote naturalization through projects, public education, and awareness.

EN-11 The Municipality shall consider developing a Municipal Natural Assets framework to measure and value natural assets.

6.4.3 URBAN FORESTS

The municipality's urban forest is one of its most important assets. The municipality has been recognized as a Tree City of the World by the Food and Agriculture Organization of the United Nations and the Arbor Day Foundation, in recognition of the Municipality's efforts to meet standards for the care and planning of urban trees and forests. The *Urban Forest Master Plan (UFMP)*, first adopted in 2012, provided a comprehensive neighbourhood approach to support a sustainable urban forest in the Urban Area. In 2025, Council revoked the UFMP and supported the principles contained in Urban Forest Management Plan. The

¹⁵ Municipal Natural Assets Initiative (MNAI). (2021). Toward natural asset management in the Halifax Regional Municipality, Nova Scotia. Summary of inventory results and recommendations. <https://mnai.ca/media/2021/11/MNAI-Inventory-Cluster-2-Halifax-report-103.pdf>

2025 UFMP updated the approach to urban forestry in the Municipality. Future updates to the UFMP may consider opportunities to protect trees on private property within the serviced area through a general by-law or other tools and incentives, where the *HRM Charter* allows.

EN-12 When preparing business plans and programs, the Municipality may consider the recommendations in the *Urban Forest Management Plan*.

EN-13 The Municipality may consider a by-law within the serviced area, or other regulatory approaches, tools or incentives, to protect existing trees or vegetation on private property and to manage the retention and the removal of existing trees or vegetation within riparian buffer zones.

6.4.4 BIRD-SAFE DESIGN

The municipality falls directly under the Atlantic Flyway, a major flight path for millions of migratory birds in North America and is home to 4 internationally Important Birds Areas. The municipality is home to 18 federally protected Species at Risk bird species, and a further 6 protected as provincially protected Endangered Species. These protections are to prevent harm to these species which are at risk of extinction. It is estimated that 25 million birds die each year from window collisions in Canada. Bird mortality is disproportionately higher as a result of mid-rise and high-rise buildings, especially when located close to natural habitats such as parks, forests, and shorelines.

Two major causes of bird mortality are transparent or reflective glass and night light emission. Birds will fly into windows that look like vegetation or sky, including the windows on ground floor lobbies, balconies, courtyards, green roofs, and building corners. Birds also become attracted to lighting from buildings during migration, effectively trapping them into the unfamiliar urban environment.

As the Municipality is located within an essential migratory path and some areas are developed with and are planned for a mid-rise and high-rise built form, there is a risk to the survival of birds. To support a healthy and sustainable natural ecosystem, the Municipality must work towards reducing and minimizing this risk through careful consideration and design.

EN-14 When developing new or amending existing secondary municipal planning strategies and land use bylaws, the Municipality shall consider adopting Bird Safe Design measures, through, amongst others, the external appearance of structures to reduce the risks to birds through requirements for glazing, window treatments, lighting, landscaping, building amenities, and other design features.

6.5 PROTECTING OUR WATER

Water is a limited and precious resource. Water is not only necessary to sustain life, wildlife habitats and aquatic corridors, it also has historic and cultural value and provides a tremendous range of ecosystem services and recreational and aesthetic values to all residents. Watersheds are the fundamental unit to understand the environmental, social, and cultural values of water and must be protected through land-use control and retention, enhancement, and restoration of those features that regulate water flow, mitigate flooding, reduce water pollution, and protect ecological functions.

The municipality is home to over 1,000 lakes, more than 20 rivers, innumerable streams, and 23 major shorelines. These interconnected systems are vulnerable and require careful management. Consideration is required to address complex issues such as management of surface and groundwater quantity and quality, ecosystem conservation, competing interests or users, public safety, and differing mandates from various agencies. Environmental features such as water, soils, vegetation, and habitat are all interconnected, and land use activities in one area of a watershed can adversely affect the quality and quantity of water and aquatic habitat in another, with the most impact downstream from activities occurring upstream.

6.5.1 THE UMBRELLA – WATERSHED PLANNING

A watershed is an area of land where all water, including precipitation, drains or sheds to one river or lake system. Understanding the interactions between watershed components and how this is impacted by land uses within that system as an ecological unit is important to begin maintaining and improving the health of the entire system. Individual disruptions of hydraulic and hydrologic systems have cumulative impacts on how the system functions, impacting groundwater flow, water quality and water quantity, habitats, and the built environment. Understanding how natural processes occur within watersheds can provide a robust framework for planning and land use decisions. Watersheds form the umbrella, under which a watershed management plan is nested, and lakes, as individual units, can be monitored for water quality to indicate health of the overall watershed. Narrowing in further, source water, the individual lakes and ground water that provide us with potable drinking water, serve the precious function of sustaining life and require special consideration. At an even smaller scale, watercourses and wetlands are integral components that function within a watershed.

Watershed management acknowledges uncertainties, considers interconnections within the system, and recognizes cumulative effects and impacts on the watershed. A Watershed Management Framework is a mechanism to develop watershed management plans, which organize and address the complex interactions between land-based activities and water resources using a watershed as a unit of management. The development of Watershed Management plans can promote a coordinated approach to balancing equitable use of water resources with the sustainability of these vital ecosystems. In 2024, Regional Council endorsed the draft Framework for Integrated Watershed Management, and chose two watersheds in the municipality to pilot the use of the Framework in developing management plans.

Watersheds and sub-watersheds exist at different scales and face different pressures. A blanket, one-size fits all watershed management approach will not appropriately address the stresses a given watershed is facing. Urban and rural watersheds can face different stressors and may require tailored approaches depending on various impacts. For example, an urban watershed may face higher volumes of runoff and pollutants due to impervious surfaces whereas rural areas may face issues of arsenic or lack of groundwater recharge. Therefore, although there may be common components within the Framework for Integrated Watershed Management, there must be flexibility and adaptability built in to customize to local conditions. Critical to the success of watershed management is genuine community-level involvement and buy-in. Without community stewardship, a watershed management approach will not succeed.

EN-15 The Municipality shall consider developing a community-based Framework for Integrated Watershed Management to improve management and protection of water resources. The Watershed Management Frameworks shall consider:

- a) utilizing a holistic, adaptive approach to managing all water resources, improving the health of the watershed, and adjusting to changing circumstances;**

- b) determining and mitigating the impact of water pollution;
- c) the impacts of climate change and measures to reduce those impacts;
- d) the impacts of flooding on water quality and ecosystem resiliency;
- e) opportunities to restore and maintain water quality and natural floodplains;
- f) developing strategies to determine the cumulative impact of development on individual water bodies or within a watershed, such as quantifying the percentage of impervious surfaces as the threshold for intervention;
- g) creating programs to restore impacts of development near and adjacent to watercourses and wetlands, including opportunities to restore degraded riparian areas and critical habitat;
- h) improving the integration of publicly available data, including community water quality data, and scientifically sound principles into policy and decision-making;
- i) building inclusive and collaborative relationships with the community;
- j) coordination with adjacent municipalities and other orders of government on management of shared watersheds; and
- k) developing implementation strategies for watershed management.

EN-16 The Municipality may consider amendments to this Plan, secondary municipal planning strategies and land use by-laws necessary to implement any approved watershed management plan. Amendments may include aligning community plan area, designation or zoning boundaries with watershed boundaries, or adjustments to the requirements for watershed studies.

6.5.1.1 WATERSHED STUDIES

The goal of a watershed study is to determine the potential impact of development on all water resources, including sub-watersheds (distinct drainage areas within the larger watershed), wetlands, riparian zones, ground water, potable water supply areas, and waterbodies. This includes impacts on the site and the watershed(s) where the site is located, both in terms of cumulative impacts of multiple developments in one watershed, and downstream effects of a single development on ecosystems. Findings must include a watershed management plan including mitigation measures to reduce the negative impacts of development on watercourses and identify features or areas where development poses unacceptable risks. Watershed management plans will seek to achieve public health standards for body contact recreation, identify and maintain, ecosystem services provided by riparian and aquatic ecosystems, and to maintain the natural trophic status of our lakes and waterways.

EN-17 When considering comprehensive planning processes for future serviced communities as outlined in Policy HC-12 to HC-14, the Municipality shall require watershed or sub-watershed studies where new or additional development could adversely affect watercourses within the watershed or potable drinking water supply areas. The studies shall be designed to:

- a) establish a reliable and accurate baseline of existing water quality;
- b) recommend water quality objectives for key receiving watercourses in the study area and determine the parameters to be attained or retained to achieve water quality objectives;
- c) evaluate the capacity of any existing control structures in the watershed;
- d) model potential impacts to water quality as a result of development, and determine the amount of development and maximum inputs that receiving water bodies can assimilate without adversely affecting water quality;
- e) identify sources of contamination within the watershed;
- f) identify remedial measures to improve water quality;
- g) identify areas within the watershed where changes in flow patterns from development could result in flood damage to properties or environment;
- h) evaluate and identify the potential for increased flooding hazards as a result of development, taking into consideration current and future impacts of climate change;
- i) recommend methods to reduce and mitigate loss of natural infrastructure, permeable surfaces, native plants and native soils, groundwater recharge areas, and other important environmental functions within the watershed;
- j) identify appropriate riparian buffer widths for the watershed;
- k) recommend potential regulatory controls and management strategies to achieve the desired objectives;
- l) recommend an approach for a successful watershed monitoring program;
- m) in areas served by ground water supply, recommend measures to protect and manage quantity and quality of groundwater resources and nutrient inputs; and
- n) for studies undertaken within a municipal drinking water supply watershed, report findings to Halifax Water and require implementation of any requested mitigative measures.

6.5.2 SOURCE WATER PROTECTION

Source water areas are the lakes, rivers, streams, and groundwater that supply potable drinking water. Under the *Environment Act*, the Province is responsible for regulating water utilities and may designate Protected Water Areas (PWA) for water supply and regulate activities that may impair source water quality. Halifax Water is the utility responsible for enforcing regulations in the PWAs to keep the water clean and sustain the potable drinking water supply for future generations.

The Statement of Provincial Interest Regarding Drinking Water requires the Municipality to identify all municipal water supply watersheds within the region and address the protection of drinking water in municipal water supply watersheds by considering measures such as:

- restricting permitted uses to those that do not pose a threat to drinking water quality;
- balancing the expansion of existing uses against the risks posed to drinking water quality;
- limiting the number and size of lots as well as the density of development to recognize the potential for cumulative impacts on drinking water quality;
- setting out separation distances between new development and watercourses to provide protection from run-off;
- establishing measures to reduce erosion, sedimentation, run-off and vegetation removal associated with development.

Halifax Water manages nine surface water supply areas (watersheds) and two groundwater supply areas (wellheads). Halifax Water develops Source Water Protection Plans for each area. The Source Water Protection Areas (Map 6) consist of the areas indicated on Table 6.1:

Table 6.1: Potable Drinking Water Supply Areas

Surface Water Supply Areas	
Provincially Designated Water Supply Areas (protected through provincial legislation)	<ul style="list-style-type: none"> • Bennery Lake • Lake Major • Pockwock
Non-designated potable drinking water supply areas	<ul style="list-style-type: none"> • Collins Park • Middle Musquodoboit • Bomont
Water supply area for East Hants	<ul style="list-style-type: none"> • Grand Lake (“Near Zone”)
Emergency Supply Areas	<ul style="list-style-type: none"> • Lake Lemont • Chain Lakes
Future Water Supply Area	<ul style="list-style-type: none"> • Tomahawk Lake
Wellhead Potable Drinking Water Supply Areas (surface and subsurface area surrounding a water well)	<ul style="list-style-type: none"> • Five Island Wellhead • Silver Sands Wellhead

Land use activities within Provincially designated water supply areas are currently regulated under existing land use by-laws leading to a wide variation in the range of permitted land uses within each community. The Municipality will continue to allow for a variety of land uses provided that these uses do not threaten the municipal water supply and a consistent policy and regulatory approach is achieved throughout each watershed. Although Lake Thomas and Grand Lake are not designated water supply areas for the municipality, Lake Thomas is upstream from two small system water treatments in which Halifax Water responds to spills, and, Grand Lake is a water supply area for the Municipality of East Hants. Halifax Regional Municipality recognizes the importance of Grand Lake to the residents of the Municipality of East Hants and will comply with the Provincial Statement of Interest in Drinking Water to support the long-term sustainability of Grand Lake by creating regulations that protect the watershed from contaminants which may jeopardize the health of residents in the neighbouring municipality. Consideration will need to be given to adopting municipal measures to protect these water supplies as well as future water supplies.

EN-18 The Municipality shall, through the applicable land use by-law, establish a Protected Water Supply Zone which:

- a) shall be applied to all publicly owned lands which serve as a water supply watershed, including emergency water supply watersheds and well head protection areas;
- b) may be applied to lands within these watersheds deemed necessary to protect the public water supply;
- c) shall permit water distribution and purification facilities, passive parks and trails, conservation related uses, and other uses as provided by applicable secondary municipal planning strategies; and
- d) shall establish a minimum 100 metre riparian buffer around primary water supply sources, including Bennery Lake, Pockwock Lake, and Lake Major, which may be relaxed for privately owned properties adjacent to these lakes through the applicable land use by-law.

EN-19 For any lands within a watershed or ground water supply area where a public water supply system has been established or is proposed, the Municipality shall consider amendments to secondary municipal planning strategies and land use by-laws to:

- a) protect the water supply;
- b) apply a consistent regulatory approach within each watershed; or
- c) conform with any Statement of Provincial Interest Regarding Drinking Water.

6.5.3 STORMWATER AND FLOODING

With the increased intensity and frequency of storm events linked to climate change, extreme rainfall events are becoming more prominent. Climate change projections indicate an increase in the frequency and intensity of precipitation events, increasing stormwater runoff, inflow and infiltration into stormwater and wastewater systems, erosion, and impacts of water quality due to pollutants in runoff. The increased risk of overland flooding and subsequent impacts to infrastructure, the natural environment, and community safety point to the need for stormwater management, including grey, green and hybrid infrastructure.

In 2007, Regional Council approved the transfer of the Municipality's wastewater and stormwater services through the Wastewater and Storm Water Transfer Agreement (the Transfer Agreement) to the Halifax Regional Water Commission (Halifax Water) which was subsequently approved by the Nova Scotia Utility and Review Board (the Board). Through this governance structure, Halifax Water is responsible for the operation and administration of publicly owned stormwater facilities within the approved stormwater boundary. As a public utility, Halifax Water is expected to finance its operations through user fees and charges which finance new connections to its facilities. To manage development in a fair and cost-effective manner, close cooperation between Halifax Water and the planning and operational activities of the Municipality is essential.

The Municipality's watersheds are comprised of diverse patterns of development, ecological services and drainage systems that require a systems-based approach to stormwater management that addresses the unique needs of each watershed. Best Management Practices are important to promote managing stormwater at the source by regulating site design features, capturing and treating precipitation where it lands, and using green and hybrid infrastructure to maintain infiltration and improve the quality and quantity

of runoff. Examples of site-specific interventions include retrofits in highly urbanized watersheds to improve water quality and quantity in receiving watercourses, if feasible, as well as support for daylighting of streams and rivers, where doing so would enhance flood resiliency, habitat provision, ecological connectivity, the aesthetics of the area, or further restoration of a heritage resource.

The *Integrated Stormwater Management Policy Framework*, endorsed by Regional Council in 2018, was developed in partnership with Halifax Water. The purpose of the policy framework is to prevent loss of life and property due to major storm events, and foster efficient and effective work management processes, safe and convenient use of streets and other land areas before, during and after storm events, and mitigate the long-term impacts of development on natural systems and downstream properties. To date, this policy framework has been implemented through the adoption of:

- *By-Law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development*;
- Administrative Order 2020-010-OP for Halifax Stormwater Management Standards for Development Activities; and
- *By-Law L-400 Respecting Lot Grading*.

Stormwater management requires a collaborative approach in partnership with Halifax Water and Nova Scotia Environment and Climate Change with future work focusing on public education, adopting standards for green infrastructure for municipal rights-of-way, and encouraging the maintenance, restoration, or improvement of natural infrastructure.

EN-20 The Municipality shall continue to work toward a comprehensive, holistic, and future-looking stormwater management policy in partnership with Halifax Water.

EN-21 The Municipality shall consider developing requirements for improved stormwater management practices to reduce the impacts of development and infrastructure upgrades on natural systems and downstream properties. Where deemed necessary to implement these requirements, the Municipality shall consider adopting or amending this Plan, the Regional Subdivision By-Law, secondary municipal planning strategies, land use by-laws, other by-laws, or administrative orders.

EN-22 The Municipality may consider operational measures or programming to reduce the quantity and improve the quality of stormwater entering public stormwater facilities and watercourses including, but not limited to public education programs, animal waste control, spill prevention plans, enhanced street sweeping, or reduction in road salts.

EN-23 Green infrastructure such as naturalized stormwater ponds, bioswales, and nature-based solutions shall be considered as an approach to managing stormwater. Where development is considered through an amendment to this Plan or a secondary municipal planning strategy, the Municipality shall consider requiring the use of naturalization and green infrastructure and promote approaches to manage stormwater on private property for multi-unit residential, commercial, and industrial developments.

EN-24 The Municipality shall consider adopting a stormwater management and erosion control by-law with provisions made that may be area specific and may vary by type of development. When considering adoption or amendments to the by-law, the following matters may be considered:

- a) the cost and effectiveness of methods to reduce increased stormwater flows caused by development with consideration given to problems associated with downstream flooding, stream bank erosion, water and groundwater contamination, natural habitat loss, and inflow and infiltration into wastewater systems and climate change projections;
- b) the potential for maintaining natural vegetation where possible and employing green infrastructure, naturally occurring soils and native plant species in stormwater management plans;
- c) means to reduce site disturbance and impervious surfaces in new developments;
- d) methods of reducing sediments, nutrients and contaminants being discharged into watercourses; and
- e) the recommendations contained in a watershed study undertaken pursuant to Policy EN-17 of this Plan.

EN-25 The Municipality may consider supporting retrofits to existing stormwater facilities where it has been determined that such retrofits could be expected to mitigate flooding or to improve the quality of stormwater entering watercourses, lakes, and wetlands.

EN-26 Where public stormwater collection infrastructure must undergo significant repair or replacement, the Municipality may consider supporting funding infrastructure that may enhance the ecological integrity of the watercourse and riverbed. Improvements for daylighting of the watercourse and/or limiting non-natural features within the watercourse itself may be considered in addition to the following considerations:

- a) the feasibility in relation to the surrounding environment, land use and ownership, adequacy of space, drainage and potential flooding issues, safety and other practical or engineering considerations as appropriate;
- b) the replacement of culverts with bridges or an open bottom culvert rather than straight pipe is preferred where appropriate;
- c) the potential for legal and liability issues arising; and
- d) the costs and the availability of funding.

EN-27 In the event that the Province of Nova Scotia considers imposing standards on the quality of stormwater entering watercourses, the Municipality shall participate in consultations and shall consider amending applicable by-laws or administrative orders to be consistent with or complement standards adopted by the Province of Nova Scotia.

EN-28 The Municipality shall support efforts by Halifax Water to create a rate structure for stormwater management services that provides incentives for the retention of on-site stormwater and may consider any amendments to by-laws, administrative orders or planning documents which would assist in facilitating these efforts.

6.5.4 FLOODPLAINS

Land adjacent to rivers and streams which are subject to flooding (floodplains) are unsuitable for development. Development or alteration of a floodplain can restrict normal water drainage patterns and cause significant damage to property and infrastructure and risk to life. Limiting development on these lands reduces the need for costly flood control infrastructure such as channels, reservoirs and dykes, and protects the public from property damage and loss of life. The Province of Nova Scotia's Statement of Provincial Interest Regarding Flood Risk Areas mandates that planning documents implement controls on development within floodplains "to protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains." This Statement points to floodplains that were identified under the Canada-Nova Scotia Flood Damage Reduction Program in the 1980s as areas of particular concern. It also enables the application development controls to additional floodplain areas that are identified through further investigation.

Recent studies of the Sackville and Little Sackville Rivers Floodplains (2017) and Shubenacadie River Floodplains (2020) have provided direction for updating floodplain regulations in community plans and land use by-laws for those river systems. Future studies of other municipal watersheds may be undertaken to allow for similar regulation updates in other areas. Region-wide flood mapping exercises, completed in 2024, will provide guidance for future interventions in areas at risk to flooding.

EN-29 The Municipality shall seek to identify locations of floodplains or flood risk areas, through detailed modelling of watersheds throughout the municipality.

EN-30 Where the Municipality has identified the location of floodplains or flood risk areas, secondary municipal planning strategies and land use by-laws shall be amended to:

- a) be reasonably consistent with the Statement of Provincial Interest Regarding Flood Risk Areas;**
- b) prohibit or regulate development on land subject to flooding or subsidence; and**
- c) prohibit or limit the placement of fill or alteration of grades in association with development in the floodway and floodway fringe areas.**

EN-31 The Municipality shall work to mitigate identified current and future flood risks and reduce flooding through measures including, but not limited to:

- a) adopting or amending planning documents to prohibit or regulate development on land subject to flooding or subsidence;**
- b) establishing flood resilient design standards for new development;**
- c) directing interventions such as changes to stormwater infrastructure in major overland flood routes in historically flood-prone areas.**

6.5.5 LAKE MONITORING

Lakes are an important component of any watershed, and can reflect the overall health of the surrounding watershed. Water quality monitoring is a shared responsibility between all orders of government and is an

essential component to successfully manage water resources. The Municipality has a critical role to play in water quality, as it is the level of government that is closest to residents with responsibilities for planning, parks and recreation, community enjoyment and resident well-being. Water quality monitoring was recommended by the Municipality's Water Resource Management Study in 2003 and water quality monitoring has occurred sporadically over the years since. In 2020, a report titled Water Quality Monitoring Policy and Program Development (AECOM) recommended and identified opportunities for the Municipality to further protect and monitor water resources. The Municipality subsequently adopted a water quality monitoring program in the spring of 2022, known as LakeWatchers, which takes a Municipal staff-led approach with community volunteer support. To date, 77 lake basins have been selected for monitoring through this community-based water quality monitoring program.

EN-32 The Municipality shall prepare an approach to water quality monitoring to provide guidance for water quality monitoring plans accepted by the Municipality under policies of this Plan and any other monitoring programs to be undertaken for the Municipality by landowners.

EN-33 For lakes selected for water quality monitoring, the Municipality shall continue to implement a comprehensive water quality monitoring program to provide guidance for water quality monitoring plans and protocols, and inform future land use policy. This program shall:

- a) use an adaptive management approach, and based on the data collected, the Municipality may adjust the water quality monitoring program;**
- b) be used to inform priority areas for the adoption of nature-based solutions for stormwater management; and**
- c) be used to recommend other interventions to improve lake water quality.**

6.5.6 WATERCOURSES AND WETLANDS

Watercourses and wetlands are vital components of the hydrological cycle and affect the quality and quantity of water and groundwater.

Wetlands are natural filters for removing sediment, contaminants and excessive nutrients which are drawn up by the vegetation and settle out naturally before entering watercourses or groundwater. They absorb and help regulate peak stormwater flows, reducing the risk of flooding and erosion downstream while offsetting groundwater extraction to reduce the risk of wells running dry. Wetlands also provide a range of ecosystem services including wildlife habitat, opportunities for research and recreation, improved water quality, sediment filtration, water balance regulation, and carbon storage and sequestration. Moreover, while enhancing the overall aesthetics of a community, wetlands are unsuitable for development as they pose a hazard for the stability of structures.

Riparian areas along the edges of lakes and waterways have multiple functions. Vegetation can stabilize banks, prevent erosion, slow and filter stormwater, provide habitats and contribute to continuous, interconnected wildlife corridors. These functions may be compromised if riparian areas are narrowed, degraded or destroyed. Retaining buffers is important for the protection of water quality, wildlife and the protection of property and the public from flood hazards. In addition to the functions of flood regulation, the deep-rooted, native plants in buffers protect shorelines by reducing bank erosion and bank failure, reduce the impacts of sedimentation, erosion and nutrient loading, regulate the temperature of water bodies,

provide important wildlife habitat, reduce the loss of valuable lands and add aesthetic value to the Municipality.

A general riparian buffer of 30 metres will be applied to watercourses, wetlands contiguous to watercourses and Wetlands of Special Significance for protection for the whole of the Municipality. At the discretion of Council, there may be relaxation of these buffers to ensure there is not a loss of all reasonable uses and recognize existing property rights, either through the applicable land use by-laws or by development agreement. Where existing community plans have more restrictive buffers, these regulations will remain in place. The development of water lots that have been infilled may result in undesirable impacts on the marine environment and the aesthetic character of the surrounding environment, and therefore development on these lots will be discouraged through the community planning process.

Protecting wetlands is a shared responsibility. The Nova Scotia Department of Environment and Climate Change regulates watercourse and wetland alterations while the Municipality regulates development adjacent to wetlands and can discourage wetland alterations through land use planning tools. It is the intent of this Plan to discourage the development of wetlands and develop an approach to offer incentives for the protection of wetlands. Recognizing that the Municipality does not have the jurisdiction over the issuance of permits to alter wetlands, it is the intent of this Plan to limit development within wetlands and to seek incentive approaches and partnership with other levels of government and non-governmental agencies for the protection of wetlands.

EN-34 The Municipality shall, through the applicable land use by-law, require the retention of a minimum 30-metre wide riparian buffer along all inland watercourses to protect the chemical, physical and biological functions of freshwater resources. Where a wetland's vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland. The land use by-laws shall include provisions regarding alteration of land levels and vegetation disturbance in relation to development within a buffer. To ensure there is not a loss of all reasonable uses, Council may consider permitting development where it can be demonstrated that a property cannot be reasonably developed in complying with the buffer requirement.

EN-35 Further to Policy EN-34, provisions may be made to permit certain features within the buffer on both public and private lands including marine dependent uses, fisheries uses, conservation uses, fences, wharfs, boat ramps, historic sites, historic monuments, driveway crossings, boardwalks, walkways, and trails of a limited width and the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck no exceeding a footprint of 20 m². In addition, provisions may be made to permit certain features within the buffer on public lands including wastewater, storm and water infrastructure, and public water control structures, parks, public roads, and active transportation crossings.

EN-36 Further to Policy EN-35, a special area may be established through the Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law to permit, by development agreement, limited recreational uses and commercial uses within a watercourse buffer adjacent to a non-coastal watercourse where the watercourse buffer has been altered prior to August 26, 2006. Any development within the special area shall be developed in an environmentally sensitive manner.

- EN-37** Further to Policy EN-34, the Municipality shall, through the applicable land use by-law, relax the watercourse buffer requirement for lots in existence on August 26, 2006, where otherwise development would be prohibited.
- EN-38** Further to Policy EN-34, the Municipality shall, through the applicable land use by-law, relax the watercourse buffer requirement:
- a) for lots approved as a result of a completed tentative or final subdivision application on file after August 26, 2006 and before *[effective date]*, to no less than as shown on an approved plan of subdivision; and
 - b) for lots approved on a tentative or final subdivision application approved pursuant to a completed concept subdivision application which was on file prior to *[effective date]*, to no less than as shown on the approved concept plan.
- EN-39** On all applications for development permit approval, the applicable land use by-law shall require the applicant to verify the existence and extent of any wetland. The applicable land use by-law shall prohibit development within any wetland. Where a Wetland Alteration approval permit has been granted and the land is no longer considered to be a wetland by Nova Scotia Environment, development shall be permitted.
- EN-40** Wetlands designated as Wetlands of Special Significance by the Province of Nova Scotia shall have a minimum 30-metre wide riparian buffer along the edges of the wetland which will be implemented through the applicable land use by-laws. To ensure there is not a loss of all reasonable uses, Council may consider permitting development where it can be demonstrated that a property cannot be reasonably developed in complying with the buffer requirement. The buffer shall not apply to Wetlands of Special Significance where a Wetland Alteration approval permit has been granted and the land is no longer considered to be a wetland by Nova Scotia Environment.
- EN-41** Further to Policy EN-40, the Municipality shall, through the applicable land use by-law, relax the buffer for Wetlands of Special Significance, where otherwise development would be prohibited. The buffer shall not apply to Wetlands of Special Significance where a Wetland Alteration approval permit has been granted and the wetland is no longer considered a wetland by Nova Scotia Environment.
- EN-42** Further to Policy EN-40, provisions may be made to permit certain features within the buffer on both public and private lands including marine dependent uses, fisheries uses, conservation uses, fences, wharfs, boat ramps, driveway crossings, boardwalks, walkways, and trails of a limited width and the placement of one accessory structure or one attached deck not exceeding a footprint of 20m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20m². In addition, provisions may be made to permit certain features within the buffer on public lands including wastewater, storm and water infrastructure, historic sites, historic monuments, and public water control structures parks, public roads, and active transportation crossings.
- EN-43** Where it can be demonstrated that a property cannot be reasonably developed by complying with the requirements for buffers for inland watercourses and wetlands, alternative

approaches to development may be considered by development agreement. In considering such a development agreement, the Municipality shall consider the following:

- a) whether the proposed use is permitted by the zone applied to the site;
- b) whether the proposed development agreement includes provisions to mitigate the impacts of development on the watercourse or wetland and its associated riparian area during and after construction. Measures to be considered include:
 - i. directing development away from lands that:
 - a. are subject to flooding or subsidence;
 - b. have steep slopes;
 - c. are low-lying, marshy or unstable;
 - d. are otherwise hazardous for development because of their soil conditions, geological conditions, undermining or topography; and
 - e. are located in an area where development is prohibited by a statement of Provincial interest or by an enactment of the Province;
 - ii. retaining or planting trees and vegetation for the purposes of sedimentation and erosion control;
 - iii. site design that mimics natural processes, such as the use of green infrastructure;
 - iv. limiting commercial or industrial uses within the buffer that involve the storage, manufacturing, or distribution of hazardous materials; and
 - v. limiting the placement of off-site fill; and
- c) the provisions of IM-9.

EN-44 The Municipality may identify wetlands to be recommended to the Province as a Wetland of Special Significance, including wetlands within all municipal potable drinking water supply watersheds. In doing so, the Municipality shall consider the Provincial criteria for wetlands with exceptional qualities, as may be amended from time to time.

EN-45 The Municipality may cooperate with the Province of Nova Scotia to develop an approach to protecting wetland areas. The Municipality shall consider wetland protection strategies such as:

- a) enabling the creation of additional lots or dwelling units where the design of a development, or the transfer of density proactively protects wetlands;

- b) identifying, prioritizing, and making recommendations to the Province of Nova Scotia for candidate wetlands to be restored, enhanced, created, or expanded by compensation.

EN-46 The Municipality shall consider, through secondary municipal planning strategies and land use by-laws, measures to regulate development of water lots, including limiting development and establishing setbacks of buildings and structures from the water.

6.5.7 COASTAL PROTECTION

The municipality has an extensive coastal shoreline along the Atlantic Ocean. The inter-tidal zone and coastal habitats such as marshlands offer valuable ecological services and provide habitat to species at risk. Protecting, restoring, and maintaining coastal habitat not only protects ecological services, but can mitigate impacts of flooding and storm surge on human safety and property. The coastline also offers aesthetic appeal and picturesque views.

Sea level has slowly risen along the Atlantic Coast due to a combination of coastal subsidence and the accelerating impacts of climate change. Additionally, the frequency and intensity of extreme storm events are expected to increase, heightening the risks associated with storm surges and coastal flooding. These changes pose significant threats to coastal infrastructure, natural ecosystems, utilities, properties, and local economies. In permitting development in coastal environments, the Municipality must recognize the potential impacts that coastal inundation and storm surge events could have on human safety and prioritize proactive adaptation strategies to build resilience against these evolving coastal hazards.

Coastal areas of the municipality are experiencing the impact of climate hazards which will continue over time. Using a precautionary approach, a general horizontal coastal buffer of 30 metres and a vertical elevation of 3.2 metres will be applied to coastal areas. There will be relaxation of these buffers to ensure there is not a loss of all reasonable uses and recognize existing property rights, either through applicable land use by-laws or by development agreement. Where existing community plans have more restrictive buffers, these regulations will remain in place. Development on islands will be regulated by development agreement to allow for sufficient consideration of climate hazards associated with these unique coastal environments. The development of water lots that have been infilled may result in undesirable impacts on the marine environment and the aesthetic character of the surrounding environment, and therefore development on these lots will be discouraged through the community planning process.

It is anticipated that further changes to required buffer and elevations in coastal areas will be brought forward using an updated system of measurement or methodology to be considered by the Municipality or a higher level of legislation is adopted to provide a reasonable level of safety. This will be guided by a spatially-based risk and vulnerability analysis, and in the future this may result in different coastal buffer and elevation requirements depending on the relative risks associated with different locations.

EN-47 The Municipality shall consider through the applicable land use by-laws, requiring the retention of a minimum 30-metre wide buffer along all coastal areas to protect the chemical, physical and biological functions of marine resources, and mitigate risk related to coastal hazards such as coastal erosion, coastal flooding and sea level rise. Where a wetland's vegetation, hydric soils, and hydrology share a boundary with a coastal area, the buffer shall be from the edge of a wetland. The applicable land use by-laws may include provisions regarding alteration of land levels and vegetation disturbance in relation to development within the buffer. To ensure there is not a loss of all reasonable uses, Council may consider

permitting development where it can be demonstrated that a property cannot be reasonably developed by complying with the buffer requirement. Lands within the Halifax Harbour Sub-Designation on the Regional Land Use Structure Map (Map 1) and industrial lands within the port of Sheet Harbour shall be exempted from the buffer requirement.

- EN-48** Further to Policy EN-47, provisions may be made to permit certain features within the buffer on both public and private lands including marine dependent uses, fisheries uses, conservation uses, fences, wharfs, boat ramps, driveway crossings, boardwalks, walkways, and trails of a limited width and the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck no exceeding a footprint of 20 m². In addition, provisions may be made to permit certain features within the buffer on public lands including wastewater, storm and water infrastructure, historic sites, historic monuments, and public water control structures parks, public roads, and active transportation crossings.
- EN-49** Further to Policy EN-47, the Municipality shall, through the applicable land use by-law, relax the coastal buffer requirement for lots in existence on August 26, 2006, where otherwise development would be prohibited.
- EN-50** Further to Policy EN-47, the Municipality shall, through the applicable land use by-law, relax the coastal buffer requirement:
- a) for lots approved as a result of a completed tentative or final subdivision application on file after August 26, 2006 and before [effective date], to no less than as shown on an approved plan of subdivision; and
 - b) for lots approved on a tentative or final subdivision application approved pursuant to a completed concept subdivision application which was on file prior to [effective date], to no less than as shown on the approved concept plan.
- EN-51** Further to Policy EN-47, the Municipality shall, through the Eastern Passage/Cow Bay Land Use By-Law, relax the buffer requirement for Cow Bay Lake for lots created or approved after August 26, 2006 and before August 12, 2022.
- EN-52** Where a lot abuts the coast of the Atlantic Ocean, including its inlets, bays, and harbours, the Municipality shall, through the applicable land use by-law, prohibit residential, commercial and institutional main buildings and backyard suite uses to be built at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard. Provisions shall be made within applicable land use by-laws to permit accessory uses, marine dependent and fishery uses within the 3.2-metre elevation. Provisions shall be made to include floodproofing measures to meet the coastal elevation. To ensure there is not a loss of all reasonable uses, Council may consider relaxing this requirement for residential, commercial, or institutional uses where a report by a qualified Professional Engineer identifies alternative measures to mitigate environmental and safety risks.
- EN-53** For development on islands, or where it can be demonstrated that a coastal property, including islands, cannot be reasonably developed by complying with the requirements for coastal buffers, alternative approaches to development may be considered by development

agreement. In considering such a development agreement, the Municipality shall consider the following:

- a) whether the proposed use is permitted by the zone applied to the site;
- b) a report by a professional engineer with an Infrastructure Resilience Professional designation identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, adjacent coastlines or egress routes;
- c) whether the proposed development agreement includes provisions to mitigate the impacts of development on the coastal area during and after construction. Measures to be considered include:
 - i. directing development away from lands that:
 - a. are subject to flooding or subsidence;
 - b. have steep slopes;
 - c. are low-lying, marshy or unstable;
 - d. are otherwise hazardous for development because of their soil conditions, geological conditions, undermining or topography; and
 - e. are located in an area where development is prohibited by a statement of Provincial interest or by an enactment of the Province;
 - ii. retaining or planting trees and vegetation for the purposes of sedimentation and erosion control, where appropriate;
 - iii. site design that mimics natural processes, such as the use of green infrastructure;
 - iv. limiting commercial or industrial uses within the buffer that involve the storage, manufacturing, or distribution of hazardous materials; and
 - v. limiting the placement of off-site fill; and
- d) for islands:
 - i. where parking, access or other supporting infrastructure is to be located on privately owned lands not subject to the agreement, the required easements have been obtained from the property owners in favour of the lot to be developed and the supporting infrastructure is permitted by the applicable land use by-law on the lands on which it will be located; and

- ii. the density of residential units on the site does not exceed 1 unit per 1.5 hectares. If the area of the island is less than 1.5 hectares, the density of residential units is limited to 1 residential unit; and
 - d) the provisions of IM-9.
- EN-54** To support long-term safety, the Municipality shall endeavor to further define coastal buffers and elevations for development that consider coastal erosion, sea level rise, wave runup, climate change, and where necessary, shall consider amending this Plan, applicable secondary municipal planning strategies and land-use by-laws. Amendments shall be considered where an updated system of measurement or methodology is identified by the Municipality to provide a reasonable level of safety, or to conform with legislation, regulations, guidelines, or statements of interest adopted by the Province of Nova Scotia.
- EN-55** The Municipality shall consider undertaking a spatially-based risk and vulnerability analysis of the Municipality's coastal waterfront and shoreline area and may consider adopting a coastal-specific adaptation policy using a PARAEBA (Protect, Accommodate, Retreat, Avoid or Ecosystem Based Adaptation) Framework or other suitable framework for climate change adaptation planning to plan for hazards and increase resilience to those hazards.
- EN-56** The Municipality may consider developing strategies for sustainable coastal management along its coasts which consider long term climate impacts, ecosystem health, public risk and vulnerability assessments, adaptation strategies and cost-benefit analysis of adaptation approaches.
- EN-57** Where lands have been determined by a risk and vulnerability analysis to be vulnerable to hazards such as storm surge and coastal erosion, the Municipality may consider amendments to secondary municipal planning strategies and land use bylaws to address those risks and vulnerabilities through appropriate development regulations.
- EN-58** When considering projects on municipally owned land, the Municipality may:
- a) consider opportunities to maintain, protect or restore natural coastal ecosystems;
 - b) encourage the use of nature-based or hybrid infrastructure on coastlines; and
 - c) minimize the use of hard infrastructure on coastlines such as armour stone and seawalls and prioritize restorative approaches to coastline stabilization through tools such as best management practices, public education, and guidelines.

6.6 PROTECTING CRITICAL INFRASTRUCTURE

Critical infrastructure refers to processes, systems, facilities, technologies, networks, assets and services essential to the health, safety, security or economic well-being of residents and the effective functioning of government. Critical infrastructure can be stand-alone or interconnected and interdependent within and across provinces, territories, and national borders. Disruptions of critical infrastructure could result in catastrophic loss of life, adverse economic effects, and significant harm to public confidence.

The Municipality's critical infrastructure includes a complex network of systems of energy, telecommunications, transportation, water supply, wastewater treatment, solid waste management, and buildings and food systems that are critical to support economic prosperity and social well-being. In the near and long term, critical infrastructure needs to withstand increasingly extreme storms, changing temperatures, and other climate impacts. It will be important for new development to be built to withstand the impacts of the changing climate. To reduce future impacts, the resilience of new construction and existing critical infrastructure must be improved.

EN-59 The Municipality shall regularly update municipal LiDAR data, digital elevation models and vulnerability mapping, and may adopt policy to require consideration of emergency management services and current and future climate change hazard projections as part of reviews of planning documents.

EN-60 The Municipality shall seek to identify current and future climate change hazards and critical infrastructure at risk to climate hazards and may adopt policy to prioritize resiliency measures that will help reduce risk, protect critical infrastructure, and increase the resilience of infrastructure.

EN-61 To support climate resilient design, the Municipality may:

- a) retrofit and construct municipal facilities with climate resilient building and site designs;
- b) develop, promote, and incentivize climate resilient building and site design practices, including FireSmart or other wildfire protection measures;
- c) request the Province to prescribe additional standards for resilient new construction that exceed existing building codes.

EN-62 The Municipality may support retrofits to existing municipal infrastructure where it has been determined that such retrofits could be expected to mitigate impacts of current and future climate hazards on assets, systems, or communities, with consideration given to:

- a) feasibility in relation to the surrounding environment, land use and ownership, adequacy of space, safety and other practical or engineering considerations as appropriate;
- b) the potential for legal and liability issues arising; and
- c) costs and the availability of funding.

6.7 TRANSITIONING TO A LOW CARBON FUTURE

6.7.1 RENEWABLE ENERGY

As identified by *HalifACT*, in 2016, fuel and electricity consumption in residential, commercial, and industrial buildings accounted for 70% of all energy use in Halifax and 77% of total GHG emissions. Action on

reducing energy consumption, increasing efficiency, and utilizing alternative energy sources is critical for meeting the objectives of *HalifACT* for a low carbon, 1.5-degree Celsius pathway.

District Energy Systems supply thermal energy or electricity to multiple buildings via a central plant or several interconnected plants. They can be an efficient method of using waste energy to heat or cool surrounding buildings. Microgrids are small-scale, self-sufficient energy systems, which may or may not be connected to the larger ("macro") electricity transmission network. They can be the key to emissions reductions, resilience, and energy storage. There are also opportunities for solar energy generation, which can be supported by permitting solar energy operations as a land use in appropriate locations.

EN-63 The Municipality may work with provincial regulators and consult with renewable energy suppliers regarding ways to increase access to a comprehensive renewable energy distribution system across the region.

EN-64 The Municipality shall encourage the use of alternative energy systems, such as district energy and microgrids, as part of the Community Planning programs and comprehensive planning projects.

EN-65 To support renewable energy sources and reduced reliance on fossil fuels in the development of different sites, the Municipality may:

- a) through applicable land use by-laws, permit district energy facilities in areas of high growth and density;**
- b) encourage new development located within an area served by a district energy system to connect to such a system;**
- c) identify opportunities to capture and redistribute waste energy, and encourage combined heat and power systems; and**
- d) consider amendments to this Plan, including incentive or bonus zoning policies, to support renewable energy technologies in buildings that are designed to meet or exceed net zero energy standards.**

EN-66 The Municipality may, through applicable land-use by-laws, permit commercial solar energy facilities in the Rural Commuter Designation, the Rural Resource Designation, and the Agricultural Designation in mixed use, resource or mixed resource, commercial, and industrial zones in accordance with applicable legislation, regulations, guidelines, or statements of interest adopted by the Provincial or Federal government. Where Federal and Provincial regulations have been amended, the Municipality may also amend municipal land use by-law regulations to remain consistent with these changes. The land use by-laws may require fencing, landscaping and outdoor lighting for commercial solar energy facilities.

EN-67 Where technological advances have been made in solar installations, commercial solar energy facilities, and energy storage systems, the Municipality may amend land use by-law regulations to remove barriers for these uses.

EN-68 Commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations not permitted by a land use by-law as-of-right may be

considered by development agreement, except where located in a zone intended to protect a floodplain. In considering a development agreement, the Municipality shall consider:

- a) whether the site is designed and developed in an environmentally sensitive manner to mitigate potential impacts on water and soil quality, including any leaching, runoff or drainage;
- b) whether to vary the built form and land use requirements for Commercial Solar Energy Facilities as established in the Land Use By-Law for Beaver Bank, Hammonds Plains and Upper Sackville; and
- c) Policy IM-9.

EN-69 Subject to any urban design requirements as outlined in applicable land use bylaws, land use by-laws shall allow rooftop solar collectors to protrude above the maximum permitted height for main buildings to reduce potential barriers to on-site renewable energy production.

EN-70 Where parking is provided for a development, the Municipality may, through applicable land use by-laws, require a set number of those vehicle parking stalls to contain the electrical components necessary for electric vehicle charging.

6.7.2 WIND ENERGY

Within the applicable Regional Plan policy designations, three energy overlay zones were created to reflect how wind energy facilities are treated in different areas of the Municipality. The energy zones in urban and rural contexts permit a range of wind energy facilities including micro, small, medium and large-scale machines which have been classified based on different heights and levels of power generation. These range from large wind farms to smaller machines used as supplemental power sources for businesses and residences.

Wind turbines are permitted in the Municipality without placing a limit on the number of wind turbines within a particular location, provided that distance separation requirements can be met. However, where a property abuts another or where several properties are contiguous and are intended to be used to connect into the same large wind energy facility, the setback requirement from the property boundary may be waived where the adjoining property forms part of the same wind farm.

Municipal regulations duplicating Provincial or Federal requirements are minimized so as not to unduly hinder wind energy development and that the Provincial Environmental Assessment process guidelines may change over time which could necessitate changes to municipal regulations in order to remain both consistent and complimentary. Accordingly, the Municipality may seek to amend municipal regulations to ensure that future requirements are adequate to regulate wind energy facilities in the Municipality.

EN-71 Within all Regional Plan Designations, the Municipality shall establish three overlay zones including an Urban Wind (UW-1) Zone, a Rural Wind (RW-2) Zone and a Restricted (R) Zone within the Land Use By-Law to regulate wind energy facilities. These regulations will be implemented through the community land use by-laws. The Urban Wind (UW-1) Zone and the Rural Wind (RW-2) Zone shall be applied to those areas where various categories of

wind energy facilities shall be permitted in urban and rural areas. The Restricted (R) Wind Zone shall be applied to those areas where wind energy facilities shall be prohibited including Regional Parks, Conservation Areas, Protected Areas, the Western Commons, and areas within densely developed areas not suitable for wind energy facilities.

- EN-72** The Municipality shall establish requirements within the applicable Land Use By-Laws that include regulations to control height, scale, access, setback, and separation distances of such facilities in order to adequately address operational needs, safety concerns and the mitigation of impacts to adjacent properties.
- EN-73** The Municipality seeks to encourage the development of large-scale wind energy facilities in rural areas by permitting the expansion of wind farms in suitable locations. Accordingly, where a large-scale wind turbine is proposed to connect to a wind energy facility on an adjacent lot, the setback requirement from the property boundary may be waived where the adjoining property forms part of the same wind farm.
- EN-74** The Municipality shall seek to ensure that Federal and Provincial processes comply with municipal requirements for large scale wind energy facility development. Where Federal and Provincial regulations have been amended, the Municipality may amend municipal land use by-law regulations to remain consistent with these changes.
- EN-75** The Municipality shall seek to recognize advances in wind energy technology and wind energy standards and may amend this Plan, secondary municipal planning strategies and land use by-laws to reflect these changes.

CHAPTER 7: PROVIDING OPTIONS FOR MOBILITY

CHAPTER 7: PROVIDING OPTIONS FOR MOBILITY

7.1 INTRODUCTION

Our communities are shaped by where we locate the things we need to live our lives – homes, jobs, schools, shops, parks, and services – and how we are able to move between them. Providing safe, accessible, attractive, and convenient mobility options to move within and between our communities is an essential piece of creating healthy and complete communities where we can live, work, learn, shop, and play.

The municipality is geographically diverse, with a variety of settlement patterns including compact, walkable, transit-oriented neighbourhoods, communities built around arterial roads with limited connectivity and density, larger service-centre rural villages, remote residential communities, and natural resource-based lands. Transportation and land use planning are inseparable, and the decision-making process for both must be integrated. This Plan supports safe, sustainable, and accessible travel options to move conveniently throughout the region. An effective regional transportation system links people and communities with each other and with goods, services, and employment in an environmentally and fiscally sustainable way.

In December 2017, Council authorized the direction contained in the *Integrated Mobility Plan* (IMP) as a framework for amending the Regional Plan and developing new planning documents. The IMP upholds a vision for mobility that also guides this Plan: “Residents will have a choice of connected, healthy, affordable, sustainable travel options for moving both people and goods, through integrated transportation and land-use planning.” Implementation of the IMP is also vital to the success of *HalifACT*, which calls for decarbonizing our transportation systems by expanding transit and active transportation infrastructure and supporting a shift to electric vehicles.

7.2 OBJECTIVES

- 1. Support mobility choices in urban and rural communities for those of all ages and abilities, backgrounds, and income levels.**
- 2. Create and maintain complete and safe networks for walking/rolling, cycling, transit, goods movement, and driving.**
- 3. Build complete streets to improve mobility and connectivity, reduce emissions and protect the natural environment, and support the local economy.**
- 4. Target that at least 35% of trips to work are by walking/rolling, cycling, and transit by 2031, and develop long-term mode-share targets for the municipality as it grows towards a population of 1,000,000 people.**
- 5. Develop reliable data sources and methods to understand travel habits and preferences, and to monitor and manage transportation demand.**

6. Collaborate and partner with other orders of government, agencies, and service providers on regional mobility and goods movement initiatives.

7.3 PILLARS AND PRINCIPLES

As adopted in 2017, the IMP is guided by four pillars: A transportation system that is Connected, Healthy, Affordable, and Sustainable. It is also guided by four principles: Complete Communities, Move People, Manage Congestion, and Integrate Solutions. In this Plan, an additional pillar of Equity is added. This pillar recognizes that there are diverse needs and vulnerabilities for historically underserved groups and communities, and that specific initiatives or considerations may be required to better serve all people in the municipality. The pillars and principles to guide the Municipality's mobility network, as adapted from the IMP, are summarized in Table 7.1.

Population growth and our settlement pattern, a need to act on climate change, along with trends in new technology may fundamentally change how and why we move around. When responding to these changes, it remains the intent of this Plan to promote safe, connected, and accessible complete networks in alignment with the pillars and principles. This includes the continued prioritization of walking/rolling, cycling, transit, and goods movement as fundamental to creating healthy, equitable, and complete communities.

Table 7.1: Mobility Network Pillars and Principles

Pillars	Principles
<ul style="list-style-type: none"> • A CONNECTED mobility system links people of all ages and abilities with important goods, services, and opportunities. • A HEALTHY transportation system supports comfortable, convenient, and safe opportunities for active living. • An AFFORDABLE transportation system offers low-cost mobility for citizens and value for money for taxpayers. • A SUSTAINABLE transportation system protects air, land, and water, minimizes greenhouse gas emissions, adapts to climate change, meets the needs of all people, and uses financial resources wisely. • An EQUITABLE transportation system recognizes the diverse needs and vulnerabilities of all people, including low-income residents, historically underserved communities, people with disabilities, and new immigrants. 	<ul style="list-style-type: none"> • COMPLETE COMMUNITIES provide a place for residents to live, work, shop, learn and play without depending on a private vehicle. • MOVE PEOPLE: By focusing on the number of people (and the volume of goods) using a transportation corridor, rather than the number of vehicles, transportation professionals can more easily recognize more efficient, affordable, and environmentally responsible options, such as walking/rolling, cycling, and taking transit. • MANAGE CONGESTION: Managing congestion, instead of trying to eliminate it, encourages people to choose other modes or times to travel. • INTEGRATE SOLUTIONS: Taken together, policies for high-quality public transit, walking/rolling and cycling facilities and land use planning can reinforce each other to help shift trips from solo driving to more sustainable modes. Solutions must be evaluated and implemented as a suite.

M-1 When preparing business plans and programs, the Municipality may consider the *Integrated Mobility Plan* and the pillars and principles contained in Table 7.1.

7.3.1 MOBILITY PLANS, STRATEGIES, AND PROGRAMS

Various plans, strategies, and programs are in place or planned to guide the Municipality's strategic planning and investments for the mobility network. As discussed in Chapter 2, this Plan supports the development of a Strategic Growth and Infrastructure Priorities Plan that will inform long-term transportation planning in alignment with other infrastructure investments, along with modelling growth in population and employment.

M-2 When preparing business plans and programs related to mobility, the following plans and strategies may be considered:

- a) *The Integrated Mobility Plan (2017);*
- b) *Rapid Transit Strategy (2020);*
- c) *Halifax Transit Moving Forward Together Plan (2016);*
- d) *Active Transportation Priorities Plan (2019);*
- e) *Road Safety Strategy (2024);*
- f) *Parking Roadmap Implementation Report (2016); and*
- g) *Regional Goods Movement Opportunity Scoping Strategy (2016).*

M-3 When developing and updating the plans and strategies referenced in Policy M-2, the Municipality may consider:

- a) the recommendations of the forthcoming Strategic Growth and Infrastructure Priorities Plan;
- b) the direction authorized by Council through the priorities plans and strategies including the *Accessibility Strategy*, *HalifACT*, the *Halifax Green Network Plan*, and the *Urban Forest Master Plan*; and
- c) the policies of this Plan and any specific community design objectives identified through the Community Planning Programs.

7.4 SETTING TARGETS AND MEASURING PROGRESS

A growing population means that more residents will be making trips every day in the municipality. To meet goals for a sustainable future, this Plan and the IMP aim to ensure that as many of these additional trips as possible can be taken by modes other than private vehicles. Transitioning to a network that prioritizes walking/rolling, cycling, and transit will require challenging work and significant investment. In this context, it is important to define targets and measure our progress regarding the transformation of how we move in our region.

7.4.1 SETTING TARGETS

The 2014 Regional Plan contained a target that by 2031, at least 30% of trips will be made by walking/rolling, cycling or transit. This was reflected in the IMP as a 2031 target for 16% of trips by Transit and 14% by active transportation (AT, or walking/rolling and cycling). This Regional Plan updates the mode share targets for 2031 as shown in Table 7.2 to achieve at least 35% of trips walking/rolling, cycling and transit overall in the Municipality. Due to the dispersed settlement pattern in the Rural Area, specific 2031 mode share targets have not been set for areas outside of the Urban Area.

As the Municipality plans for a population of 1 million people in the long-term horizon, it will be increasingly important to accelerate a shift in mode share towards walking/rolling, cycling and transit; reduce car dependency; and manage transportation demand. Table 7.2 includes new targets for the long-term horizon. There were developed to align with the housing targets and transit-supportive density targets outlined Policies RP-26 and RP-30 in Chapter 2.

Table 7.2: Mode Share Targets (Note: totals may not add to 100 percent due to rounding)

Geography		Mode	Census Journey to Work			Target	
			2011	2016	2021 *	2031	Long-Term (1M People)
Overall Municipality		Auto	77%	78%	84%	<65%	<50%
		Transit	12%	13%	8%	>20%	>30%
		Cycling	11%	10%	1%	>3%	>5%
		Walking / Rolling			8%	>12%	>15%
Urban Area	Regional Centre	Auto	49%	50%	57%	<35%	<20%
		Transit	20%	20%	16%	>25%	>25%
		Cycling	4%	3%	3%	>10%	>15%
		Walking / Rolling	26%	26%	22%	>30%	>40%
	Suburban	Auto	80%	81%	85%	<75%	<45%
		Transit	15%	13%	9%	20%	>25%
		Cycling	0.4%	0.5%	0.3%	>5%	>10%
		Walking / Rolling	4%	5%	4%	>10%	>20%

*Data for the 2021 Census was collected in May of 2021 during periods of major lockdowns and movement restrictions, so is not representative of typical conditions.

M-4 The Municipality shall strive to achieve the 2031 and long-term mode share targets as set out in Table 7.2.

7.4.2 MEASURING PROGRESS

To guide and evaluate investment, it is key to have robust and relevant data that considers all types of trips and all modes of travel. For mode-share targets, the standard source of data has been the Journey to Work

data released every five years by Statistics Canada. This data has been identified to have some weaknesses (i.e., it is only collected every five years, only concerns one type of trip, and does not allow for a variety of responses for day-to-day changes or hybrid work arrangements). While this data on its own leaves a gap in our understanding of travel activity and preferences, the Municipality conducted travel activity surveys in 2018 and 2022 to supplement the information from the census with wider considerations of the types of trips residents make. The Municipality will continue to explore alternative approaches to measuring progress, gathering data, and surveying the public on travel activity and preferences.

M-5 The Municipality shall investigate alternative approaches to surveying the public's travel habits and preferences, assessing overall performance of the mobility system, and progress towards mobility goals and targets.

7.5 COMMUNITY PLANNING AND MOBILITY

The varying geographies of the municipality and their road and settlement patterns necessitate a range of context-sensitive mobility approaches.

7.5.1 URBAN AREA LAND USE AND MOBILITY

To reduce car dependency for residents in the Urban Area, the Municipality must coordinate land use planning with investments in safe and accessible multimodal infrastructure. Having multiple mobility options available will allow residents to participate fully in society without needing access to a private vehicle.

Today, the most density and mix of land uses are located in the Regional Centre. Housing, workplaces, and destinations for daily life are generally close to one another. With a generally tighter grid of streets, there are more complete networks for walking/rolling, cycling and transit routes. Accordingly, the Regional Centre is the area where the highest number of people already walk/roll, cycle, and take transit.

The Suburban Area contains a range of community types. Some are generally mixed use, with well-connected streets, sidewalks, cycling routes and transit service. However, for many suburban communities, residential areas, places of employment, and daily destinations are separated from one another. Safe and convenient walking/rolling, cycling and transit connections may not exist. Accordingly, vehicular travel is the dominant travel mode today. Where an existing street network for driving has large blocks that make walking/rolling and cycling difficult, there may be a need to consider additional mid-block connections. Walkways, trails and the Halifax Harbour Bridges can connect neighbourhoods with additional useful, safe, and direct options. The success of these connections requires special considerations for safety, maintenance, accessibility, and adjacent land uses.

M-6 As part of the Suburban Community Planning program, the Municipality shall consider integrating mobility into secondary municipal planning strategies and land use by-laws by:

- a) promoting a mix of uses in areas well served by transit; and**
- b) building and site design requirements to enhance the experience and convenience for walking/rolling, cycling, and taking transit.**

7.5.2 MOBILITY CHOICES IN THE RURAL AREA

Improving mobility for rural residents focuses on providing attractive transportation options so residents can drive less. This can be achieved by improving the walkability and clustering of services in community main street areas (as discussed in Chapter 3 of this Plan), by integrating trail networks, supporting alternative methods for rural public mobility, including carpooling, ride-sharing, and Park & Ride options.

The standard Halifax Transit model of fixed bus routes and schedules is often not the most convenient or cost-effective model for transit service in rural communities. As an alternative, the Municipality's Rural Transit Funding Program provides grants to not-for-profit community organizations to operate community-based transit services in rural communities. These services can also receive funding and assistance from programs administered by other orders of government.

In 2022, the Municipality established a Rural Active Transportation Program to improve pedestrian and cyclist safety in rural communities. In many areas of the municipality, community groups maintain trail networks that provide important connections. Some of these multi-use pathways are for walking/rolling and cycling only, while others also permit off-highway vehicles and horses. The Municipality continues to collaborate with community groups in maintaining, improving, and expanding these connections.

M-7 The Municipality may consider programs to encourage and assist rural public mobility by:

- a) supporting and expanding the municipal Rural Transit Funding program; and**
- b) collaborating with the Province of Nova Scotia and community groups on rural mobility initiatives.**

M-8 The Municipality may invest in infrastructure for walking/rolling and cycling that connects communities, consistent with the Rural Active Transportation Program.

M-9 The Municipality may collaborate with community groups and the Province of Nova Scotia in maintaining, improving, and expanding regional active transportation and trail networks.

7.6 COMPLETE STREETS AND NETWORKS

Car-dependent settlement patterns affect the accessibility and affordability of communities, increase carbon emissions and degrade the natural environment, which impacts residents' health and quality of life. For residents to have safe, affordable, and accessible choices in how they travel in the region, the Municipality must plan both individual streets and the broader mobility network in a comprehensive and integrated way. It is the intent of this Plan to reduce car dependency and encourage shifts to low-carbon transportation modes by building *complete streets* and *complete networks* that accommodate a range of mobility options. This does not mean that vehicle travel is not designed for and accommodated rather, cars are one option among several practical and safe options.

7.6.1 COMPLETE STREETS AND STRATEGIC CORRIDORS

Complete streets is a holistic, flexible, and context-sensitive approach to street design and maintenance that is a fundamental component of the IMP. The intent of the complete streets approach is to design a given right-of-way to balance multiple functions. Complete street design considerations include:

- **Streets for people**, prioritizing the safety and accessibility for people walking, rolling, cycling, and using transit;
- **Streets as places**, with commerce, places to sit, waste receptacles, washrooms, protection from the weather, consideration of daylight, events, public art, signage, and pedestrian-friendly building faces or streetwalls; and
- **Streets as ecosystems**, which can include street trees, edible landscaping or vegetation for ecological connectivity, habitat for pollinators and other wildlife, stormwater management, snow storage, and mitigation for extreme weather events.

Community groups and organizations often lead initiatives for street beautification, public art, hosting pedestrian-only events, and creating a sense of safety and security, and maintenance. Complete streets should be context-specific in their design, with consideration for culture, history, heritage, cultural landscapes and scenic views, and landmarks.

Strategic Corridors, as identified on Map 7, are high-value corridors important to creating a multimodal mobility network in the Urban Area. These corridors were initially identified in the Active Transportation Priorities Plan and the IMP and have been refined following the identification of bus rapid transit corridors in the *Rapid Transit Strategy*, and other corridors identified through further analysis. The long-term visions for maintaining and improving these corridors for all users is established through a functional planning and design process.

The functional planning and design process determines how a corridor can be reconfigured to better serve current and future mobility needs. It considers the surrounding communities, current and future transportation demand, and physical constraints such as existing infrastructure, topography and corridor width. Functional plans identify which modes to prioritize on the corridor (like transit, or active transportation), and focus on moving more people sustainably, improving safety, and building complete streets that better connect communities. They consider how features such as transit priority and improved walking, rolling and cycling infrastructure can be included within the street right of way to provide connections within neighbourhoods and to other communities. Which elements are prioritized depends on the role the street plays in the community and broader mobility network.

The Municipality uses functional plans to guide the development of strategic corridors over time. Functional plans can be used for standalone projects or incorporated into planning for roadway repair and reconstruction projects or projects undertaken on the street by utilities or other agencies. Functional plans can also identify lands that the Municipality may need to acquire to accommodate future projects. Transportation Reserves are a planning tool enabled by the *HRM Charter* that allow the Municipality to proactively identify lands that are needed to widen or alter streets or pathways, or to develop new streets or pathways. To support transportation projects, a Transportation Reserve Zone can be identified to acquire lands for new streets or pathways, subject to requirements as set out in the *HRM Charter*. The Municipality will continue to explore opportunities to use other tools or methods to plan for future mobility connections.

M-10 The Municipality shall consider integrating a Complete Streets approach in guiding infrastructure investments and regulatory activities, with consideration for community input.

M-11 The Municipality shall consider opportunities to:

- a) make streets or portions of streets car-free or transit-priority; and

- b) continue to support programs and requests for Open Streets events for pedestrian, cycling, transit, business, and community uses.
- M-12** Through the functional planning and design process, the Municipality shall prioritize improvements to Strategic Corridors as generally shown on Map 7, utilizing a Complete Streets approach that seeks to improve road safety and prioritizes walking/rolling, cycling, and transit where appropriate.
- M-13** Where the Municipality has identified lands that are needed to support the mobility network, the Municipality may, through the applicable secondary municipal planning strategy and land use by-law, identify a Transportation Reserve over the required portions of the corridor to be acquired, subject to the provisions of the *HRM Charter*.
- M-14** The Municipality may review the tools available to plan for future rights-of-way for all modes of transportation, including the approach to transportation reserves.

7.6.2 COMPLETE NETWORKS

Complete networks provide options for moving between destinations via streets, trails, parks, plazas, and the transit system. They enable people of all ages, abilities, backgrounds, and incomes to move safely and efficiently. A complete network is:

- Connected and continuous, convenient and safe for all travel modes;
- Accessible to people with varying needs, abilities, and preferences; and
- Where vulnerable road users can take safe, useful, and enjoyable journeys.

Designing a *complete network* means not just considering individual streets in isolation but understanding how people move across the region using different travel modes, on varying types of streets, trails or other informal connections. Accordingly, a *complete network* requires considering how travellers move between modes: an accessible route to walk or roll from a transit stop to a destination; Park & Ride facilities aligned with the transit network; and effective bicycle or vehicle parking solutions at the end of the trip. Every person taking transit or driving a car starts and ends their trip as pedestrian, making designing for this user type especially important in our transportation network. Some locations can be specifically designed as “mobility hubs” – places where people on multi-modal trips switch modes.

As the Municipality plans for a future population of 1 million people, additional connections between communities will be needed to support the existing and future settlement pattern. It is the intent of this Plan that the Municipality will further consider the need for new transportation routes to improve connectivity and support the housing targets outlined in Policy RP-26 and RP-30 in Chapter 2.

The Municipality is considering options to improve access and egress in rural and suburban communities after the experience with wildfires in the Hammonds Plains and Upper Tantallon areas in 2023. This disaster highlighted the need to plan for emergency evacuation from established and new communities across the municipality. At the time of drafting this Plan, the Municipality is reviewing emergency egress options from existing neighbourhoods across the municipality. This work will also consider establishing standards for adequate emergency egress routes from new developments.

- M-15 To support the growth anticipated by this Plan, the Municipality shall continue to study and identify any additional mobility network connections or changes required for complete and integrated mobility networks at the regional and community level.**
- M-16 The Municipality shall consider undertaking a region-wide subdivision egress review study to identify areas that may be vulnerable in emergency or hazardous situations and may develop an implementation strategy based on its findings.**

7.6.3 ROAD SAFETY AND ACCESSIBILITY

In 2024, the Municipality adopted a *Road Safety Strategy*, which includes a vision to achieve zero fatalities and serious injuries for all road users in the municipality by 2038. It adopts Vision Zero, an internationally recognized road safety concept asserting that fatalities and serious injuries on roads are preventable through an integrated, multi-disciplinary approach.

A Safe Systems Approach underlies Vision Zero. This approach recognizes that achieving the vision of zero fatalities and serious injuries requires a shared responsibility and culture of road safety among all levels of government, public and private industry, and all types of road users. The Strategy recognizes that the Municipality can taking a leading role in this change. The Strategy serves as a guiding document for approaches and principles to be reflected in Municipal programs and activities. It identifies five priority areas for the Road Safety Program: Intersections; safe speeds, vulnerable road users; safe schools; and data management.

Accessibility is an important consideration in all new road projects, road safety improvements, and mobility initiatives. The Municipal Design Guidelines include Accessibility as a design philosophy, committing to implementing regulations associated with the *Nova Scotia Accessibility Act* (2017). The municipality's *Accessibility Strategy*, within the Diversity & Inclusion Framework, aims to make the municipality accessible by 2030 with 30 actions items, including actions for public transit and transportation infrastructure.

- M-17 The Municipality shall seek to improve road safety and accessibility by:**
- a) considering the implementation of the *Road Safety Strategy*, with priority areas including intersections, safe speeds, vulnerable road users, safe schools, and data management; and**
 - b) considering the accessibility goals and outcomes identified by the *Accessibility Strategy* in infrastructure and mobility initiatives.**

7.7 ACTIVE TRANSPORTATION

Active transportation (AT) is any form of human-powered mobility including walking, cycling, skateboarding, using a wheelchair, rollerblading, or scootering. It also includes devices used by people with disabilities. These options support affordability, health outcomes, and *HalifACT* objectives to lower transportation-related carbon emissions and improve air quality. The *Active Transportation Priorities Plan* seeks to increase the number of AT trips to work, school, shopping, and services. In 2023, Regional Council endorsed amendments to the *Active Transportation Priorities Plan* to provide criteria to prioritize rural AT projects.

An objective of the IMP is to "encourage walking and bicycling by building complete and connected networks that respond to the needs of urban, suburban and rural communities, for all ages and abilities." Access to activities, such as shopping for healthy food, travelling to work or appointments and socializing, is an important component of wellness. Mobility options provide people of all ages and abilities with the independence to pursue these activities, including those with physical, visual, auditory and mental disabilities. An integrated mobility network, coupled with land-use plans that support the development of compact, complete communities, will allow people to choose how they move. Viable options to walk/roll, ride a bicycle or take transit to reach daily destinations are needed by those who are too young or unable to drive. Improving mobility options will ultimately make the region more equitable.

For walking/rolling and cycling, appropriate paths vary depending on the individual and the context. In terms of street layout, short blocks with frequent intersections offer multiple and more direct routes. To consider a given street as an appropriate part of a complete network, physically separating facilities for walking/rolling, cycling, and driving may be needed, depending on travel volumes and speeds, and other roadway and design factors. Creating and maintaining an All Ages and Abilities (AAA) network for year-round access, particularly in the Urban Area, will allow residents to meet their daily needs while walking, rolling, cycling, and taking transit.

Cycling networks have traditionally been underserved when planning mobility networks and designing or retrofitting streets. Cyclists are vulnerable road users and require specific infrastructure and network planning to provide safe conditions that enable cycling as a choice. The Municipality's 2019 traveller preference survey indicated that 60% of respondents would like to start cycling or cycle more often. Most respondents indicated that a lack of safe cycling infrastructure was the primary reason that they did not cycle more often.

New developments can generate transportation demand on existing streets in the area. In some cases, new development connects to streets built using previous standards without sidewalks or bikeways. There is a need to consider how to build more complete walking/rolling and cycling networks throughout neighbourhoods, and ways to fund these infrastructure investments in existing and new neighbourhoods. Appropriate financial tools such as area rates and infrastructure charges are further discussed in Policies IM-53 and IM-54 in Chapter 10 and will be considered as part of the Strategic Growth and Infrastructure Priorities Plan.

Shared micromobility services represent new ways for people to access both active transportation options such as bikes and e-bikes but also electric kick-scooters (e-scooters). They can improve access to cheaper, less polluting mobility options. There are a variety of models for implementing shared micromobility services.

M-18 When considering proposed walking/rolling and cycling projects, or updating the *Active Transportation Priorities Plan* and *Integrated Mobility Plan*, the Municipality shall consider:

- a) connectivity to existing or planned active transportation infrastructure, existing or planned transit infrastructure and routes, the provincial Blue Route, active transportation trails, schools, parks, community facilities, and other key destinations including employment, visitor destinations, services, and mixed use areas;**
- b) an All Ages and Abilities (AAA) walkway and bikeway network within the Urban Area;**
- c) winter access and maintenance;**
- d) road safety;**

- e) wayfinding;
- f) access for traditionally underserved groups and communities; and
- g) options for funding new or expanded infrastructure.

M-19 The Municipality may facilitate implementation of shared micromobility services.

M-20 The Municipality may consider ensuring that construction management plans mandated in the *Construction Site Management Administrative Order* require that developers maintain safe, accessible, and convenient walking/rolling and cycling connections along the frontage of projects under construction.

7.8 TRANSIT

The Urban Transit Service Boundary (UTSB), illustrated on Map 8, outlines a defined area within HRM where conventional public transit (bus and ferry) can operate efficiently with reasonable service spans and frequencies. It also serves as the focus for future transit investments. This Plan intends for conventional public transit services to be provided within the UTSB.

The Halifax Transit *Moving Forward Together Plan* is the most recent five-year service plan, guiding short-term service improvements for the transit network based on four core principles:

- Increasing the Proportion of Resources Allocated Towards High Ridership Services;
- Building a Simplified Transfer Based Network;
- Investing in Service Quality and Reliability; and
- Giving Transit Increased Priority in the Transportation Network.

Transit service in the municipality has historically been challenged by shifts toward dispersed, car-oriented land uses and long commutes. This has included growing employment at business and industrial parks at on the edge of the Urban Area that are challenging to effectively serve with transit. Prior to the COVID-19 pandemic, transit ridership in the municipality had been rising, but was severely impacted from 2020 to 2022. Ridership levels returned steadily and boardings exceeded pre-pandemic totals by approximately 5% in 2024. This is despite some shifts to working from home and flexible work hours across many industries.

This Plan directs the Municipality to integrate transit service and land use planning and to provide for a denser level of development and mix of uses along routes and in walksheds serviced by rapid transit and frequent transit within the Urban Area. . This will allow for the strategic location of terminals, stations, stops, and facilities connecting to complete networks, enabling safe and convenient access for transit vehicles as well as people walking/rolling, cycling, and driving. This includes bicycle parking, pick-up/drop-off areas, and in some cases Park & Ride lots or structures. Adjacent land uses are a central consideration, with active street frontages (including shops, services, and community facilities) complementing transit as discussed in Chapters 2 and 3 of this Plan. Accessibility for persons with disabilities is needed with both regular buses and door-to-door Access-A-Bus service. Efforts continue to ensure that bus stops are accessible and compatible with ramps on buses.

The *Rapid Transit Strategy* proposes Bus Rapid Transit (BRT) lines with frequent all-day two-way service, together with new ferry routes. This Strategy looks to transform transit service to be a preferable alternative to driving, and shift ridership to help achieve the mode share targets of this Plan and climate targets of *HalifACT*. Implementing the *Rapid Transit Strategy* is critical for supporting continued, sustainable growth

in the municipality, and will need support from other orders of government. The proposed Rapid Transit system serves as a framework for developing complete communities within a convenient walking/rolling distance of stops and stations. Locations of future transit facilities and terminals will be strategically located to optimize service and create a transportation mode that is convenient and preferable to current and new users. Transit facilities will be enabled in all zones within the Municipality and will not be subject to zoning requirements.

Reliability of the transit system is fundamental to maintaining and growing ridership. Reliability is increased through investing in transit priority measures, such as transit-only lanes, queue jumps, and advance signal phasing. BRT service will require significant amounts of dedicated space to bypass congestion and provide high quality, reliable service. Provision is also being made along key corridors to enable potential future upgrades conversion from BRT to Light Rail Transit (LRT).

Existing routes outside the UTSB, including Rural and Regional Express routes, can continue to operate, subject to budget approvals and Regional Council approval of transit service plans. Regional Express routes may be modified, which can include increases in service levels where warranted. However, no other increase in service beyond the UTSB is permitted, including new routes, new service areas, or additional service on existing routes. Adjustments to existing routes outside this boundary may be considered in response to changes in road networks, infrastructure, transit demand or ridership levels.

- M-21 The Municipality shall consider directing future investment in conventional public transit (bus and ferry) services within the Urban Transit Service Boundary, as shown on Map 8. It is the intention of Council that the level of service outside this boundary will not be increased, with the exception of regional express service which may be considered outside of the boundary, and modifications to services may be considered that serve to facilitate operational planning. Existing routes and services not contained within this Boundary will continue to exist, and any service reductions will be based upon performance standards approved by the Municipality.**
- M-22 The Municipality shall consider regularly developing and adopting Transit Service Plans to provide guidance for transit service provision and monitor and evaluate their performance.**
- M-23 The Municipality's future transit service plans shall consider the growth and settlement pattern supported by this Plan, the *Integrated Mobility Plan*, *Rapid Transit Strategy*, and the forthcoming Strategic Growth and Infrastructure Priorities Plan.**
- M-24 The Municipality shall consider prioritizing implementation of the rapid transit network as identified in the *Rapid Transit Strategy*.**
- M-25 The Municipality shall continue to consider transit priority measures to improve the reliability and travel time of public transit vehicles, especially in support of the rapid transit network.**
- M-26 The Municipality shall permit public transit facilities in all zones, which shall not be subject to zone requirements.**

7.9 GOODS MOVEMENT

The goods movement network encompasses truck routes, industrial areas, curbside areas for deliveries, railways, and connections to airport and port facilities. The municipality is a key multi-modal freight and logistics hub for eastern North America. Collaboration between all orders of government, agencies, and operators is critical to success for goods movement and the integration of goods movement facilities with communities.

The needs for goods movement, such as commercial truck traffic and rail freight, can sometimes be at odds with residential and other sensitive uses. When considering appropriate places for increased housing density, it is important to consider the location of major ports or goods movement corridors along with appropriate measures for pedestrian safety and to mitigate impacts such as health concerns from noise or air pollution.

M-27 The Municipality shall plan for the goods movement network by:

- a) collaborating with other orders of government, municipalities, agencies, operators, and organizations on good movement initiatives;**
- b) considering reviewing the *Truck Route By-Law* from time to time, with consideration given to current and projected trucking demand, adjacent land uses and planned settlement patterns, and considering trucks when designing Complete Streets on designated truck routes as part of the functional planning and design process;**
- c) considering amending applicable secondary municipal planning strategies and land use by-laws to require appropriate building setbacks, design requirements and other mitigative measures for residential and other sensitive uses to reduce health and safety risks related to major transportation corridors such as highways and railways.**

7.10 TRANSPORTATION DEMAND MANAGEMENT

Traffic congestion cannot be eliminated, but it can be managed through Transportation Demand Management (TDM). TDM initiatives aim to maximize the efficiency of the transportation network by reducing single occupant vehicle trips during peak periods: When more trip demand is captured by walking/rolling, cycling and transit, there is less demand on the road network and for parking. This can be achieved through incentives (such as reduced transit fare/pass programs, encouraging ride sharing, permitting flexible work arrangements) or disincentives (such as varying parking fees or road tolls based on time of day). Outreach with employers to increase awareness of TDM programs and initiatives is a major part of the TDM program. Other TDM initiatives include public education campaigns supporting sustainable modes, promoting active and safe routes to school, and cycling safety training. TDM can also be considered during discretionary development approvals or when Traffic Impact Assessments are required.

M-28 The Municipality shall continue to identify and consider the Transportation Demand Management initiatives that discourage single occupant automobile travel during peak hours and encourage and support the use of sustainable modes of travel, with measures including but not limited to those outlined in the *Integrated Mobility Plan*.

7.11 VEHICLE PARKING AND LOADING

Parking affects housing costs, business viability, pedestrian access, local traffic patterns, land consumption, stormwater absorption, and the use of limited street space by multiple modes of travel. Parking may be onsite, off-site or shared.

On-street vehicle parking may compete with other complete streets objectives. Managing and pricing parking appropriately can help to meet community, safety, and convenience goals. When allocating on-street space at the curbside, there is an opportunity to prioritize accessible parking at preferred locations and reflect anticipated needs. In 2021, the Municipality developed Accessible Parking Guidelines, including guidance for on-street accessible parking.

On-site vehicle parking requires space that could otherwise be used for housing, active transportation or transit lanes, stormwater management, open space and tree canopy cover. Availability and cost of parking at the destination is found to influence the choice of whether to drive versus choosing other options.

Shared parking or “park-once-and-walk areas” can be utilized where parking is shared between businesses, enabling users to park only once to access several shops and services on foot. In rural centres, parking can be consolidated to support local businesses and Park & Ride or car-pooling.

Local deliveries often use curb space, whereas requiring on-site loading can ease demand for curbside space for other uses. Functional plans for strategic corridors can identify trade-offs and point to possible solutions.

M-29 The Municipality shall consider developing strategies to increase the efficiency and service of the existing parking system, reduce parking demand, and advance related mobility, accessibility, and sustainability objectives.

M-30 When amending or adopting secondary municipal planning strategies and land use by-laws, the Municipality shall consider:

- a) not requiring on-site parking in order to support development of additional housing and utilize land efficiently;**
- b) limiting the number of parking spaces, scale and location of paved surface areas provided as part of development;**
- c) requirements to locate surface parking and provide landscaping; and**
- d) permitting temporary uses on surface parking lots, such as modular housing, retail, community services, and events.**

CHAPTER 8: PROMOTING ECONOMIC PROSPERITY

CHAPTER 8: PROMOTING ECONOMIC PROSPERITY

8.1 INTRODUCTION

Halifax Regional Municipality is the economic hub of Atlantic Canada and, at the time of the writing of this Plan, one of Canada's fastest growing cities. This growth has economic benefits but also brings challenges. In 2022, Regional Council adopted *People. Planet. Prosperity. Halifax's Inclusive Economic Strategy 2022-27* – a plan that seeks to ensure Halifax's prosperity is inclusive and improves the well-being of all its residents.

In 2020, Regional Council endorsed the *Road to Economic Prosperity for African Nova Scotian Communities*. This is a strategy developed and owned by African Nova Scotian community to address systemic issues and improve economic and quality of life outcomes for African Nova Scotians. It aims to attract investment to historic African Nova Scotian communities, increase labour force attachment and entrepreneurship, and build community capacity.

This Plan reinforces the goals and actions of both these economic development strategies and highlights the Municipality's role in working together with partners to develop a prosperous economy that benefits all residents. The land use policies in this chapter support economic development opportunities by encouraging employment opportunities in mixed use centres, reducing barriers to small-scale commercial operations, and ensuring a sufficient supply of industrial lands. To maximize the social benefits of economic growth, this Plan also recognize the unique needs of historic African Nova Scotian communities and rural communities.

8.2 OBJECTIVES

- 1. Support economic development initiatives by working with institutions on land use, community integration and talent recruitment and retention.**
- 2. Remove land use barriers to small-scale commercial uses and home-based businesses.**
- 3. Protect industrial lands, work to ensure an adequate supply of industrial land by type and location, and protect harbour lands for marine industrial uses.**
- 4. Support rural economic development by protecting working landscapes from residential encroachment and land use conflicts.**
- 5. Take a community-first approach to tourism development and related initiatives for infrastructure, accommodations, arts, entertainment, parks, and events.**
- 6. Promote inclusive economic prosperity of major projects within communities, implementing the *African Nova Scotian Road to Economic Prosperity Plan*, and working with Mi'kmaq on the recommendations of the *Task Force on the Commemoration of Edward Cornwallis and***

the Recognition and Commemoration of Indigenous History and the Truth and Reconciliation Commission of Canada Calls to Action.

7. **Encourage the growth of the green economy and new employment sectors that support the transition to a low-carbon future.**

8.3 ECONOMIC STRATEGY

Since 2006, the Municipality has adopted a series of 5-year economic strategies. Each of these has focused on attracting and retaining talent and promoting the municipality as an attractive place to live, work and do business. *People. Planet. Prosperity. Halifax's Inclusive Economic Strategy 2022-27* continues to focus on talent retention and growth but includes quality of life as a key measure of success. It adopts three strategic goals:

- **Promote and Maximize Inclusive and Sustainable Growth** – increase the GDP to \$25 billion by 2027, make it easier to do business, and leverage opportunities for inclusive growth;
- **Attract, Retain, and Develop Talent** increase Halifax's population to 525,000 and its labour force to 310,000 by 2027, and, and build a skilled, diverse, and inclusive workforce; and
- **Make Halifax a Better Place to Live, Work, and Visit** – increase residents' well-being on a continuous basis, and improve quality of life.

EC-1 When preparing business plans and programs, the Municipality may consider the *People. Planet. Prosperity. Halifax's Inclusive Economic Strategy 2022-27*.

8.3.1 MAJOR INSTITUTIONAL PARTNERS

The municipality is home to several institutions that are major employers and provide a wide range of services and economic, social, and cultural benefits to the Municipality. The Municipality values the presence of major institutions located throughout the region, including post-secondary educational institutions, Nova Scotia Health Authority, Department of National Defence, Halifax Port Authority and Halifax International Airport Authority, together with their important contributions to research, employment, training, public health, industry, arts, and culture. These institutions cumulatively provide employment for tens of thousands of residents. Where these sectors cluster mutually supportive facilities, they create employment and research hubs that function as focal points for the entire Atlantic region. While the Municipality has limited jurisdiction over provincial and federal institutions, coordination of planning efforts can support mutually beneficial goals, and a high level of service.

EC-2 The Municipality recognizes the value of major institutions to the region's economic prosperity, including post-secondary educational institutions, Nova Scotia Health Authority, Department of National Defence, Halifax Port Authority, and Halifax International Airport Authority, and shall consider the location and needs of major institutional facilities when planning for municipal community facilities, infrastructure, transportation, and housing.

8.3.1.1 POST-SECONDARY INSTITUTIONS

Eight post-secondary educational institutions afford competitive advantages for the municipality by attracting domestic and international students, fostering innovation, generating employment, and offering a highly educated and well-trained workforce. Post-secondary institutions are integrated into various

neighbourhoods and a diverse student base contributes to vibrant communities. Post-secondary students and faculties have a strong relationship to housing and culture.

The Halifax Higher Education Partnership (HHEP) recognizes the many synergies between municipal, academic, and training programs that can be achieved through collaboration. Regular HHEP meetings bring together representatives from the post-secondary educational institutions, the Halifax Partnership, and the Municipality to explore issues and opportunities of mutual interest. Recent examples include retaining international student talent, research and development clusters, and an emphasis on innovation. Other working relationships have been established between individual universities or faculties and the private sector, the Province and the Municipality based on research needs and interests.

EC-3 The Municipality shall work with post-secondary institutions on talent attraction and retention, housing, and campus and neighbourhood planning and integration.

8.3.1.2 DEPARTMENT OF NATIONAL DEFENCE

Canadian Forces Base (CFB) Halifax is home to Canada's East Coast Navy and is Canada's largest military base by population. Along with CFB Shearwater, the Base employs approximately 11,000 military and civilian employees, plus a further 4,500 reservists. The Department of National Defence (DND) operates numerous facilities located throughout the municipality and is a significant contributor to local businesses and non-profit organizations.

There has been increasing development pressure in the area surrounding CFB Shearwater, which historically was remote enough for its aircraft operations to have minimal noise impact on residents. As development in the area intensifies, noise complaints are increasing. DND has altered operating hours and base locations used for aircraft operations to address these concerns, but further feasible changes to base operations are limited.

EC-4 When considering land use regulations in the vicinity of CFB Shearwater, the Municipality shall consult with the Department of National Defence to ensure proposed regulations consider the Base and related facilities, and shall consider noise mitigation efforts where additional residential development is proposed.

8.3.1.3 HALIFAX STANFIELD INTERNATIONAL AIRPORT

Halifax Stanfield International Airport is the primary international gateway airport for Atlantic Canada and is located in one of the region's largest transportation centres. Passenger traffic and air cargo are growing consistently and the Halifax International Airport Authority (HIAA), which operates the airport, has long-term expansion plans for the airfield, terminal, cargo, and commercial areas. To achieve these plans, HIAA must consider appropriate infrastructure, servicing, and land use guidelines for development.

As a major economic and employment generator for the municipality, ongoing communication between HIAA and the Municipality regarding future land use plans will help ensure adequate infrastructure is in place to support airport expansion, and compatible land uses are in place. To mitigate noise impacts, regulations to restrict residential development near the airport have been adopted.

EC-5 When considering land use regulations in the vicinity of the Halifax Stanfield International Airport, the Municipality shall consult with the Halifax International Airport Authority to

ensure proposed regulations consider the airport and related facilities and any future expansion plans, including needs for municipal infrastructure and requirements for noise mitigation.

8.3.1.4 HALIFAX PORT AUTHORITY

The Halifax Port Authority is a major landowner along the municipality's harbour lands. The Port oversees commercial cargo shipping and cruise operations – both significant contributors to the municipality's economy. It also manages the Halifax Seaport, an arts and cultural district with cruise terminals, retailers, a national museum, a farmers' market, and Nova Scotia College of Art and Design. The Port is planning expansion and improvement projects over the coming years as warranted by projected increases in both passenger and freight traffic.

EC-6 The Municipality shall collaborate with the Halifax Port Authority to ensure proposed municipal infrastructure and land use regulations consider impacts on existing port facilities and any potential expansion.

8.4 MIXED USE COMMUNITIES AND MIXED EMPLOYMENT CENTRES

This Plan encourages the development of complete communities – walkable areas that enable people of all ages, abilities, and backgrounds to live, work, shop and play near to one another, with different options to get around. Clustering development and services in strategic locations supports the efficient use of infrastructure, reduces land consumption, and fosters vibrant, community-oriented neighbourhoods.

Traditionally, land use policy has separated residential and commercial uses through municipal zoning and corporate siting formulas – a pattern that produces isolated commercial hubs and often forces people to travel outside of their residential communities to get goods and services. Zoning similarly limits the locations of some services, such as medical clinics and daycares to mixed use, commercial, and institutional areas (though there are provisions for home-based businesses to exist in residential areas with the operator living on site). More inclusive zoning that permits compatible services and commercial activity to complement nearby residential uses is key to enabling complete communities. Encouraging less separation of uses and more mixed-use communities can lessen the burden on municipal infrastructure while reducing the amount of time residents need to spend commuting.

EC-7 As part of the Community Planning programs, the Municipality shall consider new or amended secondary municipal planning strategies and land use by-laws to permit, at a scale appropriate to the surrounding context, services such as daycares, medical clinics, professional offices, small-scale commercial uses and home-based businesses in primarily residential areas.

EC-8 The Municipality shall monitor employment and labour force trends and demand for commercial space to inform planning for mixed use, transit-oriented communities, and rural service centres.

8.5 INDUSTRIAL EMPLOYMENT LANDS

Industrial lands are a critical part of the Municipality's economy. The industrial sector offers high quality employment opportunities and has spin-off growth benefits for retail and residential development. Industrial lands generally have high assessed values which contribute to the municipal tax base. Through development of its industrial employment land base, the Municipality will be better positioned to build more balanced, complete, and competitive communities. For Halifax to continue to be competitive and attractive to a broad range of industrial and commercial sectors, the Municipality must ensure that it has a sufficient supply and market choice of serviced industrial employment lands.

The competitiveness of Halifax's export-based economy is partly determined by the availability and quality of suitable, vacant, serviced (and serviceable) industrial employment lands that is available for purchase and absorption. The Municipality's Business and Industrial Parks program manages six business and industrial parks including Aerotech Business Park, Bayers Lake Business Park, Burnside Park (including Atlantic Gateway-Halifax Logistics Park), City of Lakes Business Park, and Ragged Lake Business Park. The *Industrial Employment Lands Strategy* (2020) outlined the growing demand for industrial land throughout the municipality and made recommendations for the Municipality to ensure sufficient supply. It found at that time that development within the municipality's Industrial Parks had accounted for 44% of the previous five years' non-residential development throughout the municipality, expressed in building gross floor area. At that time, the municipality's industrial employment lands were anticipated to accommodate 36% of the total employment growth over the 2019 to 2039 forecast period, totaling approximately 17,500 jobs. This study was undertaken just prior to the pandemic and a large upswing in economic development and population growth in the municipality. Therefore, updated forecasts and targets may be needed to provide an adequate supply of industrial employment lands. The policies of this Plan are intended to protect and promote sites suitable for industrial uses.

EC-9 The Municipality shall consider the recommendations of the 2020 *Industrial Employment Lands Strategy*, as may be amended from time to time, as guidance for:

- a) amendments to this Plan, secondary municipal planning strategies, and industrial land use policies and regulations;**
- b) planning for long-term industrial employment land growth in alignment with economic targets; and**
- c) governance and management of municipal industrial parks.**

EC-10 A Business/Industrial Sub-Designation shall be established on the Regional Land Use Structure (Map 1) and applied to existing business/industrial parks and proposed industrial expansion areas. The intent of this Sub-Designation is to prioritize industrial lands for industrial uses, while allowing for commercial uses that support businesses and employees.

EC-11 Within the Business/Industrial Sub-Designation, the Municipality may amend applicable secondary municipal planning strategies and land use by-laws to enable heavy industrial, light industrial, commercial industrial, or other employment-supportive uses.

EC-12 When identifying new areas that may be suitable for industrial use, the Municipality shall consider:

- a) the existing industrial land supply and anticipated market demand for industrial lands within the Business/Industrial Sub-Designation;
- b) prioritizing areas close to transportation links such as 100-series highways, rail lines, airports, and port access;
- c) avoiding areas with significant environmental sensitivity or at-risk for climate hazards by any study resulting from policies of this Plan;
- d) avoiding sites of cultural or historical importance as identified through consultation with communities;
- e) impacts on ecological connectivity, ecosystem services, scenic landscapes and views, and opportunities for open space planning
- f) other priority, strategic, and community plans; and,
- g) the incorporation of parks.

EC-13 Where lands have been identified for future serviced industrial land expansion, these lands shall undertake a comprehensive planning process aligned with Policies HC-11 to HC-14.

8.5.1 INDUSTRIAL EMPLOYMENT LAND USE FRAMEWORK

The Municipality's community plans and land use by-laws have regulated industrial lands across the region in varying ways. Over time, industrial land use zoning will be modernized and streamlined through the Community Planning programs, or through area-specific projects which are strategically important for the Municipality's Business and Industrial Parks program. A consistent industrial employment land use framework is established in this Plan to guide future amendments to community plans and land use by-laws.

8.5.1.1 HEAVY INDUSTRIAL

Heavy industrial areas accommodate industries that produce large, complex products which are often used in further manufacturing, rather than sold to consumers directly. It involves the manufacture and/or processing of products from raw materials, extraction of raw materials, and use or storage of flammable, explosive or hazardous products. Heavy industrial uses generally include noise, smoke, dust, or fumes that can be obnoxious to adjacent uses. Such areas require large lots with sufficient setbacks and buffers to minimize nuisance to neighbouring land uses. Products manufactured in heavy industrial settings tend to be transported and therefore require easy access to major transportation routes such as highways, rail, ports, and airports.

EC-14 When amending or adopting secondary municipal planning strategies and land use by-laws, the Municipality shall:

- a) consider appropriate locations for heavy industrial uses, including manufacturing, processing, abattoirs, construction, and demolition (C&D) uses, extraction of raw materials and production and use of hazardous materials;

- b) not permit residential uses except for caretaker units in areas which permit heavy industrial uses; and**
- c) consider directing heavy industrial uses to locate on adequately large lots, set back and buffered where existing less intensive uses are present.**

8.5.1.2 LIGHT INDUSTRIAL

Light industrial uses involve the processing, fabrication, assembly, treatment, or packaging of products from previously prepared materials, finished products or parts. Most light industry products are produced directly for consumers rather than for other industries. Research facilities and industrial printing are included in light industrial uses.

Light industrial facilities normally have less environmental impact than heavy industry and do not include hazardous and flammable products to the same degree. They may still generate noise, dust, and fumes and may require setbacks and buffers to protect adjacent land uses from nuisance.

EC-15 When amending or adopting secondary municipal planning strategies and land use by-laws, the Municipality shall consider appropriate locations for light industrial uses.

8.5.1.3 COMMERCIAL INDUSTRIAL

Mixed commercial-industrial areas are intended to accommodate light industrial uses and a range of commercial uses that support industries, workers, and customers. Commercial-industrial areas may be used as buffers from streets and from zones that support less intensive uses. Limiting retail and office uses and sizes maximizes the amount of land available for industrial and employment uses.

EC-16 Where heavy and light industrial uses are permitted, when amending or adopting secondary municipal planning strategies and land use by-laws, the Municipality shall consider:

- a) permitting a range of commercial uses that support industries, workers, and customers;**
- b) directing non-industrial uses to major streets and highway interchanges to facilitate employee and customer access and to serve as a transitional use to buffer to more intensive industrial uses; and**
- c) establishing a maximum size of standalone retail uses.**

8.5.1.4 CANNABIS-RELATED LAND USES

The Government of Canada legalized access to cannabis for recreational use in 2018. This Plan provides a consistent regulatory framework to accommodate cannabis-related land uses within the region.

The Municipality recognizes the legitimacy of cannabis production and processing operations and the economic development opportunities offered by this industry. Cannabis production facilities can be accommodated in industrial zones. In rural mixed use and resource zones where industrial or intensive agricultural uses are permitted, standards to adequately separate cannabis production facilities from

residential and other sensitive uses are necessary, and some areas may require facilities to be limited in size.

The federal *Cannabis Act* enables provinces and territories to oversee the distribution and sale of cannabis. Under the provincial *Cannabis Control Act*, the Nova Scotia Liquor Corporation (NSLC) is the only authorized seller of cannabis and cannabis products. No provincial legislation regarding cannabis consumption lounges or venues has been proposed. Until such time that the provincial government brings forward legislation permitting private retail sales of cannabis or cannabis consumption within indoor lounges or venues, these uses will not be permitted within the municipality. These restrictions are intended to ensure that the Municipality has the opportunity to undertake a thorough planning process, including public and key partner consultations, prior to any private cannabis retail sales or lounges opening in communities.

EC-17 The Municipality shall seek to ensure that municipal land use regulations for cannabis-related land uses are consistent with federal and provincial legislation. Where federal and provincial regulations have been amended, the Municipality may amend land use by-laws to remain consistent with these changes.

EC-18 The Municipality shall, through the applicable land use by-laws, permit cannabis production facilities within appropriate industrial zones, provided adequate separation distances to residential and other sensitive uses are established.

EC-19 The Municipality may, through the applicable land use by-laws, permit cannabis production facilities within mixed use and resource zones which also permit industrial or intensive agricultural uses, provided appropriate controls are placed on the size and scale of such facilities and adequate separation distances to residential and other sensitive uses are established.

EC-20 Where cannabis production facilities are permitted by a land use by-law, but zone requirements limit the maximum gross floor area of such a facility, the Municipality may consider larger facilities by development agreement. In considering approval of such development agreements, the Municipality shall consider the following:

a) other than the maximum gross floor area of the facility, whether the proposal meets all provisions of the applicable land use by-law; and

b) Policy IM-9 of this Plan.

EC-21 The Municipality shall, through the applicable land use by-laws, prohibit the private retail sale of cannabis and cannabis products and commercial venues for the consumption of cannabis and cannabis products, unless it is operated by the NSLC.

8.5.2 LONG-TERM INDUSTRIAL LAND PROTECTION

The *2020 Industrial Employment Lands Strategy* emphasized the need for industrial land to be protected from residential, commercial, and institutional encroachment and to ensure adequate employment lands available for future growth. As land prices increase, industrial lands can face pressure to convert to non-industrial uses, such as large-format retail, office, commercial recreation, and residential developments. Policy is needed to protect industrial areas from conversion and fragmentation. There may be

circumstances where conversions to non-employment uses are justified but require a systematic approach to evaluate conversion requests.

Demand for industrial land is high and is projected to remain so for the long-term. While the municipality is geographically large, there is a limited supply of industrial land, particularly in serviced areas. One potential response is intensification of industrial lands, by developing less restrictive land use regulations and permitting mixing of industrial with other complementary employment uses. Industrial intensification may allow for more efficient use of land and infrastructure, reduced sprawl, and a better-connected transportation system.

EC-22 The Municipality may consider conversion of industrial and employment lands within the Business/Industrial Sub-Designation to non-industrial and employment uses through a comprehensive review of planning documents that considers the following criteria:

- a) whether the land is required for the Municipality to maintain a sufficient supply of land for industrial and employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the employment area and conversion will not introduce incompatible land uses to the surrounding employment area;
- c) existing or planned infrastructure, parks, community facilities and other public service facilities are available to accommodate the proposed uses, including public transit access;
- d) site(s) are mixed use blocks and located along the edges of employment areas, or the site is an irregular or island parcel unable to support industrial uses;
- e) conversion of the site(s) will not compromise any other planning policy objectives of the Municipality, including planned commercial functions;
- f) site constraints such as size, configuration, or physical conditions (e.g. grade, natural heritage, environmental features) that may make it unfeasible for industrial employment uses; and
- g) that the conversion proposal can demonstrate that a similar level of employment density (e.g. jobs per hectare) would be maintained.

EC-23 Through the Community Planning programs, it shall be the intent of the Municipality to identify sites appropriate for intensive marine-dependent industrial uses and to consider:

- a) applying an appropriate designation and zone that will ensure marine-dependent industrial uses continue to be permitted;
- b) whether provisions are needed in applicable land use by-laws to mitigate conflicts between intensive marine-dependent uses with less intensive uses, such as a residential uses.

EC-24 The Municipality shall consider industrial intensification strategies to inform potential land use regulation changes such as building density, height limits, setbacks and buffers,

parking requirements, and mixing of industrial with other complementary employment uses where contextually appropriate.

8.5.3 HARBOUR INDUSTRIAL LANDS

The Halifax Harbour plays a strategically important economic role to the Municipality and the Province of Nova Scotia for shipping, ship building, naval operations, and other port-related industries. The Municipality seeks to ensure that sufficient lands are retained for these purposes and that the viability of harbour-related industrial activity is not compromised by incompatible uses developed nearby.

EC-25 The Halifax Harbour Sub-Designation shall be established on the Regional Land Use Structure (Map 1) and applied from Eastern Passage to Purcells Cove, including the Northwest Arm and Bedford Basin, and extend inland generally to the first major roadway paralleling the Harbour. The Sub-Designation's primary intent is to identify lands suitable for marine-industrial uses; however, the designation also supports a range of development opportunities such as transportation uses and facilities including ferries, recreational uses, residential uses, institutional uses, and matters related to environmental improvement and protection.

EC-26 Within the Halifax Harbour Sub-Designation, the Municipality shall consider, through applicable land use by-laws, permitting harbour-related industrial uses on sites that have been identified as appropriately situated for these uses.

8.5.3.1 WATER LOTS

While waterfront property ownership typically stops at the shoreline, a number of lots, known as Pre-Confederation water lots, exist around these waterbodies that were created prior to Confederation in 1867. The jurisdiction to infill Pre-Confederation water lots as navigable waters fall under the Federal Government through Transport Canada and Fisheries and Oceans Canada (DFO) with the mandates to ensure infilling does not impede navigation or impact fish and fish habitat, respectively. Should the infilling be granted by the higher order authority, the lots are then subject to the Municipality's land use policies and regulations. The Municipality will work cooperatively with the Federal Government with respect to infilling approvals to ensure compliance with infilling activities along the Northwest Arm and regulate building activity.

The Municipality will encourage higher orders of government to only consider harbour infilling for the purpose of marine related purposes, such as wharfs or marinas, or to provide public recreational areas or public access to the waterfront. Any infill that could have negative environmental impact is discouraged.

Sulfide-bearing material (SBM), commonly known as pyritic slate is a frequent by-product of development in the municipality. Once excavated and exposed to air and water, pyritic slate can generate acidic runoff that is a known risk to watersheds and associated ecosystems. Therefore, its safe disposal is a significant issue. One of the most environmentally acceptable practices is to submerge it in salt water which mitigates acid generation and also creates infilled land around the shoreline.

The Halifax Port Authority operates the only large-scale commercial SBM infill site in the municipality, but privately-owned pre-Confederation water lots may also apply to host SBM infill. Both Federal and Provincial regulations apply to SBM disposal. The Municipality has no direct control over permitting or regulating the

disposal of SBM, but it can influence infill processes through its authority to regulate land use and nuisances (such as truck routes and noise).

The Halifax Port Authority has expressed concern about the longer-term availability of SBM infill capacity and the need to plan for additional future capacity. The siting of any future commercial SBM infill facilities would benefit from a collaborative approach from all levels of government and interest holders.

EC-27 The Municipality may consider amending secondary municipal planning strategies and land use by-laws to discourage or regulate infilling of pre-Confederation water lots.

EC-28 The Municipality shall encourage a collaborative approach to the siting and approval of sulfide-bearing material disposal sites that considers impacts on environment, adjacent neighbourhoods, and uses and regulation of infilled sites. This approach shall consider input from all levels of government and interest holders.

8.5.3.2 HALIFAX OCEAN SUPERCLUSTER

Halifax is Canada's largest centre for ocean research. In 2023, ocean technology industry accounted for about one-third of Nova Scotian business research and development, and about 13.5% of Nova Scotia's GDP.¹⁶ The Government of Canada has established a Federal Ocean Supercluster program in the municipality, bringing together industry, research, and government to create and collaborate on projects that grow Canada's ocean economy.

EC-29 The Municipality shall work with government and industry partners to identify available harbour-front land to support the needs of growing ocean-related industries and the Federal Ocean Super Cluster program.

8.6 RURAL EMPLOYMENT LANDS

The municipality's extensive rural lands provide open space and support natural resource industries. Rural areas have a larger share of businesses in industrial, resource and goods-producing sectors than other areas of the municipality, including agricultural and natural resource lands which support the municipality's economy. The *Halifax Green Network Plan* identifies these areas as the municipality's working landscapes – places that support regional economic sectors such as resource extraction, agriculture, tourism, construction, and manufacturing. These areas are important for the regional economy.

EC-30 As part of the Rural Community Planning program, the Municipality shall consider establishing policies under applicable secondary municipal planning strategies and land use by-laws to support primary resource industries and working landscapes by:

- a) identifying important areas for resource extraction, agriculture, tourism, and other rural industries; and**
- b) considering measures to mitigate potential land use conflicts with industries.**

¹⁶ [Ocean Technology Snapshot](#), Halifax Partnership, 2023.

8.7 TOURISM

Tourism is a major economic sector for Halifax. Nearly 15,000 residents work in accommodation and food service industries, and there is a total of over 23,000 tourism-related jobs in the municipality. Prior to the Covid-19 pandemic, there were 5.3 million overnight stays per year and \$1.3 billion in spending by visitors to the municipality¹⁷. The sector is now recovering with the number of visitors arriving by air and land rebounding, hotel occupancy increasing, and cruise ship arrivals on par with 2019 levels. More than half of Nova Scotia's tourism revenues are generated in the municipality.

The Municipality itself is a major tourism interest holder. The Municipality owns Scotiabank Centre and appoints half of the board members of the Halifax Convention Centre Limited that operates the Halifax Convention Centre and provides funding to large-scale events and community organizations. The Municipality supports Discover Halifax, the regional destination marketing and management organization. In 2021, Regional Council endorsed the *Integrated Tourism Master Plan*, which aims to support and grow the local tourism industry, shape economic growth, and build better communities for visitors and residents. The plan involves a community-first approach, promoting Halifax as a destination of choice for leisure and business travelers, and focusing on growth to benefit everyone, both visitors and residents. Community first means that the benefits of tourism are felt by the local community and that tourism infrastructure is developed with both visitors and residents in mind. Access to nature is important to quality of life in the municipality that both benefits residents and attracts visitors.

EC-31 The Municipality shall work with Discover Halifax to implement the goals of the *Integrated Tourism Master Plan* by:

- a) taking a community-first approach that enriches the lives of both residents and visitors, and recognizes the social and environmental impacts of tourism on local communities;
- b) considering changes to applicable secondary municipal planning strategies and land use by-laws to support Designated Arts Districts and Entertainment Districts in appropriate locations;
- c) working with key partners to identify infrastructure needs that would support increased tourism (such as outdoor performance spaces, waterfront park spaces, transportation options, broadband and cellular coverage, and washrooms);
- d) working with community and stakeholders to increase the tourism focus for the Dartmouth Waterfront; and
- e) considering opportunities to support the Wild Islands Tourism Advancement Partnership to implement the 100 Wild Islands Plan through infrastructure investments, potential property sales or transfers, and funding and in-kind support.

EC-32 The Municipality shall consider support for Mi'kmaq, Indigenous, and African Nova Scotian businesses and initiatives that demonstrate a connection to history and culture, including:

¹⁷ Discover Halifax, 2019 Annual Report

- a) potential property transfer opportunities;
- b) transportation connections to cultural and historic sites; and
- c) community-identified initiatives to increase tourism and learning.

8.7.1 RURAL TOURISM

Tourism is a major economic driver in rural areas of the municipality. Cultural landscapes, recreational spaces, trails, and scenic byways create attractive tourism destinations, and support eco-tourism. Tourism uses are considered working landscapes in the *Halifax Green Network Plan* given the economic opportunities they provide to rural communities.

The scenic landscapes and attractions in the municipality's rural areas can be negatively impacted by poorly designed and screened residential, industrial, or commercial developments. Where scenic routes, trails and eco-tourism sites are identified, measures such as buffers and screening may be considered to strengthen rural tourism and allow more eco-tourism sites to flourish. Underdeveloped tourism infrastructure, such as lodging, restaurants, recreational experiences, washrooms, and communication linkages (cellular and broadband), can also hinder efforts to draw visitors to otherwise highly marketable scenic landscapes. Encouraging small-scale commercial operations that meet visitors' needs can support tourism and local economic growth while not detracting from the landscape.

Beaches and coastal access are attractions for municipal residents and visitors alike. Only 14 percent of Nova Scotia's coastline is publicly owned, and most of the municipality's coastal lands are privately owned. Protecting existing access on public land and considering opportunities to increase accessible options to the coastline on publicly owned land will benefit both residents and visitors.

EC-33 The Municipality may consider amendments to applicable secondary municipal planning strategies and land use by-laws to allow for increased small-scale commercial opportunities, home-based businesses in rural areas that support and enhance tourism. Measures to consider include removing land use restrictions on small-scale accommodations, tour operations, commercial recreation, food establishments, and retail, and establishing design requirements to encourage operations to complement the landscape.

EC-34 Through the Rural Community Planning program, the Municipality shall consider requiring, through applicable secondary municipal planning strategies and land use by-laws, screening of rural industrial developments from scenic roads and trails.

EC-35 The Municipality shall consider opportunities to facilitate improved public access to the coastline, such as:

- a) acquiring coastal lands where possible through the parkland dedication process when subdivisions are proposed, as set out in Policy IM-49 and the *Regional Subdivision By-Law*;
- b) identifying and removing barriers on municipal land to access the coastline, where appropriate;

- c) considering the need for supportive municipal infrastructure such as transportation options to coastal areas and on-site accessibility features at municipal beaches or parks; and
- d) partnering with the Province and Federal governments to maintain and expand current access over public lands and improve accessibility to publicly-owned parks and other coastal lands, where appropriate.

8.8 INCLUSIVE ECONOMIC PROSPERITY

While the municipality is growing, groups such as African Nova Scotians (ANS), Indigenous peoples, rural Halifax communities, those in underrepresented groups, and those experiencing poverty have not attained the same levels of growth and prosperity as others. *People. Planet. Prosperity. Halifax's Inclusive Economic Strategy 2022-27* has established well-being and quality of life as a measure of successful economic growth. This strategy has informed the development of this Plan.

Land use policies and tools can help spread the impact of economic benefits throughout communities more broadly. Some of these are outlined in the *Road to Economic Prosperity for African Nova Scotian Communities* – a collaborative plan developed and owned by the African Nova Scotian community to advance economic development and community priorities, endorsed by Regional Council in 2020. The *Truth and Reconciliation Commission's Calls to Action* and the recommendations of the *Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History* include opportunities to improve commemorations, consultation, and relations with the Mi'kmaw community, as well as land use implications.

Community Benefit Agreements (CBAs) are tools used in some other jurisdictions to establish formal agreements setting out specific benefits a community will receive in exchange for being impacted by a development project. CBAs are typically individual agreements specific to particular projects, so that the benefits included in each agreement can be different and shaped to each community's unique circumstances. Common benefits include training and employment opportunities, procurement from local businesses during construction, and spaces, uses or features in the project itself that can benefit the community. The *HRM Charter* does not presently enable formal CBAs; however, the Municipality will pursue opportunities to achieve similar objectives through existing tools.

EC-36 The Municipality may study and seek legislative authority for tools that could maximize economic and social benefits of major initiatives within communities, such as community benefit agreements, community action planning, community land trusts and community-led planning or projects.

EC-37 When plans, policies and by-laws are reviewed, the Municipality shall consider the *Truth and Reconciliation Commission's Calls to Action*, the recommendations from the *Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History*, and the *Road to Economic Prosperity for African Nova Scotian Communities*.

8.8.1 HISTORICAL AFRICAN NOVA SCOTIAN COMMUNITY ACTION PLANNING

The Municipality is taking steps to create more inclusive economic growth and have communities more actively involved in the planning and development process. Both the *Road to Economic Prosperity for African Nova Scotian Communities* and *People. Planet. Prosperity: Halifax's Inclusive Economic Strategy 2022-27* aim to consider and, where possible, incorporate community benefits in the development approval process. This can be achieved through the use of community action plans – a process for residents to identify strengths and opportunities, create a vision for their community's future, and develop an action plan to achieve it.

The municipality is home to a number of historic African Nova Scotian communities. Beechville, Lucasville, Upper Hammonds Plains, Lake Loon, Cherry Brook, North Preston, and East Preston were all established in the late 18th and early 19th centuries by land grants given to families of African descent. Many of these land grants were “tickets of location” and/or “licenses of occupations” for land rather than clear legal titles and acquiring legal title to these lands for African Nova Scotian families is a historical and ongoing issue. Many African Nova Scotians have strong historical connections to their communities and lands, and view community land as sacred. These are some of the oldest and largest Black communities in Canada.

African Nova Scotian communities throughout the Municipality are particularly vulnerable to gentrification. Unclear title to community-owned land and outdated community planning policies have affected historic community members and their experiences within their communities. The Municipality's goal is to undertake community action planning with these historic African Nova Scotian areas, to allow residents to take a leading role in the evolution of their community with Municipal support.

The Road to Economic Prosperity for African Nova Scotian Communities contains actions to support African Nova Scotian (ANS) communities through Community Action Planning. The concept and implementation of ANS Action Planning originated through the work of the Beechville community. *The Road to Economic Prosperity Action Plan* includes Action 13 to “create a framework to identify and address legislation, policy, and land use by-laws that impact ANS communities, and establish mechanisms for community input on required changes,” and Action 16 to “review the naming, boundaries, and zoning of historic ANS communities, and zoning affecting ANS communities.”

The Municipality has created an African Nova Scotian Community Action Planning program, which will allow ANS communities to develop their own action plans with municipal support. This work will enable ANS communities to identify community needs and priorities, establish a vision, and create action plans. The Municipality will then support these community actions by considering amendments to applicable community plans and land use by-laws consistent with the *HRM Charter*, or through other actions under the Municipality's jurisdiction. The Municipality can develop new planning policies and land use regulations for ANS communities that are responsive to community needs and priorities. Planning strategy reviews can be iterative, particularly if a community has identified a need to address and prioritize an urgent planning issue before comprehensive community-wide policy can be developed. Where a community's actions are under the jurisdiction of other orders of government, the Municipality can support the community by investigating the issue and advocating for change. The Municipality may identify-resource needs to support the ANS Community Action Planning program through the annual budget and business planning process.

EC-38 When preparing business plans and programs, the Municipality may consider the *Road to Economic Prosperity for African Nova Scotians*.

EC-39 The Municipality shall support the work of African Nova Scotian Communities to create and consider measures to implement Community Action Plans, by:

- a) supporting communities to identify community needs and priorities, establish a vision, and develop a series of actions;**
- b) investigating and resolving identified community actions that are within the Municipality's jurisdiction, wherever possible;**
- c) investigating and advocating for identified community actions that are within the jurisdiction of other orders of government, wherever possible;**
- d) undertaking a comprehensive review of land use planning policy and regulations applicable to the community, and considering amending or adopting new secondary municipal planning strategies and land use by-laws;**
- e) considering resource needs for African Nova Scotian Community Action Planning, and for Community Actions Plans through the annual budget and business planning process.**

8.9 GREEN ECONOMY

HalifACT is the Municipality's climate change action plan – a transformational plan adopted in response to Regional Council's declaration of a climate emergency. It commits to a deep reduction in greenhouse gas emissions and strengthening resilience to climate impacts. Achieving this requires an operational shift in many sectors, particularly transportation, agriculture, construction, and development. *HalifACT* initiatives support projects such as purchasing electric vehicles and buses, converting municipal buildings to net-zero, and infrastructure resiliency projects. Municipal funding can also leverage climate action funding from the private sector, federal and provincial governments, as a collaborative approach is necessary for the plan to succeed.

Decarbonizing the building, transportation and energy sectors requires investment, but is also a major economic opportunity. These investments will generate employment and stimulate new and existing businesses. Investments in building retrofits, renewable energy, energy storage, transit systems and active transportation aim to stimulate economic activity and grow new employment sectors.

EC-40 The Municipality shall support the growth of the low carbon economy by working with community partners and interest holders to develop workforce and business development programs. Such programs may include skills and trade development, industrial process efficiencies, and support for business initiatives that reduce emissions and strengthen climate resilience.

CHAPTER 9: CELEBRATING CULTURE, ARTS AND HERITAGE

CHAPTER 9: CELEBRATING CULTURE, ARTS AND HERITAGE

9.1 INTRODUCTION

Culture, arts, and heritage are the tangible and intangible features that define the municipality and its people and make us unique. Culture relates to the specific practices, traditions, art, and cultural expressions that exist throughout the region. Heritage is the physical evidence of the past – the objects, buildings, and landscapes that tell the story of how the municipality evolved.

In 2024, Regional Council endorsed the direction contained in *Sharing Our Stories: The Halifax Regional Municipality's Culture and Heritage Priorities Plan (Sharing Our Stories)* as a framework for amending the Regional Plan, and amending or adopting new community plans, as well as other municipal policies and programs. *Sharing Our Stories* provides strategic direction for the Municipality's policies and investments on culture and heritage for the next ten years, and its objectives and actions are reflected in the policies found in this chapter. *Sharing Our Stories* aims to increase access and exposure to diverse cultures, as well as preserve and celebrate a wide range of cultural resources.

The municipality contains numerous historic buildings, places, and landscapes from different eras and cultures that all create a unique sense of place. This Plan establishes policies that aim to preserve significant cultural and heritage assets while balancing the need to accommodate growth. It also addresses the need to consider environmental impacts of demolition and benefits of adaptive reuse for existing buildings.

9.2 OBJECTIVES

- 1. Develop policies, programs, and regulations to protect and enhance a broad diversity and range of cultural, artistic and heritage resources.**
- 2. Foster partnerships and increase commemoration and representation of Mi'kmaq and African Nova Scotian communities.**
- 3. Support community-led and collaborative processes to recognize and celebrate heritage, culture, and art.**
- 4. Establish updated criteria for heritage resource registration and broaden consideration to include cultural landscapes and scenic views.**
- 5. Encourage and incentivize maintaining registered heritage properties and properties located within a heritage conservation district and provide opportunities for their creative adaptive reuse.**

9.3 SHARING OUR STORIES

Sharing Our Stories creates a new strategic direction for culture and heritage. It is committed to reflecting all the diverse cultures, values, and histories in the region, and enhancing working relationships with the public and rightsholders to achieve shared outcomes and projects. Strong partnerships with communities will be needed to effectively implement the plan's vision. *Sharing Our Stories* was developed following a community-led process to allow the plan to be shaped by the region's people and diverse cultural groups, and focused special attention on communities whose unique interests or views have often not been addressed through previous, more conventional engagement processes.

Sharing Our Stories connects a number of existing Council initiatives, including the *Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History*; *Road to Economic Prosperity for African Nova Scotian Communities*; *Diversity and Inclusion Framework*; *French Language Services Strategy*; *Accessibility and Inclusion Strategy*; and the Social Value Framework in the Procurement Administrative Order. The four pillars of the Plan are:

- **Stewardship** – taking care of cultural resources and maintaining heritage, archaeological and intangible cultural assets.
- **Connection** – recognizing and valuing the unique, yet often underrepresented or untold histories within our region; and celebrating the narratives of struggle, survival, resilience, and perseverance to actively reflect underrepresented forms of culture.
- **Celebration** – expressing culture and heritage in a meaningful way, and reflecting people of all ages, abilities, geographies, religions, and cultural heritage.
- **Access** – providing opportunities for everyone to participate by reducing barriers, promoting participation in existing programs and events, and creating equitable access to resources.

Sharing Our Stories identifies projects, actions and timelines to guide internal operations, prioritize the work of the municipality, support creative industries and ensure that that region's unique stories, art, cultures and histories are preserved and celebrated.

CH-1 When preparing business plans and programs, the Municipality may consider the *Sharing Our Stories: The Halifax Regional Municipality's Culture and Heritage Priorities Plan*.

9.3.1 MI'KMAQ AND INDIGENOUS RECONCILIATION

In 2015, Regional Council made a Statement of Reconciliation to First Nations communities. This Statement recognizes the significance of the undertaking of the Truth and Reconciliation Commission (TRC) with the release of the TRC's final report and its recommendations, and the deep and lasting traumatic impact that Canada's Indian Residential Schools had on individuals, their families, and communities both Aboriginal and non-Aboriginal. This Statement commits to learning from the lessons of the TRC.

A friendship accord is a formal agreement that publicly declares the commitment of two or more governments and/or communities to work together in a long-term relationship based on mutual understanding and respect. While not legally binding, it expresses shared principles and an agreed-upon framework for collaboration. Friendship accords have been used in the Indigenous-municipal context across Canada as a means of advancing reconciliation.

In 2017, a Special Advisory Committee on Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History was created. An equal partnership between the Halifax Regional Municipality and the Assembly of Nova Scotia Mi'kmaw Chiefs, the committee had a mandate to provide advice to Regional Council regarding the commemoration of Edward Cornwallis on municipal assets and on the recognition and commemoration of Indigenous history in the lands now known as the Halifax Regional Municipality. After a public consultation process, in 2020 the committee provided 20 recommendations to Regional Council, all of which were approved.

Municipal planning and programming presents an opportunity to embrace *Etuaptmumk* or Two-Eyed Seeing, seeing from one eye with the strengths of Indigenous knowledges and ways of knowing, and from the other eye with the strengths of Western knowledges and ways of knowing. In doing so, we learn to use both perspectives for the benefit of all.¹⁸

CH-2 The Municipality shall explore establishing Friendship Accords with Mi'kmaq communities and consider additional opportunities to enhance communication, areas for collaboration, and outline the evolving government-to-government relationship.

CH-3 The Municipality shall consider increasing commemoration and representation of Mi'kmaq and Indigenous communities by:

- a) using Mi'kmaq and Indigenous names, terms, and significant personages when naming municipal assets;**
- b) commemorating and integrating Mi'kmaq and Indigenous history and perspectives, including Two-Eyed Seeing, in municipal planning and programming initiatives; and**
- c) reviewing the evaluation criteria for heritage sites and properties to include more emphasis on intangible and cultural significance, with increased focus on under-represented groups including Mi'kmaq and First Nations.**

9.3.2 AFRICAN NOVA SCOTIAN CULTURE AND HERITAGE

In 2020, Regional Council endorsed the *Road to Economic Prosperity for African Nova Scotian Communities* – a collaborative plan developed and owned by the African Nova Scotian community and increased recognition of historic African Nova Scotian (ANS) sites and communities. Some of this work is already underway, with Regional Council's approval to undertake African Nova Scotian Community Action Planning as described in Chapter 8.

The Municipality has also worked with ANS communities in the Preston Township to support the adaptive reuse of the former Nova Scotia Home for Coloured Children – a registered heritage site with significant cultural and historical value to the African Nova Scotian community. By changing land use policy, Regional Council was able to support Akoma Holdings Inc.'s vision to redevelop the site as a mix of economic and social opportunities that would benefit African Nova Scotians and the general community. These lands have since been designated a Special Planning Area under the *Housing in the Halifax Regional Municipality Act*.

¹⁸ <http://www.integrativescience.ca/Principles/TwoEyedSeeing/>

- CH-4 The Municipality shall work with African Nova Scotian communities to identify significant sites to be considered for preservation and interpretation.**
- CH-5 The Municipality shall support African Nova Scotian communities to identify opportunity sites for adaptive reuse.**
- CH-6 The Municipality shall work with African Nova Scotian communities to identify the community boundaries of historic African Nova Scotian communities, and the Municipality may consider restoring those boundaries and updating municipal mapping and boundary markers.**

9.3.3 COMMUNITY-LED APPROACHES

During the development of *Sharing Our Stories*, several other traditionally under-represented groups highlighted the importance of celebrating and commemorating their stories and interests through cultural programming, supports, events and facilities. The Municipality will strengthen the representation of these communities and groups by taking a community-led approach to implementing the actions contained in *Sharing Our Stories*.

- CH-7 The Municipality shall consider a community-centered approach to implementing the actions in *Sharing Our Stories*, that supports a community-led process for under-represented groups and communities to identify, conserve and leverage the region's cultural resources. This may include municipal support for the consideration of:**
 - a) community-led mapping, conservation, and asset naming;**
 - b) community-led engagement in land use planning in areas of cultural significance and value;**
 - c) encouraging multilingualism as a connection to culture;**
 - d) supporting community-led projects for identification, interpretation and protection of heritage and cultural sites; and**
 - e) community-directed events, art and placemaking.**

9.4 PROTECTION OF HERITAGE RESOURCES

Historic buildings, sites, districts, and cultural landscapes define the character of many communities and neighbourhoods in the municipality, both urban and rural. They provide insight into community evolution and reveal elements of local culture and social history. Distinctive architectural forms, styles and details, groups of buildings, and varied landscape settings all contribute to local character, authenticity, and sense of place.

- CH-8 The Municipality shall consider identifying buildings, sites, streetscapes, cultural landscapes, and districts of historic, architectural, or cultural value in both urban and rural areas and may support consideration of their designation, interpretation, conservation, and continued use.**

- CH-9** The Municipality shall consider identifying sites of cultural or historical importance to communities, for preservation and interpretation, or as opportunity sites for future community development projects.
- CH-10** The Municipality shall consider amending applicable secondary municipal planning strategies to encourage conservation and re-use of culturally, historically, or architecturally significant sites, including educational and religious institutional buildings.
- CH-11** The Municipality shall develop cultural and heritage impact assessment criteria within applicable secondary municipal planning strategies, land use by-laws and heritage by-laws to support the evaluation of new development in heritage contexts, including comprehensive development applications like large development agreements and secondary municipal planning strategy amendments.
- CH-12** The Municipality shall actively conserve, maintain and provide an active use for registered heritage properties owned by the Municipality and shall seek to register additional significant heritage properties owned by the Municipality.
- CH-13** The Municipality shall develop conservation management plans for all heritage properties and cultural assets owned by the Municipality to ensure appropriate levels of conservation, maintenance, and upgrades and to meet accessibility, environmental, and municipal conservation standards.
- CH-14** The Municipality shall consider the use of other mechanisms, such as financial incentives, land use incentives and policies, to encourage the use, preservation or protection, restoration, or renovation of heritage resources, as enabled by the *Heritage Property Act*.

9.4.1 HERITAGE REGISTRY

Since 1981, the Municipality has administered a heritage property program enabled by the *Heritage Property Act of Nova Scotia*. In 2024, the Registry of Heritage Properties included approximately 516 properties, concentrated principally in peninsular Halifax and Downtown Dartmouth, and dating mainly to the 19th century. While the program has grown and expanded in recent years, there is a need for a renewed, updated, and more comprehensive region-wide inventory of heritage resources that could potentially qualify for formal designation as registered heritage properties and sites. There is also a need to refine the criteria for heritage registration to ensure that all aspects of the municipality's built heritage are represented, including modern heritage, traditionally under-represented groups and all parts of the municipality.

- CH-15** The Municipality shall maintain a Registry of Heritage Properties which includes information on all properties registered as Municipal Heritage Properties and shall continue to update the registry by developing statements of significance, heritage value, and character defining elements for each property so registered.
- CH-16** The Municipality shall review and update its criteria and methodology for identifying and evaluating heritage properties as necessary to ensure that the registry accurately represents diverse communities, cultures, and time periods.

9.4.2 HERITAGE CONSERVATION DISTRICTS

Heritage Conservation Districts (HCDs) are areas identified by the Municipality as having significant heritage value and character. HCDs enable the Municipality to protect and enhance the cultural heritage value of neighbourhoods by establishing district-wide policies, guidelines, and programs that ensure the evolution of the area reinforces key heritage attributes. The *Heritage Property Act* enables the Municipality to designate an area as a Heritage Conservation District (HCD) by adopting a heritage conservation district plan and by-law. It enables the Municipality to provide strong protection from demolition for buildings within a district considered to be contributing heritage resources, whether registered or not, and to provide financial incentives for their restoration and rehabilitation. The designation of such districts will be a priority in future secondary planning strategies.

The Regional Centre is home to three HCDs (Barrington Street, Old South Suburb and Schmidville). There are thirteen more potential HCDs identified in the Regional Centre for Council to consider for designation. There are currently, at the time of drafting this Plan, no approved or proposed HCDs in other areas of the Municipality. The Regional Plan encourages identification of potential HCDs in suburban and rural areas using analyses of the age, history, cultural associations, and architectural styles of properties in these areas.

The *Heritage Property Act* requires that any HCD be preceded by background studies that address a range of issues, including character defining elements, heritage conservation measures, boundaries, the relationship to applicable planning documents, and social and economic impacts. Demolition protection for municipally registered heritage properties outside of HCDs is limited under the *Heritage Property Act*. It is only by designating a specific area an HCD, under the authority of the *Heritage Property Act*, where Regional Council can establish stronger policies that improve demolition controls for identified heritage resources.

CH-17 In collaboration with community partners, residents, property owners and institutions, the Municipality shall identify areas eligible to be designated as Proposed Heritage Conservation District Study Areas. These Proposed Study Areas shall be identified and mapped in the applicable secondary municipal planning strategies. Emphasis shall be placed on identifying Proposed Study Areas outside the Regional Centre.

CH-18 Methodology to identify and prioritize Proposed HCD Study Areas shall consider:

- a) areas that include a high concentration of registered heritage properties;**
- b) areas that include rare examples of historic architecture;**
- c) areas that are experiencing a high rate of change based on development permit activity in the past five years;**
- d) areas that have been identified by an underrepresented group or community as being of cultural heritage significance; and**
- e) areas that include the potential for large-scale redevelopment as a result of their current land use designation.**

CH-19 Until such time as conservation measures are adopted by Regional Council for proposed HCD Study Areas, the land use policies and regulations within existing secondary municipal

planning strategies shall encourage development that is sensitive to the architectural character and heritage value of these areas by incentivizing internal conversion of existing properties.

9.4.3 HERITAGE DEVELOPMENT AGREEMENT POLICY

Heritage development agreement policies encourage the conservation and adaptive re-use of heritage properties by allowing additional development rights (i.e., density, additional land uses, flexibility around built form requirements) that may offset conservation costs. Heritage development agreements can add a large number of new residential units while encouraging the registration of previously unprotected heritage properties for the purpose of making use of the flexibility that these policies provide.

In response to increased interest and the success of existing policies within the Regional Centre, heritage development agreements may be considered in all areas of the Municipality. The policies of this Plan shall apply to all areas of the Municipality outside of the Regional Centre, Downtown Halifax, and established Heritage Conservation Districts, as heritage development agreements are enabled in the community plans for those areas.

CH-20 In support of the conservation and adaptive re-use of registered heritage properties and buildings, the Municipality may consider a development agreement for any development or change in use not otherwise permitted by the land use by-law, providing:

- a) the development agreement relates to one of the following:**
 - i. a registered heritage property, including a streetscape or a cultural landscape,**
 - ii. a lot containing a registered heritage building, or**
 - iii. a site consisting of two or more abutting properties, at least one of which is a registered heritage property or contains a registered heritage building; and**
- b) the property is located outside of the:**
 - i. Regional Centre Secondary Plan Area,**
 - ii. the Downtown Halifax Secondary Plan Area, and**
 - iii. an established Heritage Conservation District;**

For a development agreement under this policy, the Municipality shall consider:

- c) whether the development proposal maintains the heritage value of any registered heritage property of which it is part;**
- d) whether the level of proposed investment in conservation measures on the property is generally proportional with the additional development rights provided through the agreement, especially in cases of new construction;**
- e) any unregistered historic buildings on the site of the development, and whether options for their conservation are evaluated and incorporated wherever possible;**

- f) if a heritage building is proposed to be relocated or lifted from its foundation, whether to impose a condition that prior to issuance of a building or development permit, a plan approved by a certified structural engineer must be submitted prior to any intervention;
- g) the provisions of Policy CH-30, if:
 - i. a development site consists of two or more abutting properties, and
 - ii. the development proposed does not require a substantial alteration to the registered heritage property/ building;
- h) whether the proposal is generally consistent with the heritage policies of the secondary plan area of which it is part;
- i) incentive or bonus zoning is provided consistent with the requirements of the Land Use Bylaw;
- j) the development agreement requires a waiver under Section 18 of the Heritage Property Act to be registered on the property before a development permit is issued for any portion of the development; and
- k) the provisions of Policy IM-9.

For the purposes of Policy CH-20, the following definitions apply:

"Abutting" means properties that share a common boundary (i.e., property line, wall). Properties are not abutting where they share only one boundary point as opposed to a boundary line (i.e. properties which meet only at a shared corner).

9.4.4 HERITAGE AND SUSTAINABLE DEVELOPMENT

HalifACT, the Municipality's long-term climate change action plan, establishes targets for decarbonization (greenhouse gas emission reductions) and actions to achieve this.

Deconstruction, or salvage, is a heritage preservation tool that supports sustainability goals. Removing pieces of an existing building to be repurposed, instead of mechanically demolishing an entire structure, reduces the volume of materials sent to the landfill, retains high quality and local building materials that are increasingly more expensive and difficult to find, and assists property owners in sourcing period appropriate elements for older buildings. Reusing building materials benefits the environment by reducing the need to create or source new materials, and minimizing emissions that accompany demolition and new construction. It may also reduce disposal costs. Requirements for deconstruction or salvage could encourage preservation and reuse of heritage building materials and features, and support the Municipality's *HalifACT* goal to embed low carbon objectives in all aspects of community planning, policy, and infrastructure. The Municipality will continue to investigate opportunities to encourage this approach.

CH-21 The Municipality may investigate the potential to establish requirements around deconstruction and salvage of building materials as part of development proposals for registered heritage properties.

CH-22 The Municipality shall consider deconstruction and salvage as a component of any demolition undertaken on properties owned by the Municipality.

CH-23 The Municipality shall consider updating financial incentive programs for registered heritage properties or contributing resources within heritage conservation districts to include energy efficiency retrofits with the objective of assisting in the sustainability and climate resiliency of these structures.

9.4.5 CULTURAL LANDSCAPES

Cultural landscapes are defined under the *Heritage Property Act* as distinct geographical areas or properties uniquely representing the combined work of nature and of people. These landscapes vary dramatically in size and character – from historic settlements to prehistoric rock art sites to designed landscapes such as parks and gardens. Examples may include a burial ground, a historical garden or much larger landscapes reflecting human intervention, such as the pastures of the Musquodoboit Valley, the Shubenacadie Canal, or the Bedford Barrens. Scenic views of outstanding natural and cultural resources are another example, such as views of Halifax Harbour, the Northwest Arm, and Long Hill over Cole Harbour.

Cultural landscapes provide opportunities for the interpretation and understanding of important historical settings and past patterns of land use. Preserving and promoting these landscapes can also provide opportunities to enhance the sense of a place for both residents and visitors alike.

The *Halifax Green Network Plan* identifies 17 priority areas throughout the municipality as a starting point for a comprehensive inventory of landscapes of cultural significance. Eleven of these sites are listed in the *Regional Centre Secondary Municipal Planning Strategy* for specific consideration under Urban Structure and Urban Design guidelines.

CH-24 The Municipality shall work with the Province of Nova Scotia to advance amendments to the *Heritage Property Act* to allow for the development of regulations for cultural landscapes.

CH-25 The Municipality shall, through Community Planning:

- a) consider the identification of significant cultural landscapes; and**
- b) consider the potential impacts of new development on lands on or adjacent to identified significant cultural landscapes and consider measures to mitigate potential adverse impacts on a cultural landscape's cultural value, historic value, and environmental resources.**

CH-26 The Municipality shall collaborate with under-represented groups and communities to identify cultural heritage sites of cultural significance and consider methods for recognition, commemoration, and preservation.

9.4.6 ARCHAEOLOGICAL RESOURCES

Archaeological resources are the remains of any building, structure, activity, place or cultural feature or object that, because of the passage of time, is on or below the surface of land or water and is of significance to the understanding of the history of a people or place. Archaeological sites can be protected under

Provincial legislation, the *Special Places Protection Act*, which regulates the destruction, alteration, or removal of archaeological resources from these sites.

Development can present a significant risk to archaeological resources. If archaeological sites are recognized and appropriately addressed prior to development taking place, adverse consequences can be mitigated, and archaeological resources preserved. The Municipality intends to work with the Province to identify archaeological sites and determine appropriate measures for mitigation.

CH-27 The Municipality shall work with the Province to consider mechanisms for municipal archaeological protection.

CH-28 The Municipality shall collaborate with the Province on developing a Regional Archaeology Strategy that establishes a process for identifying significant sites, culture and heritage assessment requirements, and mitigation measures to ensure archaeological resources are preserved.

9.4.7 CONSERVATION STANDARDS

Conservation standards are adopted by Regional Council under By-Law H-200, the *Heritage Property By-Law*, to direct the evaluation of alterations to heritage buildings and properties, and to evaluate new development that may impact heritage buildings and properties. Staff interpret these standards and provide recommendations to the heritage advisory committee and Regional Council on applications under the *Heritage Property Act*, or relevant planning policies pertaining to development on, or abutting, heritage properties. The conservation standards are also used by the heritage officer in the administration of heritage conservation districts.

CH-29 By-Law H-200, the *Heritage Property By-Law*, shall identify Conservation Standards. These Conservation Standards shall be used in assessing the impacts of a proposed intervention on the heritage value and character defining elements of a heritage property. Applications for substantial alteration to heritage properties shall:

- a) include an approach to address design strategies that make a new development compatible with, distinguishable from, and subordinate to a heritage property; and**
- b) address the relationship of the new structure to the lot, its relationship to the surrounding area, its massing and façade relations with the heritage property.**

9.5 DEVELOPMENT ABUTTING REGISTERED HERITAGE PROPERTIES

This Plan provides guidance for development abutting federally, provincially, or municipally registered heritage properties. It is important for the architecture of new development abutting heritage properties to be sensitive and complementary to the heritage properties. A Heritage Impact Statement (HIS) is a study that determines whether a heritage resource will be impacted by a proposed development or site alteration, and provides guidance to mitigate those impacts. The intent is to support innovative design solutions, with emphasis on heritage integration, that incorporate architecture, place-making, and material selection of the highest quality that are appropriate in relation to their abutting neighbours.

CH-30 For lands abutting federally, provincially or municipally registered heritage properties, the Municipality shall, when reviewing applications for development agreements or amendments to secondary municipal planning strategies, or when reviewing the provision of public infrastructure or services for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered heritage properties by considering the following:

- a) the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements reinforces those same aspects of the existing buildings;
- b) ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;
- c) ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:
 - i. incorporate fine-scaled architectural detailing and human-scaled building elements.
 - ii. reinforce, the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and
 - iii. any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections, datum lines, and changes in material, texture or colour to help reduce its apparent scale;
- d) the siting of new developments such that their footprints respect the existing development pattern by:
 - i. physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and,
 - ii. respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would detract from the heritage values of the streetscape;
- e) not unreasonably creating shadowing effects on public spaces;
- f) complementing historic fabric and open space qualities of the existing streetscape;

- g) ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting federally, provincially or municipally registered heritage structures;
- h) placing public infrastructure or services in locations which do not detract from or adversely impact the heritage value or architectural integrity of the heritage resource;
- i) having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and,
- j) any applicable matter as set out in Policy IM-9 of this Plan.

For the purposes of Policy CH-30, the following definitions apply:

"Abutting" means properties that share a common boundary (i.e., property line, wall). Properties are not abutting where they share only one boundary point as opposed to a boundary line (i.e. properties which meet only at a shared corner).

"Building scale" means a building's size relative to another building's size, or the size of one building's elements relative to another building's elements.

"Massing" means the way in which a building's gross cubic volume is distributed upon the site, which parts are higher, lower, wider, or narrower.

"Proportion" means the relationship of two or more dimensions, such as the ratio of width to height of a window or the ratio of width to height of a building or the ratio of the height of one building to another.

"Profile" means a building's cross-sectional shape or the shape of its outline.

"Building character" means the combined effect of all of the architectural elements of a building or a group of buildings.

"Human-scaled building elements" means a range of building details from small (masonry units, doorknobs, window muntins, etc.) to medium (doors, windows, awnings, balconies, railings, signs, etc.) to large (expression of floor lines, expression of structural bays, cornice lines, etc.).

"Street wall" means the vertical plane parallel to the street in which the front building facades of the majority of the buildings along a street are located.

"Pedestrian realm" means the volume of space enclosed by the horizontal plane of the street and sidewalks, and the vertical planes of the facing streetwalls. The height of this volume is determined by the height of the base of the adjacent buildings as defined by a major cornice line or by the point at which a building's massing is first stepped-back from the streetwall. Where cornice lines or setbacks do not exist, the height will be generally two to five stories, as appropriate.

CH-30 shall not apply within the Downtown Halifax Secondary Municipal Plan Area.

CHAPTER 10: IMPLEMENTATION

CHAPTER 10: IMPLEMENTATION

10.1 INTRODUCTION

The Regional Plan guides the Municipality's planning and decision-making and represents the vision of the community. Through open, transparent, and inclusive dialogue, the Municipality has the responsibility of achieving the Plan's vision through actions using available planning tools. Planning is not a static practice; it is iterative process evaluating and reporting on actions and successes and adapting to changing situations. The success of this Plan depends on aligning all policies and programs throughout HRM to achieve the vision and objectives of this Plan.

10.2 OBJECTIVES

- 1. Provide for the effective implementation of the policies outlined in this Plan.**
- 2. Engage residents in developing policies, programs, and services as the basis for building healthy and inclusive communities.**
- 3. Monitor the effectiveness of policies and programs of this Plan.**
- 4. Undertake periodic reviews of this Plan to assess whether changes are needed.**
- 5. Ensure that the Municipality's policies, regulations and programs are aligned to achieve the vision, principles, and objectives of this Plan.**

10.3 COMMUNITY ENGAGEMENT

Since 2016, the Municipality has been continually updating and reviewing engagement practices, policies, and processes. Some of these improvements include lessening the dependence on public information meetings by encouraging open house-style meetings, using a range of mediums to allow residents to engage, developing more user-friendly outreach, and redesigning notifications and signage, as well as updating virtual engagement as a response to the COVID-19 pandemic.

10.3.1 PUBLIC PARTICIPATION FOR PLANNING APPLICATIONS AND PLANNING DOCUMENTS

A public participation policy is legislatively required to identify opportunities and establish ways and means of seeking the opinions of the public proposed planning documents, as described under the *HRM Charter*. In 2023, Regional Council approved Administrative Order 2023-002-ADM and the accompanying Planning and Development Public Engagement Guidebook (Guidebook). The Guidebook was developed following Regional Council's direction in 2016 to update the Municipality's engagement processes to establish an updated and consistent approach to designing engagement practices. The purpose of the Guidebook is to

support staff to pro-actively address public engagement with influence, impact, inclusion, and accessibility as primary and core considerations. The Administrative Order establishes minimum standards for public participation and establishes a method for engagement with abutting municipalities, as required by the *HRM Charter*, and requires using the Guidebook to determine if different or additional public participation is needed to support the review of planning document.

IM-1 A public participation policy shall be adopted by Regional Council as an Administrative Order. This Administrative Order:

- a) shall, in accordance with section 219 of the *HRM Charter*, establish the ways and means of seeking the opinions of the public;**
- b) shall, in accordance with section 219A of the *HRM Charter*, establish a method for engaging with abutting municipalities respecting a new Municipal Planning Strategy or amendments to them;**
- c) may identify additional methods for public participation, including the use of a Public Engagement Guidebook for additional or different public participation, and for the removal of barriers to participation; and**
- d) may provide for public participation for certain planning applications other than planning documents.**

10.4 PLANNING TOOLS

10.4.1 SECONDARY MUNICIPAL PLANNING STRATEGIES

Various community plans were adopted prior to amalgamation and prior to this Plan being adopted. These plans present visions, objectives and policies of a community which may not be consistent with this Plan. Over time, the Municipality will use the Community Planning program to achieve consistency in all its planning documents and programs to ensure that they are consistent with this Plan and that they reflect current community issues and desires for future change.

As part of the Community Planning program, the Municipality will engage with communities to understand their visions in relation to the overarching goals of the Regional Plan. Where Community Visions were approved in principle by the Municipality in 2006, these may be considered and updated as part of the Community Planning program.

IM-2 Existing secondary municipal planning strategies, identified in Appendix B to this Plan, shall remain in effect until repealed by the Municipality.

IM-3 When evaluating amendments to land use by-laws or development agreement applications, in the event of conflict between the policies of this Plan and a secondary municipal planning strategy, the more stringent shall prevail.

IM-4 Where minimum setbacks or buffers from watercourses, coastal areas, or wetlands are established under secondary municipal planning strategies and land use by-laws differ from the minimum buffer specified by this Plan, the more stringent shall prevail.

- IM-5** When new secondary municipal planning strategies or amendments to existing secondary municipal planning strategies are brought forward for approval, the Municipality shall consider whether the proposed objectives and policies are consistent with or further achieve the objectives and policies of this Plan.
- IM-6** The Community Visioning statements approved by the Municipality for the Bedford Waterfront; Fall River; Musquodoboit Harbour; Middle/ Upper Sackville/ Lucasville; Spryfield; Penhorn/ Woodlawn; Woodside and Upper Tantallon shall be considered and may be updated when preparing secondary municipal planning strategies.
- IM-7** When considering adopting new or amending existing planning documents, it shall be the intention of Council to consider the regional objective of building complete communities and organizing land uses in a manner that:
- a) respects the environmental or cultural features of significance on the lands;
 - b) mitigates potential impacts of development on lands that are adjacent to federal, provincial, and municipal parks , and other protected areas;
 - c) prioritizes the movements of people walking/rolling, cycling and taking transit over car-oriented design, including the connections to surrounding community;
 - d) locates residential and mixed-use growth near future rapid transit corridors, particularly within 500 metres of a corridor; and
 - e) includes community-scale or site-level green infrastructure, renewable energy, and other climate mitigation and adaptation design elements.

10.4.2 PRIORITIES PLANS

Priorities plans are subject-focused, strategic plans that can include guidance for the Municipality's strategic initiatives, including programs, services, partnerships, and facilities, and their associated budgetary requirements. Regional Council has endorsed several priority plans since 2014 including the *Integrated Mobility Plan*, *Halifax Green Network Plan*, *HalifACT*, *Halifax's Inclusive Economic Strategy 2022-2027*, and *Sharing Our Stories: HRM's Culture and Heritage Priorities Plan*. Existing Priorities Plans have assisted in the development of the policies of this Plan and will continue to assist in guiding staff with ongoing work. Future Priorities Plans, such as the Strategic Growth and Infrastructure Priorities Plan (see Policy RP-27), may also be used to guide future amendments to this Plan and other planning documents once endorsed by Regional Council.

- IM-8** In considering any proposed amendments to planning documents, the Municipality shall consider the objectives, policies and actions of the Priorities Plans endorsed by Regional Council.

10.4.3 DISCRETIONARY APPLICATIONS

Discretionary applications include proposed development agreements or amendments to development agreements, or land use by-law amendments which may be considered pursuant to the policies of this Plan

or secondary municipal planning strategies. This section outlines the circumstances and policy criteria that must be considered by the Municipality when reviewing such proposals.

IM-9 (1) In considering a development agreement, amendments to a development agreement, or any amendments to a land use by-law pursuant to the provisions of this plan or any secondary municipal planning strategy, the Municipality shall consider:

- a) whether the proposal is reasonably consistent with the intent of the policies of this Plan, the applicable secondary municipal planning strategy and the requirements of all other municipal by-laws and regulations;**
- b) that priority be given to increasing the supply of safe, sustainable and affordable housing;**
- c) where applicable, the environmental features or areas which may not be suitable for development, including:**
 - i. land subject to flooding or subsidence;**
 - ii. steep slopes;**
 - iii. low-lying, marshy or unstable land, including watercourses and wetlands of all types;**
 - iv. tree cover; and**
 - v. habitat for species-at-risk;**
- d) for the features and areas identified in IM-9 (c), how the development may be directed away from or managed within these areas and the opportunities to enhance or restore degraded environmental features as part of the development proposal, where possible;**
- e) the provisions of CH-30, where applicable;**
- f) whether the proposal is appropriate and not premature, with consideration given to:**
 - i. the financial capacity of the Municipality to absorb any costs relating to the development;**
 - ii. municipal or private wastewater, stormwater, and water infrastructure provision;**
 - iii. emergency services to support the proposed development;**
 - iv. schools, parks, and community facilities;**
 - v. road networks leading or next to, or within the development;**
 - vi. transportation infrastructure for walking/rolling, cycling, transit, and vehicles for travel to and within the development;**

- vii. whether the subject lands are suitable for development in terms of the steepness of grades, soil and geological conditions, locations of watercourses, wetlands, and susceptibility to flooding; and
- g) whether development regulations in the proposed rezoning or development agreement will mitigate the potential conflicts between the proposed development and nearby land uses, by reason of:
 - i. the type of use(s);
 - ii. the built form of any proposed building(s);
 - iii. impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, community facilities, and railway operations;
 - iv. traffic generation, safe access to and egress from the site, and parking;
 - v. open storage and signage,
 - vi. maintenance;
 - vii. impacts of lighting, noise, fumes, and other emissions; and
 - viii. any other relevant matter of planning concern.

(2) Notwithstanding any policy of the applicable secondary municipal planning strategy or this Plan, for multi-unit residential buildings that begin construction on or before April 1, 2027, there shall be no requirement:

- a) related to the unit mix of the proposed buildings; and
- b) for more than 20% ground floor commercial space.

10.4.4 CONSERVATION DESIGN DEVELOPMENTS

Conservation Design Development is a development tool that allows for clustered residential development in a manner that helps to preserve significant environmental and cultural features of the landscape. The Conservation Design Development tool was first introduced under the 2006 Regional Plan. These policies are intended to encourage growth within the Rural Growth Centres and to manage growth in between centres. The design process for a Conservation Design Development involves identifying lands that support important environmental functions or pose environmental hazards as primary conservation features. Culturally significant lands or those lands that provide environmental functions are identified as secondary conservation features and are to be protected or incorporated as part of the development. Through this process, areas of the site best suited for development are identified and the development is designed to optimize environmental features and mitigate environmental impacts.

There are three (3) types of Conservation Design Development that may be considered for approval by development agreement:

- Lower Density Classic Conservation Design;

- Higher Density Classic Conservation Design; and
- Hybrid Conservation Design.

Classic Conservation Design Form (Lower Density and Higher Density)

The Classic Conservation Design Development form (Lower Density and Higher Density) involves the entire site, inclusive of a shared private driveway, being held in single ownership and requires building sites to be clustered on a portion of the site, conserving a larger connected common open space on the remainder of the site. Within Rural Growth Centres, a higher density option is available as means of supporting residential development within the Rural Growth Centres.

Hybrid Conservation Design Development Form

The Hybrid Conservation Design Development form is similar to a small-scale traditional residential subdivision development where individual lots are created on a new public street. Under this form a higher percentage of lands is conserved as open space on individual lots. This is achieved through restricting site development, inclusive of buildings, individual driveways, and lawns, to a small area of the lot and conserving the remainder of the lot as a non-disturbance area. The overall development is to be designed so that individual non-disturbance areas are contiguous for mutual ecological benefit.

The type of Conservation Design Development enabled is determined based on the location of a site in relation to the Rural Growth Centres. Higher densities are encouraged within the Rural Growth Centres.

IM-10 Subject to Policy IM-11, the Municipality shall consider the following types of Conservation Design Development by development agreement where one-third or more of an area of land is within a Rural Growth Centre as shown on Map 4:

- a) Lower Density Classic Conservation Design Development;
- b) Higher Density Classic Conservation Design Development; or
- c) Hybrid Conservation Design Development.

IM-11 Lands entirely within the Lake Echo Sub-watershed, as generally illustrated on Map 4 shall not be eligible for Conservation Design Development, unless a proponent submits a survey prepared by a Nova Scotia Land Surveyor demonstrating that the subject area of land or a portion of the area of land is outside the Lake Echo Sub-watershed. Where any portion of a subject area of land is within the sub-watershed may be included for density and the area calculation as set out in Table 10.1.

IM-12 Subject to Policy IM-13, the Municipality shall consider the following types of Conservation Design Development by development agreement where more than two thirds of the area of land is outside the boundaries of a Rural Growth Centre shown on Map 4:

- a) Lower Density Classic Conservation Design Development to a maximum of 100 dwelling units; or
- b) Hybrid Conservation Design Development to a maximum of 30 dwelling units.

IM-13 A development agreement under Policy IM-12 shall only be considered subject to the following location criteria:

- a) On an area of land within the
 - i. Rural Commuter Designation; or
 - ii. Rural Resource Designation; or
 - iii. Agricultural Designation that is also within the Village Designation under the Musquodoboit Valley/ Dutch Settlement Secondary Municipal Planning Strategy; and
- b) On an area of land outside the:
 - i. Beaver Bank / Hammonds Plains Growth Control Areas as shown on Schedule J of the Regional Subdivision By-Law;
 - ii. the Rural Area Designation under the Eastern Passage/Cow Bay Plan Area; and
 - iii. NEF 30 Contour as shown on Map 3 of the Planning Districts 14 and 17 (Shubenacadie Lakes) Municipal Planning Strategy; and
- c) On an area of land which was in existence as of April 29, 2006 that has a minimum of 20 metres of continuous frontage on a publicly owned and maintained street/road which was in existence as of April 29, 2006.

IM-14 Any Conservation Design Development by development agreement made pursuant to Policies IM-10 and IM-13 shall be in accordance with Table 10.1 and the following:

Site Studies and Assessments

- a) Where the proposed development is to be serviced by a groundwater supply, a hydrogeological assessment conducted by a qualified professional has determined that there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;
- b) The development shall not rely on cisterns for potable water supply, except in special circumstances as may be authorized under an approved secondary planning strategy;

Site Development, Connectivity and Open Space Design

- c) Primary Conservation Areas or Features as defined in Table 10.1 are protected and retained as Open Space;
- d) Secondary Conservation Areas are incorporated as part of the overall Open Space Requirements;
- e) The proposed streets and buildings sites are designed to avoid, where possible, Conservation Areas and Features;
- f) Where an area of land is subject to Policy IM-11, proposed streets and building sites shall be located outside the Lake Echo Sub-Watershed;

- g) A private driveway for Low Density Classic Conservation Design Development and High Density Classic Conservation Design Development shall only provide access to a public street for up to 20 dwelling units (exclusive of secondary and backyard suites);
- h) The proposed site design shall consider ways to maintain landscape connectivity between the identified Primary and Secondary Conservations Areas and any public open space on adjacent parcels, including public trails;
- i) Where a development pursuant to Policy IM-12 is proposed for lands that extend beyond a Rural Growth Centre as illustrated on Map 4, preference shall be given to siting the development within the boundary of the Growth Centre.

Separation Distances

- j) Residential dwellings shall maintain a minimum separation of 800 metres from any permanent extractive facility.

Parkland Dedication and Additional Considerations

- k) Parkland dedication may be relaxed to a minimum of 5% for the Lower Density and Higher Density Classic Conservation Design Developments; and
- l) The provisions of Policy IM-9.

- IM-15 Subject to policies IM-10, IM-12 and IM-14 of this Plan and notwithstanding the maximum density requirements in IM-12 and Table 10.1, Conservation Design Developments either fully or partially located within a Rural Growth Centre shown on Map 4 may include secondary and backyard suites as additional units, consistent with the provisions of the applicable Land Use By-Law.
- IM-16 The Municipality may permit amendments to existing Conservation Design development agreements which are either fully or partially located within a Rural Growth Centre shown on Map 4 to allow for secondary and backyard suites as additional units provided the requirements of IM-15 are satisfied.
- IM-17 The Municipality may permit amendments to existing Conservation Design development agreements located outside of a Rural Growth Centre shown on Map 4, to allow for secondary and backyard suites as a permitted housing form consistent with the applicable Land Use By-Law, provided there is no change to the maximum permitted density and the requirements of IM-14 are satisfied.

Table 10.1: Conservation Design Development Standards

Property Location	Land Use Requirements
Definitions	The <u>Net Developable Area</u> is the gross area of a lot excluding riparian buffers and wetlands, floodplains, and slopes in excess of 30%.

	<p>The <u>Gross Developable Area</u> is the entire area of a lot which includes riparian buffers and wetlands, floodplains, and slopes in excess of 30%.</p> <p>For developments that have a construction permit issued and begin construction before April 1, 2027, developable area may be calculated as Gross Developable Area.</p> <p>For all other developments, developable area shall be calculated as Net Developable Area.</p>	
Within Rural Growth Centres	Lower Density Classic Conservation Design Development	
	Maximum Density	1 unit per hectare of developable area
	Open Space Requirement	40% of the developable area as common open space
	Permitted Residential Uses	Single Unit Dwelling, Two Unit Dwelling and Townhouse Dwelling, including Secondary and Backyard Suites
	Higher Density Classic Conservation Design Development	
	Maximum Density	(a) One unit per 0.4 hectares of developable area where the development is serviced with a municipal water supply; or (b) One unit per 0.5 hectares of developable area where the development is serviced with a groundwater supply; or (c) Where a secondary planning strategy is adopted after August 29, 2006, the density prescribed by the secondary planning strategy.
	Open Space Requirement	(a) 40% of the developable area as common open space; or (b) Where a secondary planning strategy is adopted after August 29, 2006, the open space requirement prescribed by the secondary planning strategy.
	Permitted Residential Uses	(a) Single Unit Dwelling, Two Unit Dwelling and Townhouse Dwelling (b) Townhouses, shared housing uses, and multiple unit buildings prescribed by a secondary planning strategy adopted after August 29, 2006 (c) Secondary and Backyard Suites
	Hybrid Conservation Design Development	
	Maximum Density	1 unit per hectare of developable area
	Open Space Requirement	80% of each lot is retained as a site non-disturbance area
	Permitted Residential Uses	Single Unit Dwelling and Two Unit Dwellings, including Secondary and Backyard Suites
Outside Rural	Lower Density Classic Conservation Design Development	
	Maximum Density	1 unit per hectare of developable area to a maximum of 100 units

Growth Centres	Open Space Requirement	40% of the developable area as common open space
	Permitted Residential Uses	Single Unit Dwelling and Two Unit Dwelling, including Secondary and Backyard Suites
	Hybrid Conservation Design Development	
	Maximum Density	1 unit per hectare of developable area to a maximum of 30 units
	Open Space Requirement	80% of each lot is retained as a site non-disturbance area
	Permitted Residential Uses	Single Unit Dwelling and Two Unit Dwelling, including Secondary and Backyard Suites
Inside or Outside Rural Growth Centres	All Types of Conservation Design Development	
	Permitted Other Uses	Publicly or Privately owned Community Facilities, Home-Based Offices, Day Cares, and Short-term Rentals where permitted by the applicable Land Use By-Law.
	Permitted Open Space Uses	Agriculture, passive recreation, conservation-related uses or the placement of wastewater management facilities, community wells or other community facilities designed to service the development.
	Primary Conservation Areas or Features	Riparian buffers, wetlands, natural drainage systems, natural detention storage areas, slopes exceeding 30%, and floodplains, environmentally sensitive areas, archaeological sites, and other areas of high ecological value.
	Secondary Conservation Areas or Features	Mature forests, bare rock, scenic views, trails, historic sites and buildings, and other features of high environmental or cultural value.

10.4.5 ADAPTIVE REUSE IN RURAL AREAS

As outlined in Chapter 5, the adaptive reuse of existing structures can provide greater flexibility in land use policy to respond to rural housing demand in the near term. Recognizing these internal conversions will be considered by development agreement in advance of comprehensive planning for rural communities. Internal conversions are intended to maintain existing community character by retaining building envelopes.

IM-18 In the Rural Area, internal building conversions to create new residential dwelling units that are not otherwise permitted through the secondary municipal planning strategies or land use by-laws may be considered by development agreement. These internal conversions may be permitted in existing residential, institutional, utility or commercial buildings. This conversion shall not be considered in an accessory building as defined under the land use by-law. To support compatibility with existing community character, the proposed development must utilize the existing building envelope and existing lot. In considering such a development agreement, the Municipality shall consider the following:

- a) in addition to residential uses, any other proposed uses are permitted in the zone applied to the site;

- b) where the proposed development is to be serviced by a groundwater supply, a hydrogeological assessment conducted by a qualified professional has determined that there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;
- c) where the proposed development is to be serviced by an on-site wastewater system, Provincial approval is to be provided demonstrating that the existing or proposed on-site septic system is:
 - i. adequate to accommodate the proposed residential adaptive reuse development; and
 - ii. is in compliance with all provincial regulations, for any necessary upgrades to an existing system or a new system where the existing system is insufficient;
- d) that changes to the size and form of the existing building are permitted only:
 - i. to meet or exceed building code requirements to create habitable space or improve accessibility or energy efficiency;
 - ii. for architectural design or façade changes, including new or altered window and door openings, cladding material, and rooflines;
 - iii. for decks, patios and similar unenclosed features; or
 - iv. for steps, stairs and other entryways;
- e) the provisions of Policy IM-9.

10.4.6 SPECIAL PLANNING AREAS

In early 2022, the Province of Nova Scotia created an Executive Panel on Housing to address housing challenges in the region. As part of this initiative, the Minister of Municipal Affairs and Housing designated several Special Planning Areas in the Municipality to support the development of housing. To help accelerate an increase in the supply of housing, as outlined in the *Housing in the Halifax Regional Municipality Act*, the designation of a Special Planning Area allows the Minister to make decisions on planning matters in those areas.

At the time these areas were created, detailed planning for many of the Special Planning Areas had already been underway for some time, and draft policies for several had been well advanced. In instances where policy development has advanced to its late stages, allowing Special Planning Areas to proceed to early site development works concurrent with the resolution of detailed planning matters for the subject sites can help support the current demand for housing.

IM-19 Notwithstanding Policy IM-9, the Housing Task Force may consider development agreements on lands designated as a Special Planning Area which supersede the *Regional Subdivision By-Law* requirements to enable early tree removal, blasting, and earthworks by development agreement. The intent of this policy is to enable early site works concurrent with the resolution of detailed planning matters for the subject sites. As a requirement of

the development agreement, the following drawings prepared by a Professional Engineer must be submitted as a condition of permitting:

- a) Site Disturbance Plan;
- b) Erosion and Sedimentation Control Plan; and
- c) Site Grading and Stormwater Management Plan.

10.4.7 REGIONAL OPPORTUNITY SITES

The Regional Plan Review considered several requests for mixed use development on large parcels of land. These sites present an opportunity for new housing development that is needed to support the significant demand for housing of all types across the Municipality. In other instances, new Federal Programs for housing have resulted in site specific amendments to the Regional Plan to enable housing. These property specific rules are outlined in this section.

10.4.7.1 URBAN AREA SITES

In 2022, the Regional Plan Review considered several requests for mixed-use development on large parcels of land. Two sites (Halifax Exhibition Centre and Bedford Commons, as generally shown on Map 3) were identified as opportunity sites for new housing development that is needed to support the significant demand for housing of all types across the Municipality. Since the 2022 Regional Plan Review amendments, Regional Council has directed that comprehensive planning processes may begin for both Opportunity Sites. For the Bedford Commons site, additional adjacent properties were identified for consideration as part of this planning process, which are now reflected in Policy IM-21 and on Map 3. For both sites, the comprehensive planning process will determine the appropriate planning tools to be used to regulate development, and the appropriate future land uses and densities. Future amendments will be prepared and may be incorporated into this Plan and the applicable secondary municipal planning strategy.

IM-20 Notwithstanding the provisions of the *Planning District 4 Secondary Municipal Planning Strategy*, the Municipality may undertake a neighbourhood planning process for the Halifax Exhibition Centre lands (PIDs 40600728, 41457987, and 41432642). When considering amendments to planning documents for these lands, Council shall consider:

- a) this Plan, including Policy IM-8;
- b) whether the proposal contains a mixed use neighbourhood that will provide a range of housing types and dwelling unit types, places of employment, and services where daily needs of residents can be met;
- c) requiring the public participation program provide diverse and inclusive opportunities for public engagement;
- d) opportunities to coordinate with the ongoing planning for the expansion of the Ragged Lake Industrial Park, with particular regard to the transportation network and water and wastewater servicing infrastructure;

- e) the relationship of the site to surrounding uses and neighbourhoods, including the Beechville community, the Prospect Road area, Long Lake Provincial Park, Western Common, and the Ragged Lake Industrial Park;
- f) if required, a land suitability assessment that identifies vulnerable landforms, sensitive ecological features and climate hazards;
- g) if required, a culture and heritage assessment that identifies and evaluates culture and heritage resources located on or adjacent to the opportunity site;
- h) if required, a baseline infrastructure study that assesses existing transportation infrastructure assets and constraints (using a multi-modal level of service analysis), and existing wastewater and water services infrastructure capacity and constraints;
- i) the overall site design, development densities and building massing, and how these aspects have considered the recommendations of any required background studies;
- j) the classes of land uses permitted;
- k) whether phasing of development will enable a variety of uses to be provided within the first buildings constructed on the site;
- l) the adequacy of proposed and existing public parks, open spaces and community recreation facilities that meet the objectives of this Plan;
- m) whether the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods;
- n) provisions for incentive or bonus zoning; and
- o) off-site improvements necessary to integrate the development in the neighbourhood.

IM-21 The Municipality may permit mixed use development in the Bedford Commons area (PIDs 00416222, 41214404, 41214370, 41240276, 00428458, 41395831, 00428896, 40111759, 40111742, 40111734 and 00415679). When considering amendments to planning documents for these lands, Council shall consider:

- a) this Plan, including Policy IM-8;
- b) whether the proposal contains a mixed use neighbourhood that will provide a range of housing types and dwelling unit types, places of employment, and services where daily needs of residents can be met;
- c) the relationship of the site to surrounding uses and neighbourhoods, including the existing commercial and industrial development in the area;
- d) the overall site design, development densities and building massing, and how these aspects have considered the recommendations of any required background studies;

- e) the classes of land uses permitted;
- f) phasing of development;
- g) the use and conservation of energy;
- h) the adequacy of public parks, open spaces, and community recreation facilities that meet the objectives of this Plan;
- i) whether the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods;
- j) provisions for incentive or bonus zoning; and
- k) off-site improvements necessary to integrate the development in the neighbourhood.

10.4.7.2 RURAL AREA SITES

IM-22 The Municipality shall, through the applicable land use by-law, establish a Comprehensive Development District (CDD) Zone to apply to certain lands within the following Rural Growth Centres: Hubbards, Musquodoboit Harbour, Porters Lake and Upper Tantallon. This zone is intended to protect these lands as focal points for development within these centres by requiring development to proceed by development agreement except for the continuation and expansion of existing uses.

- (1) Where the proposed development is to be serviced by a groundwater supply, a hydrogeological assessment conducted by a qualified professional shall be required, which must demonstrate that there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;
- (2) In considering approval of any development agreements pursuant to this policy, the Municipality shall consider the following:
 - a) whether the development is designed as part of a focal point for the distribution of services to the outlying area;
 - b) the types of land uses to be included in the development which may include a mix of medium-density residential uses, secondary suites and backyard suites, ground floor commercial, institutional uses, recreation uses and parking facilities;
 - c) where applicable, connections to existing and planned opportunities for the rural active transportation network are provided;
 - d) architectural details marking the entrance to buildings;
 - e) controls on signage;

- f) controls on heights, massing, scale, and type of development;
- g) whether the details of the exterior architectural design of new buildings are complementary to the traditional building style within the surrounding community;
- h) where necessary, details concerning preferred traditional building materials;
- i) appropriate locations of parking for Park & Ride facilities, where applicable, and retail outlets; and
- j) the provisions of Policy IM-9.

10.4.7.3 SITES SUPPORTING AFFORDABLE HOUSING INITIATIVES

The Rapid Housing Initiative is a federal program operated by the Canada Mortgage and Housing Corporation (CMHC) that provides funding for the rapid development of new deeply affordable housing. Site-specific amendments to the 2014 Regional Plan in 2021 and 2022 enabled developments under this program to proceed. These policies are maintained in this Plan to ensure continued policy support for these developments.

IM-23 The Municipality shall, through the applicable land use by-law, permit emergency shelter uses, shared housing uses, multi-unit dwellings uses, and community facility uses on 5853 College Street, Halifax, (PID 00125427) to support the development of affordable housing through the Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative. Land use by-law requirements shall ensure that the building scale respects the historic character of the Carlton Street area.

IM-24 The Municipality shall, through the applicable land use by-law, permit a shared housing use and multi-unit dwelling use at 7044 and 7050 Highway 207, West Chezzetcook (PID 40302507) to support the development of affordable housing through the Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative. Land use by-law requirements shall ensure that the building scale respects the character of the surrounding community.

10.4.8 TRANSIT ORIENTED SUBURBAN AREA OPPORTUNITY SITES

The Suburban Community Planning program will involve a comprehensive planning process to develop a vision and future land use structure for the Suburban Area. Given the present housing shortage and the urgent need to increase the supply of safe, sustainable and affordable housing, it is reasonable to provide additional opportunity to allow those residential or mixed-use development to proceed where they are aligned with the Suburban Community Planning Vision and Core Concepts as outlined in Section 3.3.2.1 and Policy HC-3 and are ready to develop. Proposed developments may be considered by development agreement, where certain criteria and requirements can be met including accelerated project start and completion timelines.

IM-25 Notwithstanding Policy IM-3 but subject to Policy IM-26, Policy IM-27 and Policy IM-9, prior to the adoption of the Suburban Plan, development proposals that align with Section 3.3.2.1 including Policy HC-3 of this Plan for residential or mixed-use buildings that provide

primarily residential uses within the Suburban Area as identified on Map 2 and in the Urban Service Boundary, may be considered by development agreement or an amendment to an existing development agreement, provided they meet the following criteria:

- a) the proposed development site is located within the Suburban Area as identified on Map 2 but outside the Suburban Housing Accelerator Secondary Municipal Plan Area;
- b) the proposed development site is located within an 800 metre walkshed of a Planned Bus Rapid Transit (BRT) route or the Mill Cove Ferry Terminal as identified on Map 3;
- c) the proposed development site is no more than 2 hectares in total area;
- d) the proposed development must not result in the demolition of an existing building containing three dwelling units or more; and
- e) a complete application for a development agreement must be on file with the Municipality on or before the first notice of the intention of Council to adopt the Suburban Plan.

IM-26 In considering an application for a development agreement or an amendment to a development agreement under Policy IM-25, the Municipality shall consider:

- a) that the development's permitted density and built form on the site considers walking distance to transit, local context and transitions in height and massing to low-rise residential neighbourhoods;
- b) the development's site design supports necessary infrastructure upgrades;
- c) whether to vary the built form and land use requirements in the Housing Accelerator Zone and applicable section of the Suburban Housing Accelerator Land Use By-Law;
- d) on-site and off-site improvements necessary to integrate the development in the surrounding area, including street and active transportation that support Bus Rapid Transit Corridors;
- e) whether ground floor commercial or institutional space is included to support local services and employment uses;
- f) provisions for incentive or bonus zoning consistent with requirements set out policies in Section 5.5.3 of this Plan and applicable land use by-laws;
- g) the project commencement date shall not exceed 18 months with one opportunity for a one-time extension not exceeding 6 months; and
- h) the project completion date shall not exceed three years from the date of commencement.

IM-27 A Development Agreement or an amendment to development agreement under Policy IM-25 and IM-26 shall:

- a) for a development that is located:
- i. in a low-density residential area that is not near bus rapid routes or the Mill Cove Ferry Terminal, not exceed the built form for a low-rise building as set out in the Suburban Housing Accelerator Land Use By-Law;
 - ii. near bus rapid transit routes or the Mill Cove Ferry Terminal and abuts a low-density residential area, not exceed the mid-rise built form as set out in the Suburban Housing Accelerator Land Use By-Law; and
 - iii. near bus rapid transit routes or the Mill Cove Ferry Terminal and not abutting low-density residential areas, not exceed the tall mid-rise built form as set out in the Suburban Housing Accelerator Land Use By-Law; and
- b) unless otherwise varied by the development agreement, require the applicable provisions of the Suburban Housing Accelerator Land Use By-Law to apply.

10.5 THE REGIONAL SUBDIVISION BY-LAW

The *Regional Subdivision By-Law* is amended concurrently to implement the policies of this Plan. This By-Law is an effective tool in achieving various objectives of this Plan such as regulating where municipal water and wastewater services will be provided and establishing design standards for municipal streets and parkland acquisitions.

IM-28 The *Regional Subdivision By-Law* and any proposed amendments to this By-Law shall be consistent with the objectives and policies of this Plan.

IM-29 The *Regional Subdivision By-Law* may establish application submission requirements which require electronic document submissions and do not require paper submissions.

10.5.1 RURAL GROWTH MANAGEMENT

To control development outside of rural centres and manage land use around open space and working landscapes, this Plan discourages the ongoing development of large-lot residential subdivisions in the Rural Area. Large-scale residential development can impact open spaces that define rural character, take natural resource lands out of production and conflict with resource industries such as farming, forestry and mining. Extensive road development to service residential developments may fragment landscapes, affecting important natural features and leaving islands of natural habitat that may not be enough to sustain biodiversity. Further, extensive dispersed residential development strains existing community services and adds pressure for the Municipality to develop costly infrastructure in unplanned areas.

To minimize these impacts, since the original adoption of the Regional Plan in 2006, it has been the intent of this Plan to discourage large-scale as-of-right development in the Rural Commuter, Rural Resource and Agricultural Designations, and limit residential subdivision in the Open Space and Natural Resource Designation. These policies are implemented through provisions established in the *Regional Subdivision By-Law*. Interim Growth Management Controls, established by Ministerial Order in 2004 during the development of the 2006 Regional Plan, were replaced first by the policies of the 2006 Regional Plan, continued by the 2014 Regional Plan and are now continued by the policies of this Plan, except provisions

adopted under the Eastern Passage/ Cow Bay Secondary Municipal Planning Strategy will continue to apply, and special provisions will continue to apply for areas within the Beaver Bank, Hammonds Plains, and Upper Sackville Secondary Municipal Planning Strategy.

Limited development on existing roads will continue to be permitted in line with existing community plans and land use by-laws. Additionally, limited subdivision which has traditionally been used for kinship purposes will continue to be permitted. The *Regional Subdivision By-Law* permits the creation of an additional lot which does not meet the minimum road frontage requirements, provided the area of land being divided was in existence prior to August 1, 1987 (consistent with the *Provincial Subdivision Regulations*), except where other provisions have been established in existing community plans. For lands in the Open Space and Natural Resource Designation, where residential subdivision is more restricted, this date was adjusted forward with the adoption of the 2006 Regional Plan.

Due to variations in the levels of road construction and challenges with long-term regular maintenance, private roads can result in unsafe passage for commercial and emergency vehicles and create dangerous access situations. Therefore, it is the intent of this Plan that the *Regional Subdivision By-Law* will continue to not permit the creation of new private roads. Future studies will determine how best to manage new residential development in the Rural Area and options for rural road standards will be considered at that time.

In some communities, particularly in the Rural Area, additional connections may be needed to provide for safe and efficient emergency access to and egress from existing subdivisions. Nothing in this Plan nor the *Regional Subdivision By-Law* prevents the Municipality from creating emergency access routes.

IM-30 To manage land use around the region's interconnected system of open space and minimize landscape fragmentation within the Open Space and Natural Resource Designation, the Municipality shall, through the *Regional Subdivision By-Law*, prohibit subdivision which creates lots for residential uses on new roads.

IM-31 Within the Rural Commuter, Rural Resource, Agricultural and Open Space and Natural Resource designations, the Municipality shall, through the *Regional Subdivision By-Law*, permit the subdivision of lots fronting existing local roads, including existing private roads, to the extent provided for under existing Secondary Municipal Planning Strategies, and for those roads shown on completed tentative and final subdivision applications submitted on or before August 26, 2006. Within these designations but outside of Water Service Areas, lots fronting on existing non-local roads shall be permitted with wider frontages.

IM-32 The Municipality shall, through the *Regional Subdivision By-Law*, establish provisions to allow for the approval of a maximum of eight lots on new public streets, per area of land with public street frontage in existence on August 26, 2006:

- a) within the Rural Commuter Designation, where the proposed road intersects with a local road; and**
- b) within the Rural Resource Designation, where the proposed road intersects with a local road or non-local road.**

IM-33 The Municipality shall, through the *Regional Subdivision By-Law*, regulate the design of flag lots in new subdivisions such that no more than three flag lots are contiguous to each other

except that flag lots shown on tentative or final subdivision applications on file prior to March 13, 2004 are exempted from these requirements.

- IM-34** Where a secondary municipal planning strategy so provides, the *Regional Subdivision By-Law* may permit the creation of additional lots from an area of land which does not meet the minimum lot frontage requirements, providing the lots have access to a road. These provisions may also include the ability to retain lot frontage exemptions for areas of land which have undergone minor alterations that do not increase development potential.
- IM-35** The Municipality shall, through the *Regional Subdivision By-Law*, provide for the creation of one additional lot from any area of land that is within the Open Space and Natural Resources Designation and does not meet the minimum road frontage requirements provided that the area of land was in existence prior to April 29, 2006.
- IM-36** The Municipality shall replace all existing growth management mechanisms contained in secondary municipal planning strategies with the growth management provisions contained in this Plan except that:
- a) the provisions adopted under the *Eastern Passage/Cow Bay Secondary Municipal Planning Strategy* shall continue to apply; and
 - b) provision shall be made within the *Beaver Bank, Hammonds Plains and Upper Sackville Planning Strategy* to allow for the development of large-scale subdivisions on lands zoned or under application for rezoning to a Comprehensive Development District prior to April 29, 2006.
- IM-37** The Municipality shall, through the *Regional Subdivision By-Law*, prohibit approval of new private roads throughout the municipality.

10.5.1.1 BEAVER BANK AND HAMMONDS PLAINS GROWTH CONTROL AREAS

Subdivision has been limited in portions of the Beaver Bank and Hammonds Plains communities since prior to the adoption of the 2006 Regional Plan, due to identified limitations in major transportation infrastructure. These growth control mechanisms may be adjusted in the future in alignment with the Municipality's long-term growth plans, as informed by the future Strategic Growth and Infrastructure Priorities Plan, as outlined in Policies RP-27 and RP-28. Until comprehensive study of future community development and infrastructure planning in these areas is completed, the growth control mechanisms in the Beaver Bank and Hammonds Plains communities will continue to be applied.

- IM-38** Until transportation infrastructure capacity is increased within the Beaver Bank and Hammonds Plains areas, residential subdivision activity shall be limited. The Municipality shall, through the *Regional Subdivision By-Law*, establish special provisions in the Beaver Bank and Hammonds Plains communities to:
- a) limit subdivision and prohibit the creation of new public streets for residential uses within portions of the Hammonds Plains and Beaver Bank communities; and

- b) permit approval of one additional lot from any area of land in existence prior to April 29, 2006, which does not meet minimum road frontage requirements.

IM-39 Before considering any amendment to this Plan or the *Regional Subdivision By-Law* to adjust the subdivision restrictions pursuant to Policy IM-38, the Municipality shall complete the Strategic Growth and Infrastructure Priorities Plan as outlined in Policy RP-27 and RP-28.

10.5.1.2 SPECIAL PROVISIONS FOR LEGACY SUBDIVISION APPROVALS

Prior to the adoption of the Regional Plan in 2006, applications for subdivision and development in the Rural Area were approved that may not be aligned with the overall growth management strategy of this Plan. While existing development rights have been acknowledged, should these rights not have been exercised, these rights will be phased out over time to ensure that new development meets the objectives of this Plan. The Municipality anticipates that future work on long-term growth (as outlined in Chapter 2) and Rural Community Planning (as outlined in Chapter 3) could enable different forms of development on these lands in the future.

IM-40 The Municipality shall, through the *Regional Subdivision By-Law*, establish restrictions on future development resulting from concept applications which were approved prior to the establishment of the Interim Growth Management Controls. Subdivision pursuant to any completed concept applications on file prior to January 22, 2004 may be considered for approval subject to the following:

- a) a tentative or final subdivision application for the initial phase of subdivision construction must have been filed prior to April 29, 2006;
- b) approval may only be granted for a maximum of 25 lots per year; and
- c) unless section 295 of the Charter applies, where a tentative or final subdivision application for the final phase of subdivision has not been filed prior to April 29, 2031, subdivision may only be granted in accordance with the provisions of this Plan.

IM-41 The Municipality shall, through the *Regional Subdivision By-Law*, establish special provisions to allow for consideration of approval of lands now or formerly of Harbouredge Realty Administration Corp (Abbecombec Village) in Clam Bay provided that:

- a) approval of a maximum of 25 lots per year may be granted; and
- b) unless section 295 of the Charter applies, where a completed tentative or final subdivision application, pursuant to Concept Plan #13666 approved April 24, 2007, has been filed prior to April 29, 2031.

IM-42 The Municipality shall, through the *Regional Subdivision By-Law*, allow subdivision approvals of a maximum of 25 lots per year from concept applications which were filed prior to April 29, 2006 on lands outside of the portions of the Hammonds Plains and Beaver Bank

communities identified pursuant to Policy IM-38 and within the *Beaver Bank, Hammonds Plains and Upper Sackville Secondary Planning Strategy* subject to the restriction that where a completed tentative or final subdivision application for the initial phase of subdivision construction has not been filed by April 29, 2007, no subdivision approvals shall be granted under this exemption.

- IM-43** Notwithstanding IM-42, the area identified as the Indigo Shores Special Planning Area in accordance with the *Housing for Halifax Regional Municipality Act* and as shown as Schedule I of the *Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law*, shall be exempt from the restrictions identified in IM-42. Further, the development of this area shall proceed by way of applied R-1 (Single Unit Dwelling) Zoning and by way of a development agreement to allow the development of more than 25 lots per year.

10.5.2 LAND TITLES CLARIFICATION INITIATIVE

The Land Titles Initiative is an initiative of the Province of Nova Scotia to help residents in certain African Nova Scotian communities get clear title to their land. In HRM, this applies to the communities of North Preston, East Preston, and Cherry Brook/Lake Loon. This initiative is supported by the *Land Titles Clarification Act* (1963) and the *Land Titles Initiative Acceleration Act* (2021). These Acts establish community boundaries that in some cases do not capture the entire community and exclude properties from consideration. This Plan aims to resolve this issue by creating policy that will officially recognize lots in existence in African Nova Scotian communities prior to municipal subdivision regulations. Given that this form of subdivision will not create new development but recognizes existing lots and dwellings, these requests shall be exempted from parkland dedication requirements.

- IM-44** The Municipality shall recognize lots in communities designated “land titles clarification areas” under the *Land Titles Clarification Act*, as existing prior to the date that the applicable land use by-law was adopted. The *Regional Subdivision By-Law* shall include lot design requirements that support the unique circumstances of these lots. This may include removing the requirements for lot area and frontage under specific circumstances such as clarifying eligibility for lot frontage exemptions and enabling subdivision for more than one main building on a lot.
- IM-45** Under the *Regional Subdivision By-Law*, the Municipality shall exempt lots recognized through Policy IM-44 from parkland dedication requirements.

10.5.3 10-HECTARE LOTS

The *HRM Charter* enables lots that exceed 10 hectares in area to be created outside of the municipal subdivision approval process. This exception is generally intended for resource uses, such as farming or forestry. In recent years, however, it has become more common for people to utilize the exemption with the intent to create such lots for cottage or residential development. Although such lots can be created without meeting land use by-law requirements for road frontage, the lots must meet land use by-law requirements in order to obtain development permits.

To recognize that development permits were issued for a limited number of single unit dwellings on lots created through the 10-hectare exception in the *HRM Charter*, in 2017 Regional Council approved relaxing the road frontage requirements and allowing the continued development of subdivisions that had received

permits for some, but not all lots. The policies in this section represent a one-time exception, intentionally focused on these unique situations to maintain the general intent of this Plan while being fair to affected property owners.

IM-46 The Municipality shall, through the applicable land use by-laws, permit residential uses located on lots that do not meet road frontage requirements and were issued development permits on or before April 1, 2016.

IM-47 The Municipality shall, through the applicable land use by-laws, permit development on lots that existed on or before April 1, 2016, and do not meet road frontage requirements within identified subdivisions that received development permits for some, but not all, lots located with the same subdivision.

IM-48 The Municipality shall, through the applicable land use by-law, permit development on ten (10) lots that do not meet road frontage requirements and that existed on or before April 1, 2016 on the east side of Scots Lake in Musquodoboit Harbour.

10.5.4 PARKLAND DEDICATION

Consistent with the provisions of the *HRM Charter*, the Municipality relies on a 10% park dedication from new subdivisions. Currently, the Municipality uses a park classification system established within the *Regional Subdivision By-law* to guide how parkland dedication is determined. Each type of park has their recreation function, design features and size of community they intend to serve. The number of proposed households are a key consideration when calculating the amount of lands needed to be acquired for parkland purposes through the subdivision process.

General requirements for parkland dedication are established in the *Regional Subdivision By-Law*. Exemptions for park dedication could potentially detract from the Municipality's financial ability to carry out the vision of this Plan and acquire lands that have longstanding value to the region for leisure and recreation. Given the pressures of population growth and the need for park infrastructure to support the growing needs of the region, parkland dedication of 10% will be required, with limited application of a reduction to 5%.

Where a comprehensive neighbourhood planning process has been undertaken, such as for a Future Growth Node in the Regional Centre or a Future Serviced Community as described in Chapter 3, alternative approaches to parkland dedication that differ from the *Regional Subdivision By-Law* may be established through secondary municipal planning strategies.

IM-49 Subject to IM-45 and IM-51, the Municipality shall, through the *Regional Subdivision By-Law*, establish a requirement for a 10% park dedication for new subdivisions.

IM-50 Further to Policy IM-49, the required parkland dedication amount shall be reduced to 5% where a subdivision meets the following conditions:

- a) **Classic Conservation Design Developments as provided for under Section 10.4.3 of this Plan; or**
- b) **the parcel of land to be subdivided:**

- i. was in existence on [date of first notice to adopt this Plan]; and
 - ii. will result in the creation of a maximum of two lots, no remainder lots, and cannot be further subdivided.
- IM-51** Alternative approaches to parkland dedication may be established in secondary municipal planning strategies, subject to the provisions of the *HRM Charter*.
- IM-52** The *Regional Subdivision By-law* shall contain a parkland classification system that outlines service delivery criteria for various park types for dedications to guide the Municipality when acquiring land through the subdivision process.

10.5.5 INFRASTRUCTURE CHARGES

In planning for infrastructure investment, the Municipality will need to consider a range of revenue sources. To help facilitate growth without imposing excessive financial burden on existing taxpayers, the Municipality is permitted by the *HRM Charter* to recover infrastructure-related costs associated with new subdivisions using infrastructure charges. These charges allow the Municipality to pass the cost of new infrastructure to developers and subdividers whose lands receive the benefits of the new services. These charges fund the capital cost of providing infrastructure but do not fund operating or maintenance costs. Charges may also be imposed under a separate by-law, applied to the entire region or a defined area, to impose, fix and provide methods of enforcing payment of charges. For example, this kind of charge could be applied when a building permit is sought for a new building or redevelopment on an existing property.

- IM-53** The Municipality shall establish provisions under the *Regional Subdivision By-Law* to allow for the imposition of infrastructure charges to recover all, or part, of the capital costs incurred, or anticipated to be incurred, by the Municipality.
- IM-54** The Municipality shall consider establishing by-laws to allow for the recovery of costs.

10.5.6 UNDERGROUND TELECOMMUNICATION SYSTEMS

Most of the electrical grid is above ground for cost reasons, necessitating regular vegetation management, especially for trees which can fall onto wires and cause outages. The challenge is to balance the need for reliability with the many benefits offered by trees and vegetation, especially in public rights-of-way, parks and wilderness areas. In strategic urban locations where the high costs are justifiable, both electrical and communication wiring can be placed underground. Some areas in Downtown Dartmouth and Halifax already have underground wiring. For new subdivisions, underground lines may be installed at the request of the developer, who pays a capital cost contribution to help offset future replacement costs, though this practice is not widespread.

The Municipality has commissioned studies³⁸ to examine the benefits and challenges of underground utilities in terms of reliability, aesthetics, and cost, and has chosen a two-phased approach to implementation in new subdivision developments. Initially, undergrounding is required from the pole to the property and then, after further consultation with the development community, consideration may be given to total undergrounding within the street right-of-way.

IM-55 The Municipality shall, through the *Regional Subdivision By-Law*, require the underground placement of electrical and communication distribution lines from the poles within the street right-of-way to the property line for subdivision applications in which new streets are proposed within the Urban Service Area. The Municipality may consider future amendments to the *Regional Subdivision By-Law* to require the underground placement of all electrical and communication lines within street rights-of-way or rear lot servicing easements.

10.6 WATER AND WASTEWATER SERVICES

10.6.1 URBAN SERVICE AREA

The Municipality works closely with Halifax Water to plan for the Municipality's water, wastewater, and stormwater infrastructure needs. This Plan establishes a careful, considered process before allowing any expansion of the Urban Service Area Boundary. To effectively support decision-making for long-term growth and infrastructure investments, major amendments to the Urban Service Area boundary may only be considered if warranted by changes in population or employment growth, or where strategic investments in infrastructure support building healthy and complete communities, as may be determined by the forthcoming Strategic Growth and Infrastructure Priorities Plan. As outlined in Policy RP-24 and RP-25 in Chapter 2, the Municipality will regularly monitor population and employment projections to inform whether additional lands may be required to accommodate growth within the Urban Area and may consider amendments to the Urban Service Area boundary during future reviews of this Plan.

IM-56 The Municipality shall establish an Urban Service Area within the *Regional Subdivision By-Law* to identify those areas where municipal wastewater and stormwater collection and water distribution systems are to be provided. Lands within the Urban Service Area shall only be developed with municipal wastewater and stormwater collection and water distribution systems.

IM-57 The Municipality shall seek to prevent premature development for residential or mixed use development with on-site services on lands designated Urban Settlement but not yet within the Urban Service Area by establishing an Urban Settlement Zone over these lands under the applicable land use by-law. This zone shall permit public parks and playgrounds but restrict new development to single unit dwellings serviced with on-site sewage disposal systems and wells on lots with a minimum size of two hectares on existing roads.

³⁸ Kinetrics Inc. *HRM Underground Utilities Feasibility Study*. 2005. Halifax. Marbec; Economic Implications of Buried Electric Utilities. 2007; Stantec. Engineering Study of Joint Gas, Power, and Communication Trench. 2007; Dillon. *Underground Utilities Funding/Management Best Practices Review*. 2010.

- IM-58** The Municipality shall seek to prevent premature development for industrial and other employment uses on publicly-owned lands designated Urban Settlement and within the Business/ Industrial Sub-Designation but not yet within the Urban Service Area by establishing an Urban Settlement Employment Zone over these lands under the applicable land use by-law. This zone shall permit utilities, conservation uses, and public parks and playgrounds.
- IM-59** In considering requests to amend the Urban Service Area boundary to include additional lands, the Municipality shall:
- a) study the lands to be included within the Urban Service Area consistent with Policies HC-11 to HC-14, except that this requirement may be waived where the proposed amendment represents a minor adjustment to the Area and is consistent with Policy IM-61;
 - b) consider the costs and feasibility of providing municipal services and infrastructure related to the extension;
 - c) consider the need to oversize the water, wastewater, or stormwater systems to allow for future development within the Urban Settlement designation; and
 - d) consider the need for a charge to pay for growth-related improvements to water, wastewater or stormwater systems.
- IM-60** Where new secondary municipal planning strategy policy is being considered for adoption for a Future Serviced Community consistent with Policy HC-14, the Urban Service Area boundary may be amended, provided that:
- a) a by-law has been established or is proposed concurrently to pay for growth-related municipal infrastructure, or the Municipality has determined that a by-law is not warranted; and
 - b) where required, a charge needed to pay for growth-related improvements to the water, wastewater, or stormwater services has been approved by the Nova Scotia Regulatory and Appeals Board.
- IM-61** The Municipality may consider minor adjustments to the Urban Service Area boundary where:
- a) the lands to be included within the boundary are adjacent to existing developed lands within the boundary that are serviced with municipal water, wastewater and stormwater systems and the adjustment will improve the interconnection of existing communities; and
 - b) (i) the adjustment will clarify and align the Urban Service Area boundary with the Urban Settlement Designation where a generalized line had been drawn; or

(ii) where Halifax Water identifies that the adjustment is needed to facilitate efficient installation of new infrastructure within the existing boundary; and

- c) the costs for installation of water, wastewater and/or stormwater infrastructure is to be borne by the proponent of the proposed development, and the Municipality and Halifax Water have determined there is no need for a municipal contribution to oversize the water, wastewater or stormwater systems to allow for future development.

10.6.2 WATER SERVICE AREAS

Although this Plan encourages a more compact urban form in which development is serviced with wastewater and water distribution systems, it recognizes that developments already exist that are serviced with a water distribution system and on-site sewage disposal systems.

However, the risk of inadequate performance of on-site sewage disposal systems in areas which are serviced with a central water supply is of concern. There is a higher degree of risk of on-site sewage disposal system failure in areas serviced with central water because the unlimited source of water can cause hydraulic overloading.³⁴

The Municipality will recognize existing lands serviced by municipal water services only, and will only allow for extensions in certain circumstances.

IM-62 The Municipality shall, through the *Regional Subdivision By-Law*, establish Water Service Areas where development shall be permitted which is serviced by a public water distribution system but without a municipal wastewater system. Within these areas, a water distribution system shall be required to service all new developments located adjacent to an existing water distribution system where a new or extended public street is proposed. Further, no water distribution system shall be permitted to extend outside of a Water Service Area.

IM-63 The Municipality may consider establishing new Water Service Areas, subject to the financial ability of the Municipality and Halifax Water to absorb any related costs, if the following conditions are met:

- a) That:
 - i. the area is within the Rural Commuter designation or within a Rural Centre as shown on Map 4 within the Rural Resource or Agricultural designation, and it has been determined through a planning process that significant new growth is to be encouraged in the area; or
 - ii. the lands are adjacent to an existing Water Service Area and a Conservation Design Development is proposed; or
 - iii. the lands are adjacent to an existing Water Service area and within the portion of PID 40150567 designated Rural Commuter; and

³⁴ Dillon Consulting Ltd. 2002. *Water Resource Management Study*.

- b) an area charge needed to pay for the water services or stormwater services has, where required, been adopted by by-law.

IM-64 The Municipality may consider expanding existing Water Service Areas to existing communities, subject to the financial ability of the Municipality to absorb any costs related to the expansion, if the following conditions are met:

(a) that:

- i. the lands are near a water distribution system owned and operated by Halifax Water; or
- ii. a study has been prepared by a qualified person verifying that there is a water quality or quantity problem that cannot reasonably be rectified by an alternative means; or
- iii. there are environmental concerns related to the long-term integrity of on-site sewage disposal systems and a wastewater management plan is also considered in accordance with Policy IM-67; and

- (b) an area charge needed to pay for growth related improvements to the water or stormwater services has been adopted by by-law, or Halifax Water has advised that an area charge is not required.

10.6.3 GROUND WATER SUPPLIES

Development in rural areas requires an adequate and sustainable water supply. Hydrogeological studies can address this objective through testing to assess long-term sustainable yield of larger subdivisions with many lots or any potential impact on existing wells in adjacent subdivisions. The *HRM Charter* allows the Municipality to require hydrogeological studies as a condition of subdivision approval. A comprehensive understanding of groundwater supplies across the region is required to further direct development to appropriate rural centres where water is available.

IM-65 The Municipality shall require a hydrogeological assessment for all subdivision applications to be serviced with on-site wells where the number of residential lots consists of ten or more. Subdivision approval will only be granted where the study determines that the quantity and quality of the groundwater source is sufficient to service the proposed development without adversely affecting groundwater supply in adjacent developments and municipal potable drinking water supply areas.

IM-66 To support growth in Rural Centres, through the Rural Community Planning program, the Municipality shall consider:

- a) undertaking a region-wide hydrogeological study regarding groundwater capacity across the rural areas of the region; and
- b) cooperating with the Province of Nova Scotia to monitor the effects of development on the groundwater table and natural groundwater flows.

10.6.4 PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEMS AND WASTEWATER FACILITIES

Malfunctioning on-site sewage disposal systems may cause bacteria and other contaminants to enter groundwater and surface water which may pose health risks and cause environmental degradation. Contamination has resulted in closures to swimming and shellfish harvesting and has increased the eutrophication process of lakes and estuaries. The Municipality may seek measures to reduce the risk of these occurrences.

IM-67 To support growth in Rural Centres and protect public health and the environment, through the Rural Community Planning program, the Municipality shall consider:

- a) establishing Wastewater Management Districts within Rural Centres as shown on Map 4, or for areas that have failing on-site sewage disposal systems that cannot be remediated by private on-site sewage disposal systems;**
- b) establishing wastewater management districts for areas where significant development is occurring; and**
- c) adopting a private on-site sewage disposal system by-law to require such systems to be maintained.**

10.7 MUNICIPAL DESIGN GUIDELINES

The Municipal Design Guidelines provide uniform standards for the design and construction of streets, drainage, street trees, lighting, and associated municipal infrastructure. The Municipal Design Guidelines apply to the design of new streets and to the maintenance or redesign of existing roadways. For new subdivisions, the *Regional Subdivision By-Law* requires that municipal services and streets be designed as set out in the Municipal Design Guidelines and the Halifax Water Design Specifications.

The Municipal Design Guidelines play a key role in establishing streets as multi-modal corridors; they are also the key tool in implementing a complete streets lens that incorporates streets as places and their role in the urban forest and for ecological connectivity. In rural areas, where private roads are no longer permitted, there may be a need to establish different rural local roads standards to support rural mobility while maintaining safety including access for emergency and service vehicles.

Comprehensive planning exercises may identify connectivity gaps for walking/rolling and cycling, with desirable connections that do not currently exist across larger blocks or between cul-de-sacs. To support intensifying land uses and a mode shift towards walking/rolling and cycling, there will be a need to increase connectivity for more options to move between destinations. In some cases, these connections may be best served by new municipal streets that also serve vehicles. Alternatively, connectivity may be served by paths or trails that only provide connections for walking/rolling and cycling, or emergency services.

IM-68 The Municipal Design Guidelines shall be used to establish minimum standards to be met for the design of streets, drainage, street trees and lighting, and associated municipal infrastructure. To further support objectives for complete streets and complete networks, the Municipality may update the Municipal Design Guidelines from time to time to provide guidance and design standards for:

- a) new rights-of-ways and existing rights-of-way, including in the Rural Area, with consideration for alignment with the policies and objectives in this Plan;
- b) development block lengths, driveways, walkways, bikeways, and multi-use paths that support connectivity and appropriate land use intensification;
- c) green infrastructure and landscaping standards for rights-of-way to support the policies and objectives in this Plan;
- d) addressing current and future climate change impacts and improving the resiliency of new and retrofitted municipal infrastructure to support the policies and objectives in this Plan; and
- e) underground wiring and retrofitting of underground utilities.

10.8 MEASURING SUCCESS, REVIEWING THE PLAN AND ADAPTING TO CHANGE

Performance measures assist in evaluating the effectiveness of policies, programs, and investments in achieving the vision and objectives of this Plan. Evaluations by external organizations also provide valuable feedback.

Amendments to this Plan may be brought forward periodically to address non-substantive matters or amendments which are consistent with or further the vision and objectives of this Plan. A comprehensive review will be undertaken on at least a ten-year basis to evaluate the effectiveness of policies and programs in achieving the vision and objectives of this Plan. As outlined in Policies RP-27 and RP-28 in Chapter 2, it is the intent of this Plan to undertake a Strategic Growth and Infrastructure Priorities Plan and review the areas designated as Urban Reserve to determine if they are required for future growth. The Suburban and Rural Community Planning processes will also evaluate areas that can support growth and develop as complete communities. It is anticipated that this Plan may need to be amended as that work progresses.

- IM-69 Regular data monitoring shall be used by the Municipality to assist in evaluating the effectiveness of policies and programs in achieving the stated vision and objectives of this Plan.**
- IM-70 Amendments to this Plan may be considered from time to time to address non-substantial matters or amendments which are consistent with or further the vision and objectives of this Plan.**
- IM-71 This Plan shall be reviewed at least every ten years, from the date the most recent ten year review has been completed and any changes have come into effect, to evaluate the effectiveness of policies and programs adopted pursuant to this Plan in achieving its vision and objectives and where appropriate, amendments may be considered.**

- IM-72** Proposed amendments to this Plan shall be accompanied by any amendments to secondary municipal planning strategies, land use by-laws and the *Regional Subdivision By-Law* or other planning documents required for implementation so that these documents are consistent with this Plan.

10.9 TRANSITION TO THIS PLAN

- IM-73** Where any completed application for development agreement or amendment to a development agreement or amendments to the land use by-law were received by the Municipality prior to Regional Council's first notification to adopt this Plan, the application shall be considered in accordance with the policies in effect at the time the application was received.
- IM-74** Notwithstanding Policies IM-10 to IM-17 inclusive of this Plan, the Municipality may consider a development agreement application on lands identified in Appendix C of this Plan in accordance with Policies S-15 and S-16 of the 2006 Regional Plan provided that a completed application has been submitted to HRM prior to December 31, 2014. Further, the Municipality may consider substantive and non-substantive amendments to an existing development agreement on lands identified on Appendix C of this Plan in accordance with Policies S-15 and S-16 of the 2006 Regional Plan.
- IM-75** Notwithstanding Policies IM-10 to IM-17 inclusive, applications for non-substantive amendments to approved development agreements for Conservation Design Development 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.
- IM-76** Subject to IM-77, the Regional Plan adopted by Council on June 25, 2014 and as amended, is hereby repealed.
- IM-77** Until this Plan becomes effective in accordance with the requirements of the *Halifax Regional Municipality Charter*, the Regional Plan adopted by Council on June 25, 2014 and as amended, shall remain in effect.

APPENDICES

APPENDIX A: DATA MONITORING

Regional Plan Data Monitoring



1. Population Growth Data

- ✓ Total Population
- ✓ Annual Population Growth
- ✓ Total Number of Households
- ✓ Population Growth in Regional Centre, Suburban and Rural Areas



2. Housing Supply Data

- ✓ Total Housing Units
- ✓ Annual Housing Unit Growth
- ✓ New Residential Units Growth in Regional Centre, Suburban and Rural Communities



3. Other Housing-Related Data

- ✓ Housing Types
- ✓ Vacancy Rate
- ✓ Average Rent
- ✓ Households in Core Housing Need



4. Data Analysis

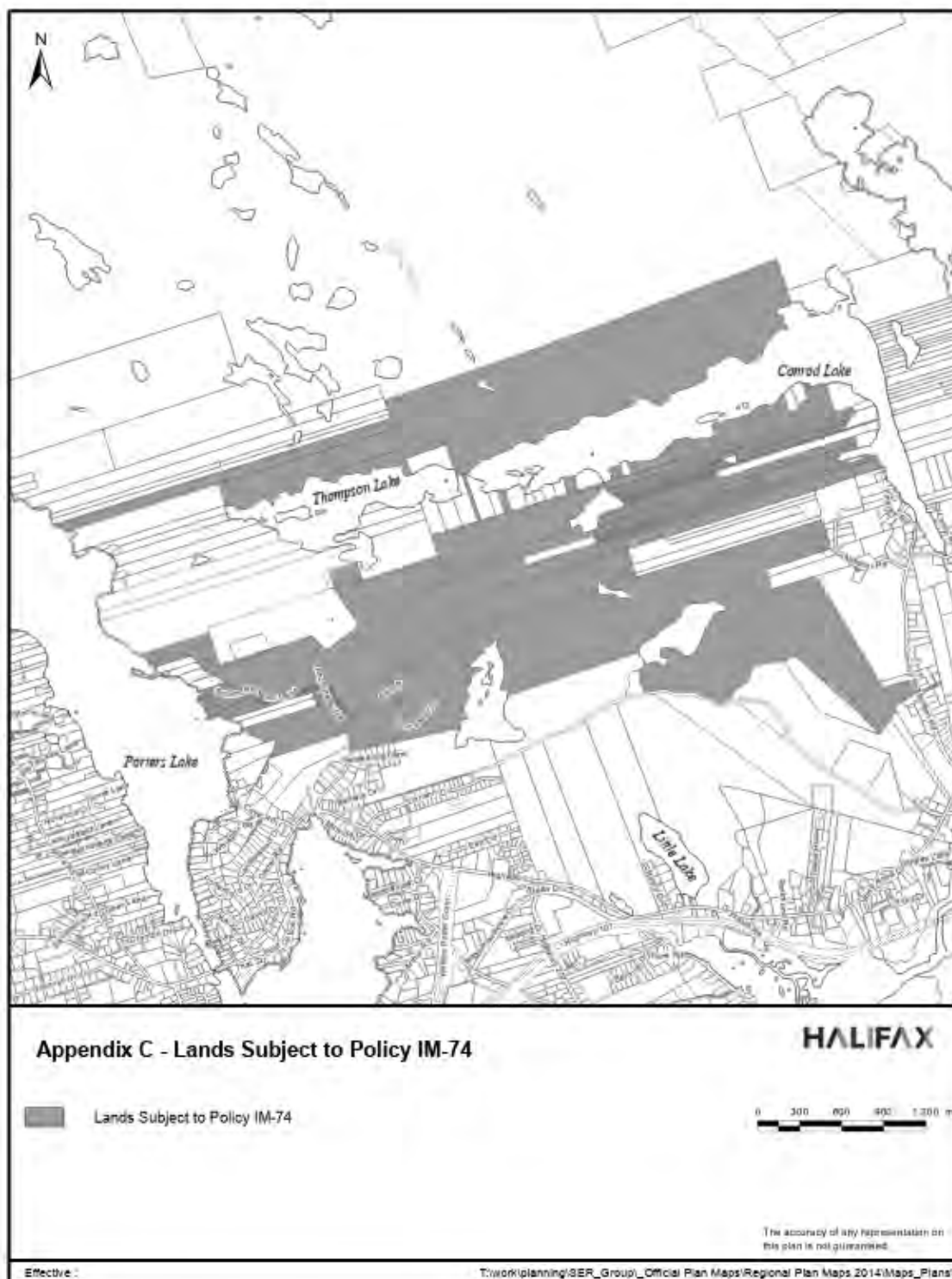
- ✓ Total Number of Households vs Housing Units
- ✓ Annual Population Growth vs Housing Unit Growth
- ✓ 90% of Regional Plan Growth Target vs New Residential Units in Urban Area
- ✓ Population Growth vs New Residential Units in Regional Centre, Suburban and Rural Communities

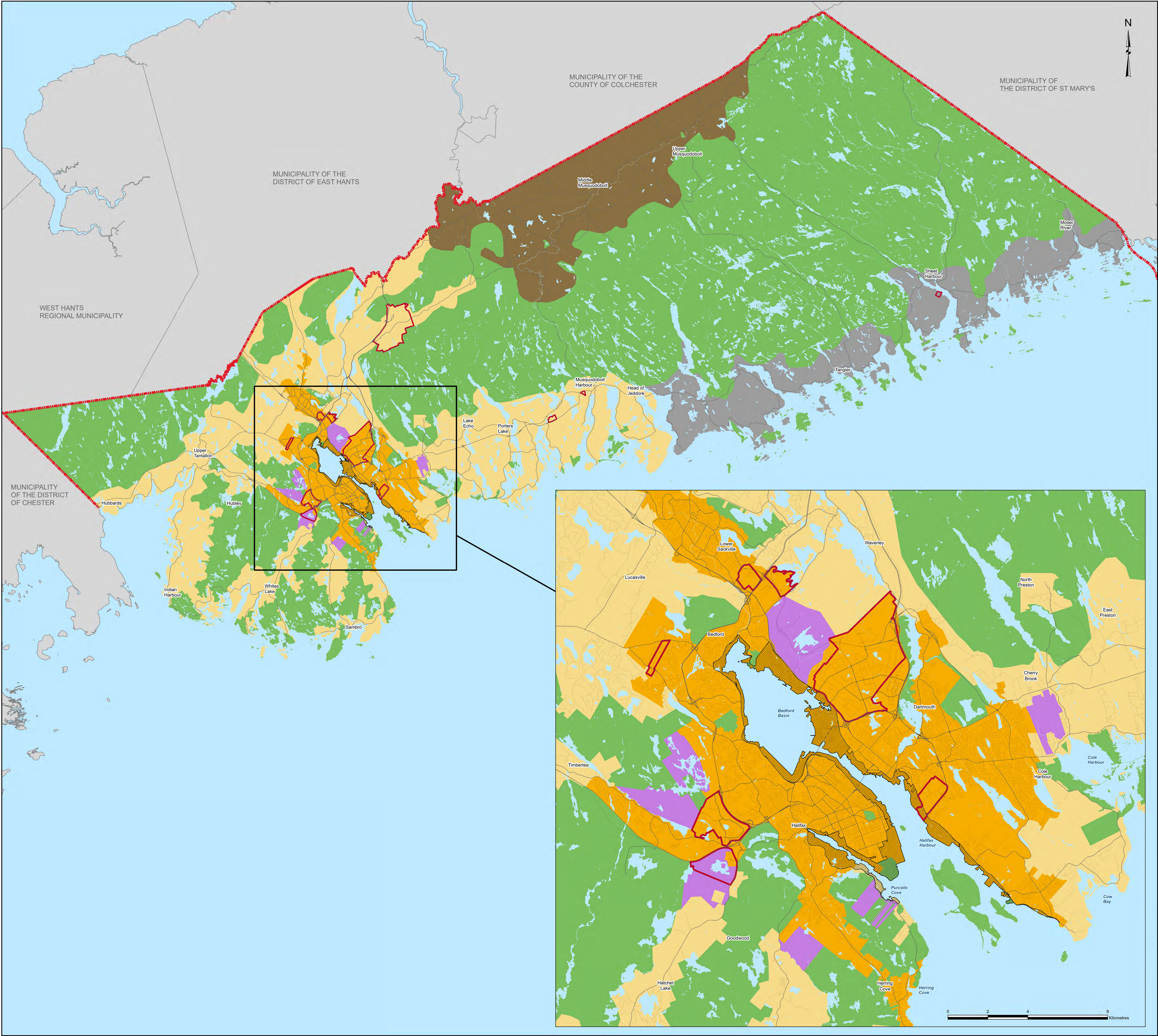
APPENDIX B: EXISTING SECONDARY MUNICIPAL PLANNING STRATEGIES

Secondary Municipal Planning Strategies (SMPS)	Area Plans within SMPS
<ul style="list-style-type: none"> Regional Centre Secondary Municipal Planning Strategy 	
<ul style="list-style-type: none"> Suburban Housing Accelerator Secondary Municipal Planning Strategy 	
<ul style="list-style-type: none"> Dartmouth Municipal Planning Strategy 	<ul style="list-style-type: none"> Port Wallace Secondary Planning Strategy
<ul style="list-style-type: none"> Halifax Municipal Planning Strategy 	<ul style="list-style-type: none"> Bedford Highway Secondary Planning Strategy Fairview Secondary Planning Strategy Mainland South Secondary Planning Strategy Wentworth Secondary Planning Strategy Western Common Area Secondary Planning Strategy
<ul style="list-style-type: none"> Downtown Halifax Secondary Municipal Planning Strategy 	
<ul style="list-style-type: none"> Eastern Passage/Cow Bay Municipal Planning Strategy 	
<ul style="list-style-type: none"> Cole Harbour/Westphal Municipal Planning Strategy 	
<ul style="list-style-type: none"> Sackville Municipal Planning Strategy 	
<ul style="list-style-type: none"> Sackville Drive Secondary Planning Strategy 	
<ul style="list-style-type: none"> Bedford Municipal Planning Strategy 	<ul style="list-style-type: none"> Bedford South Secondary Planning Strategy Bedford West Secondary Planning Strategy
<ul style="list-style-type: none"> Timberlea/Lakeside/Beechville Municipal Planning Strategy 	
<ul style="list-style-type: none"> Lawrencetown Municipal Planning Strategy 	
<ul style="list-style-type: none"> Porters Lake and Lake Echo (Planning Districts 8 and 9) Municipal Planning Strategy 	
<ul style="list-style-type: none"> Lake Major, North Preston, Lake Loon/Cherry Brook and East Preston Municipal Planning Strategy 	
<ul style="list-style-type: none"> Shubenacadie Lakes (Planning Districts 14 and 17) Municipal Planning Strategy 	<ul style="list-style-type: none"> River Lakes Secondary Municipal Planning Strategy
<ul style="list-style-type: none"> Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy 	
<ul style="list-style-type: none"> St. Margaret's Bay (Planning Districts 1 and 3) Municipal Planning Strategy 	

• Prospect (Planning District 4) Municipal Planning Strategy	
• Chebucto Peninsula (Planning District 5) Municipal Planning Strategy	
• Eastern Shore (East) Municipal Planning Strategy	
• Eastern Shore (West) Municipal Planning Strategy	
• Musquodoboit Valley – Dutch Settlement Municipal Planning Strategy	

APPENDIX C: LANDS SUBJECT TO POLICY IM-74





HALIFAX

Regional Municipal Planning Strategy

Map 1
Regional Land Use Structure

Legend

Primary Designations

- Urban Settlement
- Urban Reserve
- Rural Commuter
- Rural Resource
- Open Space and Natural Resource
- Agricultural

Sub-Designations

- Business / Industrial Park
- Halifax Harbour

HRM Boundary

Notes: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tools, subject to financial ability and community interest.

Effective:

0

3

6

12

18

24

Kilometers

Scale 1:175,000

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Halifax Regional Municipality

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HALIFAX

Regional Municipal Planning Strategy

Map 3
Urban Growth Areas

Legend

Regional Plan

- Opportunity Sites
- Mixed Use Neighbourhoods
- Industrial Lands Expansion

Community Plans

Regional Centre

- Downtown Designation
- Centre Designation
- Future Growth Node Designation
- Downtown Halifax Secondary Plan Area

Suburban Plan

- Future Growth Area (Potential)

Transit

- Planned Bus Rapid Transit (BRT) Routes
- Ferry Routes
- Proposed Ferry Routes
- Existing Transit Terminals Serving Proposed BRT
- Ferry Terminals
- Proposed Ferry Terminals

Boundary Extents

- HRM Boundary
- Regional Centre Boundary
- Urban Area Boundary

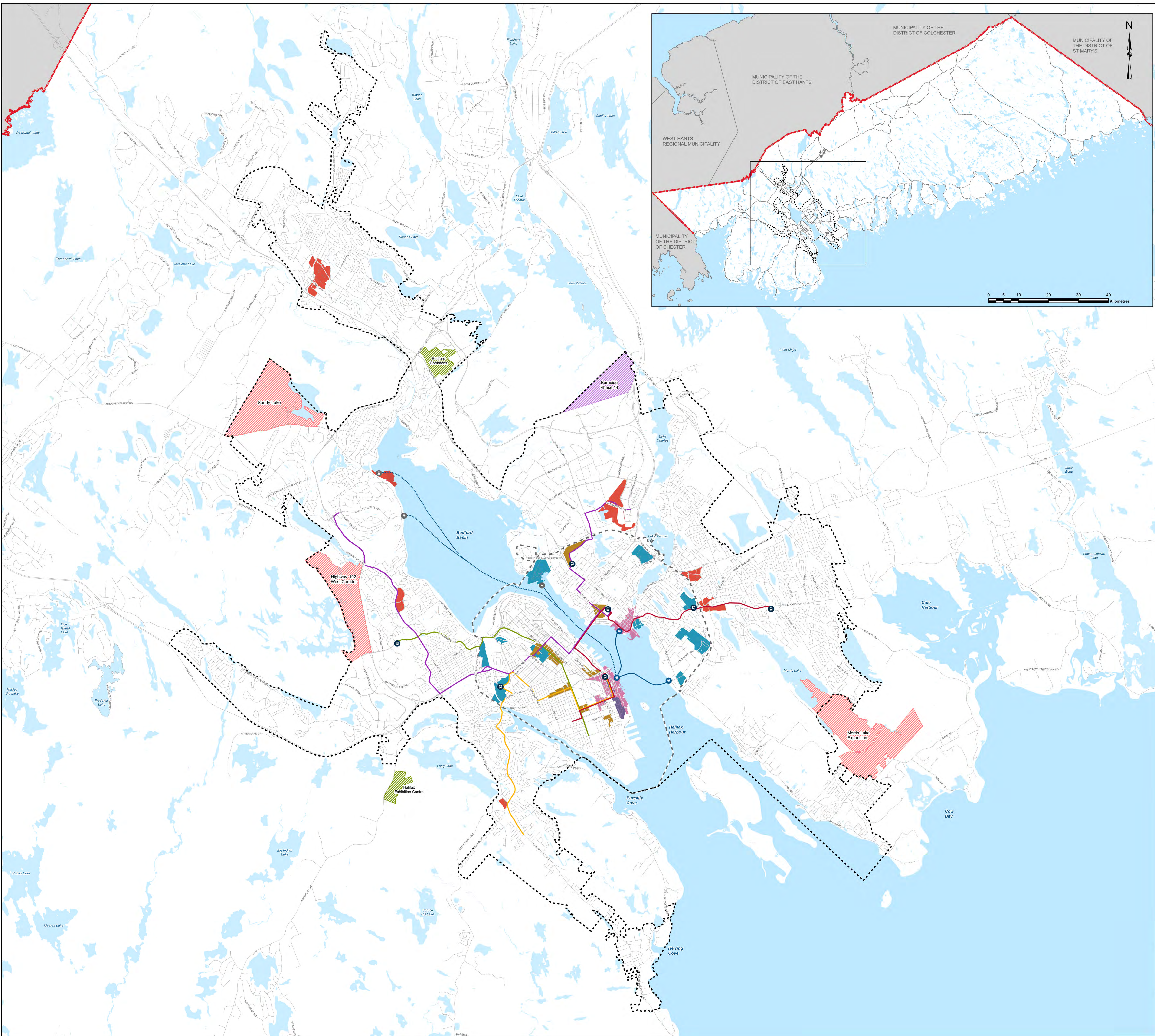
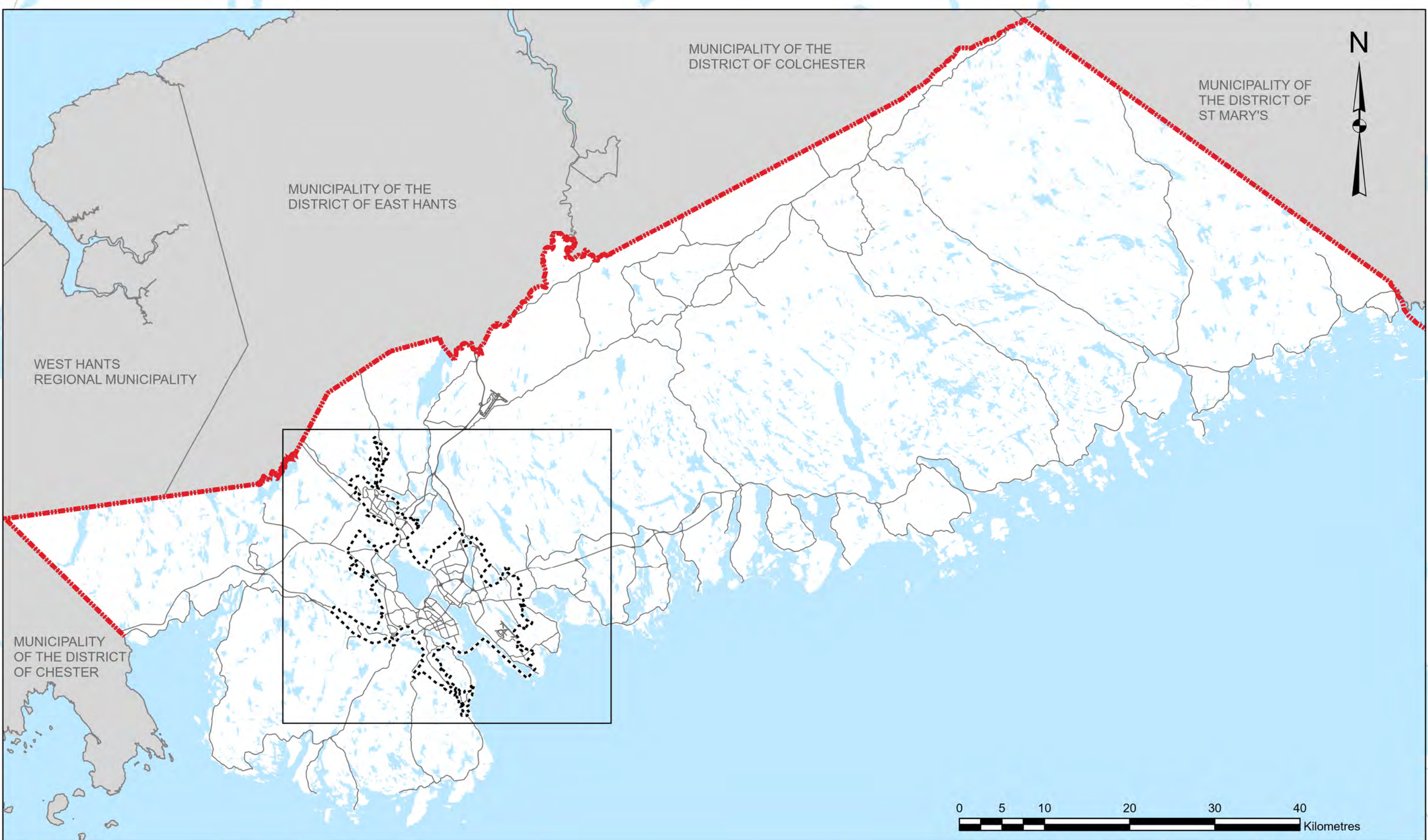
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Scale 1:40,000

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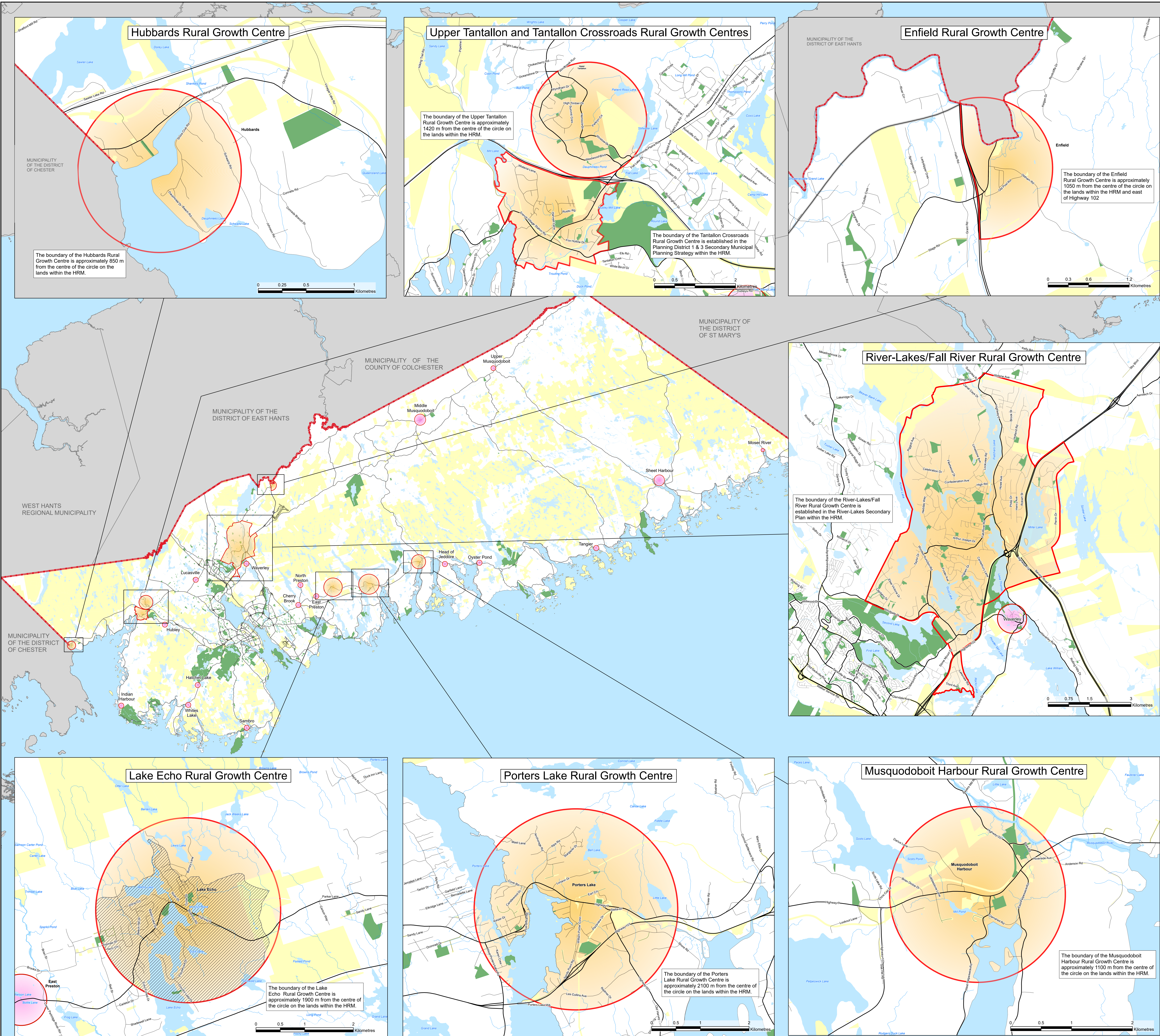
HALIFAX

Regional Municipal Planning Strategy

Map 4
Rural Centres

Legend

- Major Routes
- Local Roads
- Rural Growth Centres
- Rural Local Centres
- Lake Echo Subwatershed
- Government Owned Lands
- Parks
- HRM Boundary

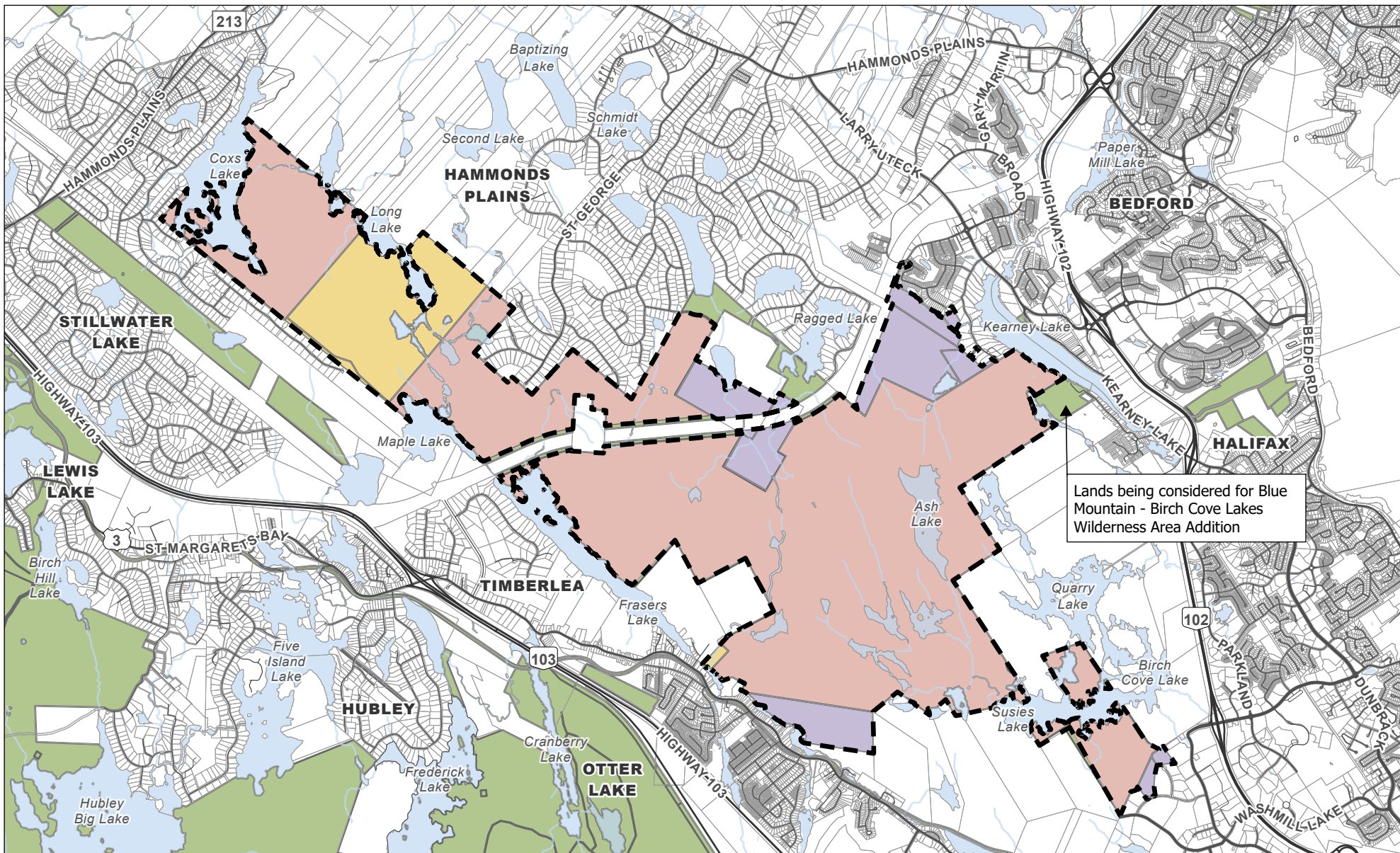


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
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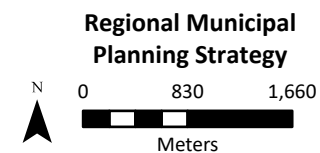
Prepared By:
Halifax Regional Municipality

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Map 5: BMBCL Partnership Lands

- | | |
|--|--|
|  Partnership Lands Boundary |  HRM Lands |
|  Nova Scotia Nature Trust Lands |  Other Provincial Crown Lands |
|  Province of Nova Scotia Designated Wilderness Area | |





Date: 3/8/2023

HALIFAX

Regional Municipal Planning Strategy

Map 6
Source Water Protection Areas

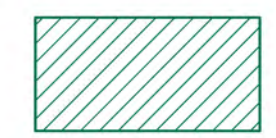
Legend

-  Water Treatment Plant
-  Water Treatment Plant (Back-Up)



Prov. Designated Water Supply Areas

-  Bennery Lake Watershed
-  Lake Major Watershed
-  Pockwock Lake Watershed


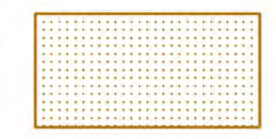

Future Water Supply Area

-  Tomahawk Lake Watershed

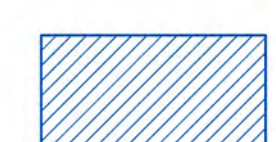
Emergency Supply Areas

-  Lemont Lake Watershed
-  Chain Lakes Watershed

Small Water Supply Watersheds

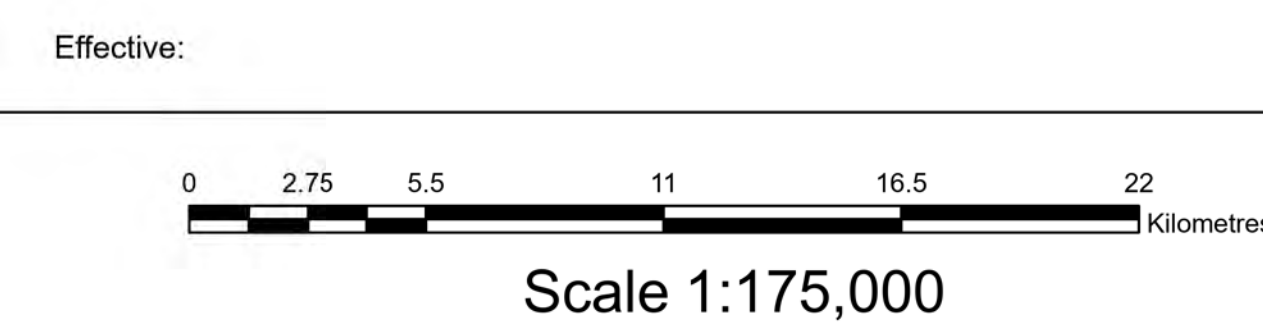
-  Collins Park - Shubenacadie River Watershed
-  Middle Musquodoboit Watershed
-  Bomont - Shubenacadie River Watershed

East Hants Water Supply Watershed

-  Grand Lake Water Supply Watershed (Near Zone)

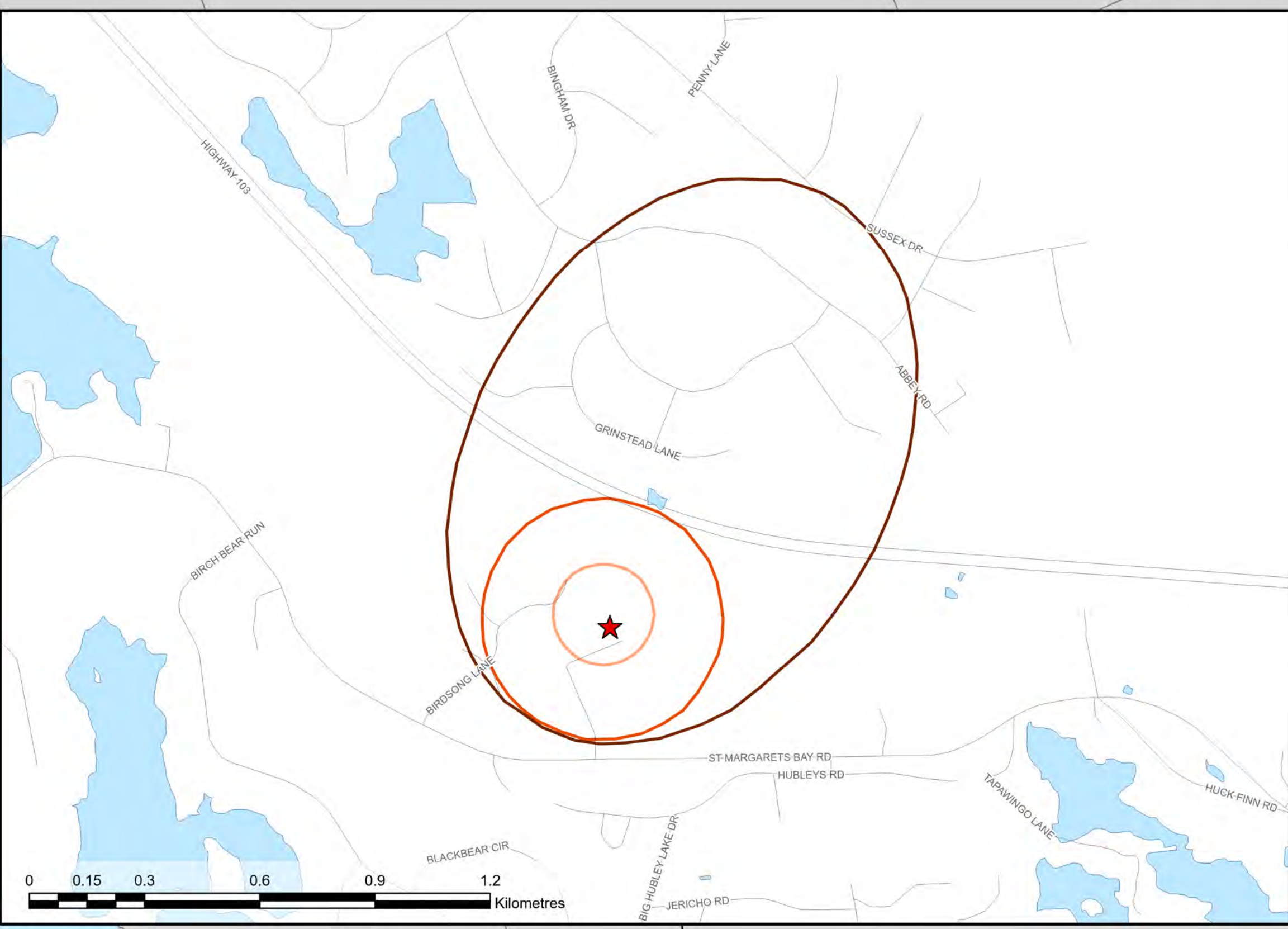
 HRM Boundary

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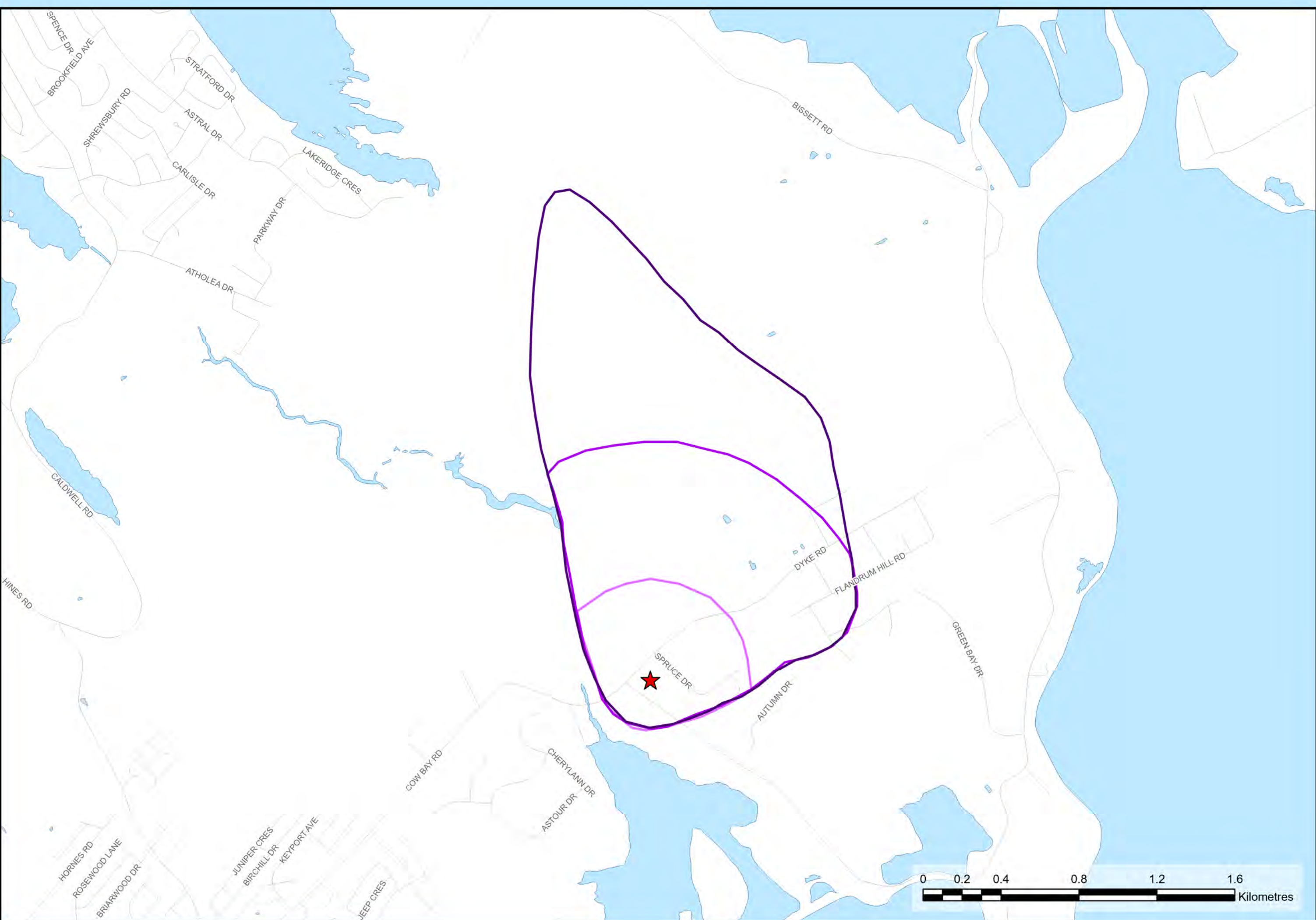
**HRM Wellheads:
Time of Travel (TOT) Zones**

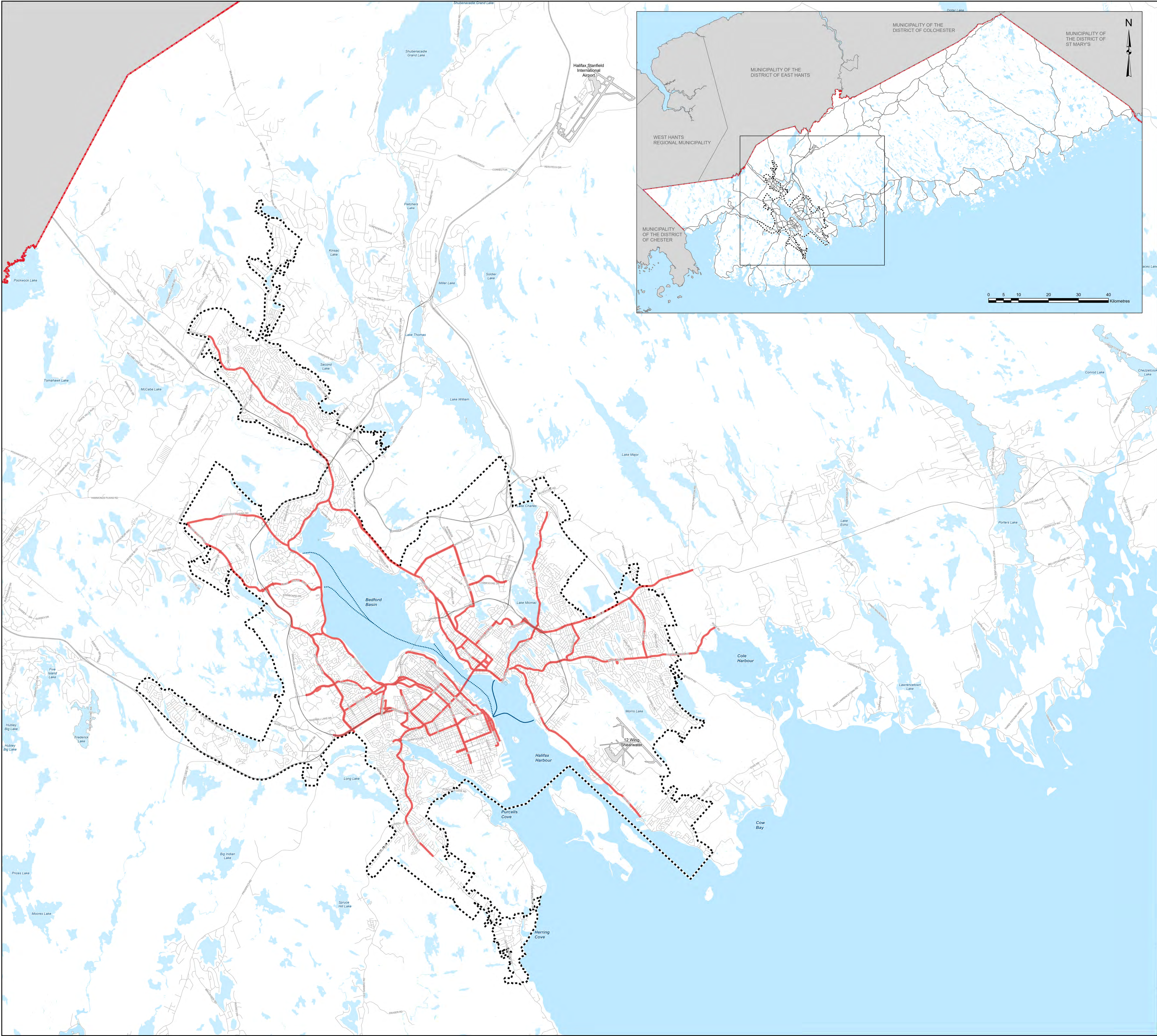
**Silver Sands Wellhead
Protection Area**

-  2 yr TOT
-  5 yr TOT
-  Recharge Area

**Five Islands Wellhead
Protection Area**

-  2 yr TOT 125m
-  5 yr TOT 300m
-  20 yr TOT 1200 m





HALIFAX

Regional Municipal Planning Strategy

Map 7 Strategic Corridors

Legend

- Strategic Corridors
- Existing Ferry Routes
- Planned Ferry Routes
- Urban Area Boundary
- HRM Boundary

Notes: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tools, subject to financial ability and community interest.

The transit routes shown are for illustrative purposes. The actual routes may vary from the locations shown.

Effective:

0 0.75 1.5 3 4.5 6 kilometres

Scale 1:50,000







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Map 8
Urban Transit Service Boundary

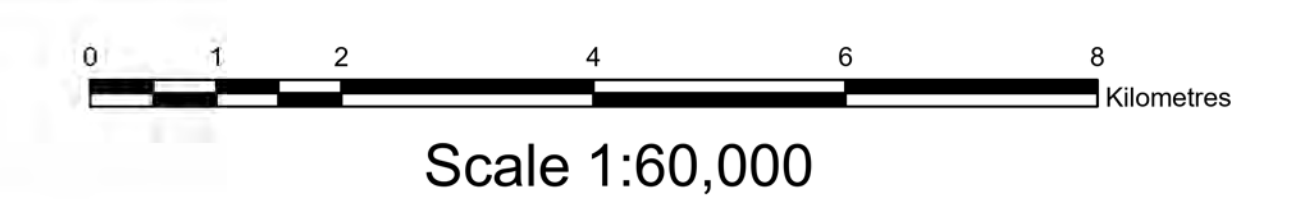
Legend

-  Urban Transit Service Boundary
-  Existing Bus Routes
-  Existing Ferry Routes
-  Planned Ferry Routes
-  Urban Settlement Designation
-  HRM Boundary

Notes: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tools, subject to financial ability and community interest.

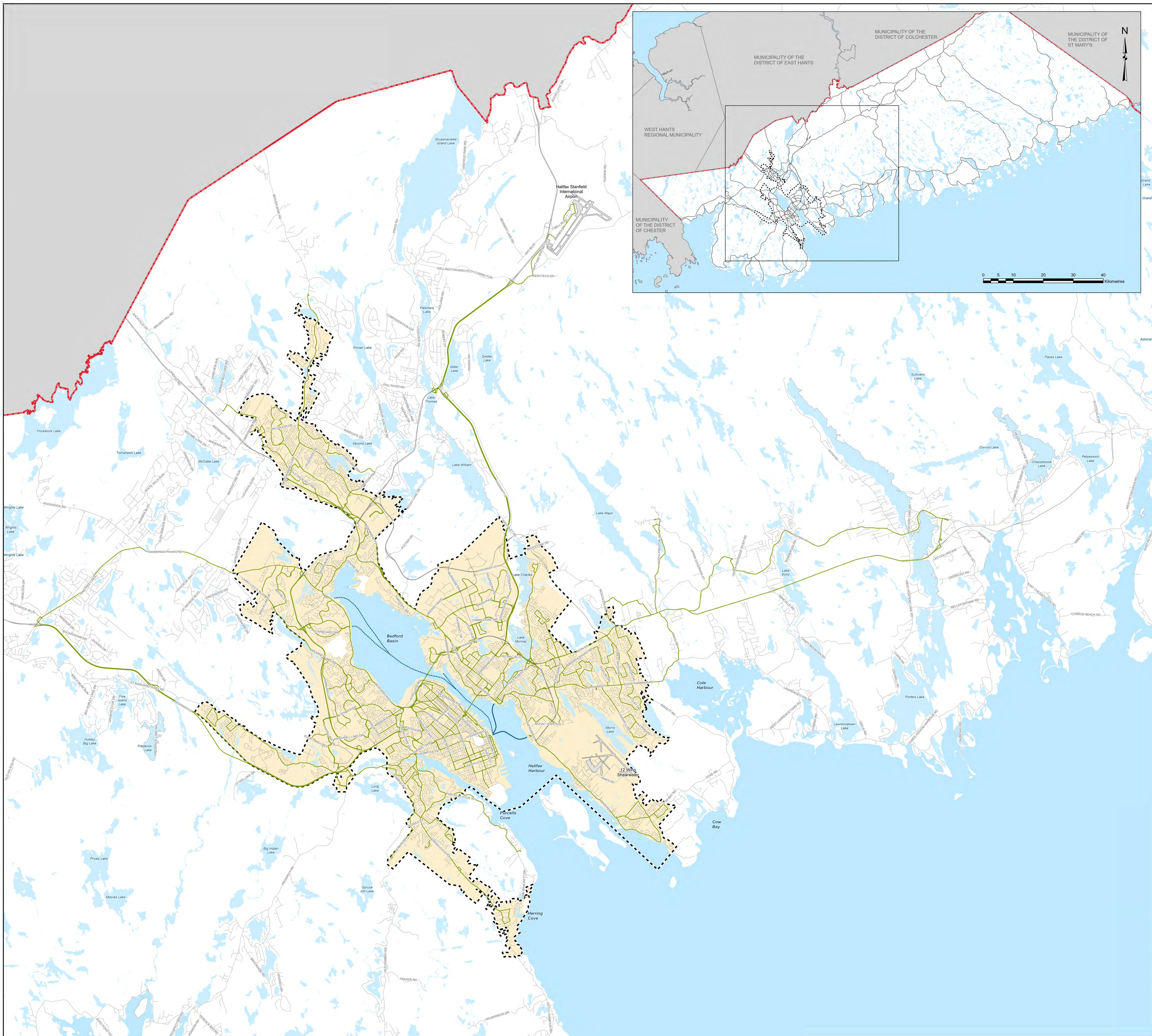
The transit routes shown are for illustrative purposes.
The actual routes may vary from the locations shown.

Effective:



Prepared By:
Halifax Regional Municipality

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ATTACHMENT C:

BY-LAWS TO AMEND THE MUNICIPAL PLANNING STRATEGIES AND LAND USE BY-LAWS OF THE HALIFAX REGIONAL MUNICIPALITY TO IMPLEMENT THE REGIONAL MUNICIPAL PLANNING STRATEGY

Table of Contents

Attachment C-1.....	4
Proposed Amendments to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains, and Upper Sackville	4
Attachment C-2.....	12
Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville .	12
Attachment C-3.....	39
Proposed Amendments to the Municipal Planning Strategy for Bedford.....	39
Attachment C-4.....	47
Proposed Amendments to the Land Use Bylaw for Bedford.....	47
Attachment C-5.....	75
Proposed Amendments to the Municipal Planning Strategy for Cole Harbour/Westphal.....	75
Attachment C-6.....	80
Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal.....	80
Attachment C-7.....	111
Proposed Amendments to the Municipal Planning Strategy for Dartmouth	111
Attachment C-8.....	120
Proposed Amendments to the Land Use Bylaw for Dartmouth	120
Attachment C-9.....	149
Proposed Amendments to the Municipal Planning Strategy for.....	149
Eastern Passage/Cow Bay.....	149
Attachment C-10.....	155
Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay	155
Attachment C-11.....	186
Proposed Amendments to the Municipal Planning Strategy for.....	186
Eastern Shore (East)	186
Attachment C-12.....	188
Proposed Amendments to the Land Use Bylaw for Eastern Shore (East).....	188
Attachment C-13.....	210

Proposed Amendments to the Municipal Planning Strategy for.....	210
Eastern Shore (West)	210
Attachment C-14.....	212
Proposed Amendments to the Land Use Bylaw for Eastern Shore (West).....	212
Attachment C-15.....	236
Proposed Amendments to the Municipal Planning Strategy for Halifax.....	236
Attachment C-16.....	240
Proposed Amendments to the Land Use Bylaw for Halifax Mainland	240
Attachment C-17.....	273
Proposed Amendments to the Municipal Planning Strategy for Lawrencetown.....	273
Attachment C-18.....	278
Proposed Amendments to the Land Use Bylaw for Lawrencetown.....	278
Attachment C-19.....	299
Proposed Amendments to the Municipal Planning Strategy for Musquodoboit Valle /Dutch Settlement...	299
Attachment C-20.....	305
Proposed Amendments to the Land Use Bylaw for.....	305
Musquodoboit Valley & Dutch Settlement	305
Attachment C-21.....	328
Proposed Amendments to the Municipal Planning Strategy for North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston	328
Attachment C-22.....	330
Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area.....	330
Attachment C-23.....	351
Proposed Amendments to the Municipal Planning Strategy for Planning District 4 (Prospect)	351
Attachment C-24.....	369
Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)	369
Attachment C-25.....	395
Proposed Amendments to the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula)	395
Attachment C-26.....	399
Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)	399
Attachment C-27.....	428
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay)	428
Attachment C-28.....	440

Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margarets Bay).....	440
Attachment C-29.....	468
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 14/17 (Shubenacadie Lakes)	468
Attachment C-30.....	479
Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes).....	479
Attachment C-31.....	507
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo / Porters Lake).....	507
Attachment C-32.....	511
Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)....	511
Attachment C-33.....	540
Proposed Amendments to the Secondary Planning Strategy for Sackville Drive	540
Attachment C-34.....	541
Proposed Amendments to the Land Use Bylaw for Sackville Drive.....	541
Attachment C-35.....	559
Proposed Amendments to the Municipal Planning Strategy for Sackville.....	559
Attachment C-36.....	566
Proposed Amendments to the Land Use Bylaw for Sackville	566
Attachment C-37.....	592
Proposed Amendments to the Municipal Planning Strategy for the Timberlea/Lakeside/Beechville.....	592
Attachment C-38.....	598
Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville.....	598
Attachment C-40.....	624
Proposed Amendments to the Regional Centre Land Use Bylaw	624
Attachment C-41.....	647
Proposed Amendments to the Suburban Housing Accelerator Secondary Municipal Planning Strategy	647
Attachment C-42.....	650
Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw	650
Attachment C-43.....	660
Proposed Amendments to the Downtown Halifax Land Use Bylaw.....	660
Attachment C-44.....	666
Repeal By-Law	666

Attachment C-1

Proposed Amendments to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville is hereby amended as follows:

1. Amending SECTION II under the heading RESIDENTIAL GROWTH MANAGEMENT, as shown below in **bold**, by adding Policy P-3 after deleted Policy P-2 and before Clause (a).

P-3 It shall be the intention of Council to establish a Comprehensive Development District (CDD) Zone in the Land Use By-law which permits the development of a mix of low density residential uses, associated community facility uses, local commercial uses, home-based offices and small-scale short-term bedroom rentals. This zone may be applied to those lands for which an application for rezoning was submitted prior to the first notice of the intention to adopt the Regional Municipal Planning Strategy for Halifax Regional Municipality. It will also be retained on those lands that were previously zoned CDD where an application for a development agreement was submitted prior to the first notice. When considering applications for rezoning submitted prior to first notice, Council shall have regard for the following:

2. Amending SECTION II under the heading RESIDENTIAL GROWTH, as shown below in **bold**, by adding the text “An application for development within any CDD Zone that was established before the first notice of the intention to adopt the Regional Municipal Planning Strategy for Halifax Regional Municipality or was rezoned pursuant to Policy P-3, shall only be considered by Council through a development agreement, which shall specify:” to Policy P-4.

P-4 An application for development within any CDD Zone that was established before the first notice of the intention to adopt the Regional Municipal Planning Strategy for Halifax Regional Municipality or was rezoned pursuant to Policy P-3, shall only be considered by Council through a development agreement, which shall specify:

3. Amending SECTION II under the heading “MIXED USE DESIGNATIONS” and subheading Land Use Policies, as shown below in **bold**, by adding the text “shared housing and special care,” after the text “except for” and before the text “which is recognized as” in the first paragraph.

Land Use Policies

In keeping with the low density nature of development, one and two unit dwellings will be permitted in the Mixed Use A, B and C Designations. Given the concern with on-site sewage disposal and the desire for a low density environment, it is felt that, except for **shared housing and special care**, which is recognized as fulfilling a special need, multi-unit development should not be permitted due to the absence of municipal water and sewer services.

4. Amending Policy P-8, as shown below in **bold**, by:

- a. Adding the text “shared housing uses” after the text “mobile dwellings,” and before the text “and”; and
- b. Adding the text “short-term bedroom rentals,” after the text “and” and before the text “limited use of”.

P-8 Within the Mixed Use A and B Designations, it shall be the intention of Council to establish a Mixed Use 1 Zone which permits single and two unit dwellings, open space uses, existing mobile dwellings, **shared housing uses** and **short-term bedroom rentals**, the limited use of residential properties for business purposes, small scale commercial and resource related activities and most institutional uses. Controls on open storage and parking will be established to address compatibility concerns with surrounding development. Forestry uses and larger scale agricultural operations, with the exception of intensive agriculture operations, shall be permitted subject to separation distance requirements designed to promote compatibility with surrounding land uses.

5. Amending SECTION II, as shown below in **bold**, by adding Policy P-9A after Policy P-9.

P-9A Notwithstanding Policy P-8, Senior Citizens Housing use shall be permitted within the MU-1 (Mixed Use 1) zone, on specified parcels of land, as listed in Appendix A-1 of the Land Use By-law. All Senior Citizens Housing uses listed within Appendix A-1 shall be deemed to be an existing use and permitted to continue to operate with the same amount of dwelling units or less, as listed within the Appendix.

6. Amending Policy P-11, as shown below in **bold**, by adding the text “shared housing uses, short-term bedroom rentals.” after the text “mobile dwellings” and before the text “the use of residential properties”.

P-11 Within the Mixed Use C Designation, it shall be the intention of Council to establish a MU-2 (Mixed Use 2) Zone which permits single and two unit dwellings, mobile dwellings, **shared housing uses, short-term bedroom rentals**, the use of residential properties for business purposes, institutional uses, small scale commercial and industrial activities, resource uses, and existing salvage yard operations.

Controls on open storage and parking will be established to address compatibility concerns with surrounding development.

7. Amending SECTION II, as shown below in **bold**, by adding Policy P-12A after Policy P-12.

P-12A Notwithstanding Policy P-11, Senior Citizens Housing use shall be Permitted within the MU-2 (Mixed Use 2) zone, on specified parcels of land, as listed in Appendix A-1 of the Land Use By-law. All Senior Citizens Housing uses listed within Appendix A-1 shall be deemed to be an existing use and permitted to continue to operate with the same amount of dwelling units or less, as listed within the Appendix.

8. Amending SECTION II, as shown below in **bold**, by:
 - a. Adding the text “(a)” to the text “P-32” in Policy P-32; and
 - b. Adding the text “shared housing with special care” after the text “existing commercial,” and before the text “and institutional uses”.

P-32(a) It shall be the intention of Council to recognize and support the continuation of existing development at the Beaver Bank Villa, through the creation of a R-8 (Special Area) Zone. Existing residential, commercial and institutional uses will be permitted, as well as the expansion of existing commercial, **shared housing with special care** and institutional uses, and their conversion to other institutional uses and commercial uses permitted in the C-2 (General Business) and C-4 (Highway Commercial) Zones as established in Policies P-23 and P-24.

9. Amending SECTION II under the heading RESIDENTIAL DESIGNATION and subheading “Land Use Policies”, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “The one exception is” and before the text “which fills a”.

Given the concern with on-site sewage disposal and the desire for a low density environment, multi-unit dwellings will not generally be permitted. It is felt that multi-unit development is more appropriate in urban areas where municipal services are available. The one exception is **shared housing with special care**, which fills a special community need (Policy P-39).

10. Amending SECTION II under the heading RESIDENTIAL DESIGNATION and subheading “Land Use Policies”, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to, after the text “day care facilities and” and before the text “bed and breakfasts”.

It is reasonable to consider that the use of a dwelling includes certain rights of the occupant to use that dwelling for purposes which are, in fact, accessory to its main use as the occupant's residence. Although the primary objective is to protect the residential environment, resident-operated business activities of a limited size which require office space or involve the teaching and practice of traditional arts and crafts activities and domestic arts, as well as day care facilities and **short-term bedroom rental such as, but not limited to**, bed and breakfasts, will be permitted.

11. Amending SECTION II under the heading RESIDENTIAL DESIGNATION and subheading “Land Use Policies”, as shown below in **bold**, by:

- a. Adding the text “Short-term Bedroom Rental” before the text “operations may be accommodated”;
- b. Adding the text “short-term bedroom rentals” after the text “small scale” and before the text “shall be permitted”; and
- c. Adding the text “short-term bedroom rentals” after the text “The” and before the text “must also be operator occupied”.

Short-term Bedroom Rental operations may also be accommodated within a residential environment without visual and traffic impact to the neighbourhood. As such, small scale **short-term bedroom rentals** shall be permitted as of right within the R-1 (Single Unit Dwelling), R-1A(Auxiliary Dwelling Unit) and R-2 (Two Unit Dwelling) Zone. In order to ensure that these operations remain complementary to the surrounding residential neighbourhood, the zone will have the following limits: the maximum number of rooms to be let is limited to three, the operation is limited to one sign of a maximum of two square feet and one parking space per room must be provided. The **short-term bedroom rental** must also be operator occupied.

12. Amending Policy P-34, as shown below in **bold**, by adding the text “short-term bedroom rentals”, after the text “resident of the dwelling,” and before the text “as well as activities”.

P-34 Within the Residential Designation, it shall be the intention of Council to establish a residential zone which permits single unit dwellings, existing two unit and mobile dwellings, open space uses, offices and day care facilities operated by a resident of the dwelling, **short-term bedroom rentals**, as well as activities related to traditional arts and crafts and domestic arts, provided that controls are established on the scale of the business and that no outdoor storage or display are permitted and signs are regulated through provisions of the Land Use By-law, in order to ensure that the external appearance is compatible with the residential environment.

13. Amending Policy P-38, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “community centres and” and before the text “and day care facilities”.

P-38 It shall be the intention of Council to establish a P-2(Community Facility) Zone in the land use by-law which permits a variety of community related uses such as elementary schools, churches, medical clinics, libraries, community centres and **shared housing with special care uses** and day care facilities which provide a local community service.

14. Amending SECTION II under the heading RESIDENTIAL DESIGNATION and subheading “Land Use Policies”, as shown below in **bold**, by:
 - a. Adding the text “Shared Housing with Special Care” in the paragraph below Policy P-38(g) and before the text “provides much needed accommodation”; and
 - b. Adding Policies P-39A and P-39B after the text “However, because of the more intensive residential use such facilities entail, there is a need to ensure that the design, scale, layout, and maintenance of such facilities is compatible with the surrounding lower density neighbourhoods.”

Shared Housing with Special Care provides much needed accommodation for community residents. The Department of Housing selected a site in Uplands Park, to serve the Hammonds Plains area and the Municipality approved the required zoning to allow the project to proceed. Sites in other communities may be needed in the future. However, because of the more intensive residential use such facilities entail, there is a need to ensure that the design, scale, layout, and maintenance of such facilities is compatible with the surrounding lower density neighbourhoods.

P-39A 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. Within the Residential Designation and Upper Hammonds Plains Community Designation, 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 P-137.**

P-39B In addition to Policy 39A, 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.

15. Amending Policy P-40, as shown below in **bold**, by adding the text “shared housing with special care” after the text “specifically include the” and before the text “project proposed for”.

P-40 Notwithstanding Policies P-34 and P-39, within the Residential Designation, it shall be the intention of Council to specifically include the **shared housing with special care** project proposed for Uplands Park on LIC Number 420927 as a permitted use within the R-1(Single Unit Dwelling) Zone.

16. Amending Policy P-125(a), as shown below in **bold**, by adding the text “, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy” after the text “by development agreement”.

P-125(a) Council should encourage the reuse, restoration and retention of municipally registered heritage properties. One means through which this will be encouraged is by allowing for an increase in development rights for municipally registered heritage properties. For municipally registered heritage properties Council may consider land uses which are not otherwise permitted in the existing zone by development agreement, **in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.**

17. Amending Policy P-135(c), as shown below in **bold**, by adding Subclause (iv) after Subclause (iii).

(iii) multiple unit dwellings including townhouses according to Policy P-47B.

(iv) Shared housing with special care at a larger scale than permitted in the underlying zone according to Policy P-39A and P-39B;

18. Amending Policy 135(e)(iii), as shown below in **bold**, by:

- a. Adding the text “Shared” before the text “housing”;
- b. Adding the text “with special care at a larger scale than permitted in the underlying zone” after the text “housing” and before the text “according to”;
- c. Adding the text “Policy P-39A and P-39B;” after the text “according to”.

(e) Within the Residential Designation:

- (i) **Shared housing with special care at a larger scale than permitted in the underlying zone according to Policy P-39A and P39B;**

19. Amending SECTION IV, as shown below in **bold**, by adding Policies P-152, P-153, P-and P-154 after Policy P-151.

P-152 Where there is enabling policy to consider the development, by development agreement , of a 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.

P-153 Notwithstanding Policies P-39A and P-39B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in effect on the coming in force of Policies P-39A, and P-39B, 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.

P-154 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.

This is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-2

Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville Plan Area is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS.”
2. Amending the “Table of Contents”, by adding the text “4.12A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.18 WATERCOURSES” immediately after the text “4.17 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.32 WIND ENERGY FACILITIES”, “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES”, and “4.35 SHORT-TERM RENTALS” immediately after the deleted text “4.31 SCHEDULE G – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “PART 23: RPK (REGIONAL PARK) ZONE” and “PART 24: PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “PART 22: P-2 (COMMUNITY FACILITY) ZONE”.
6. Amending the “Table of Contents”, by adding the text “PART 26F: US (URBAN SETTLEMENT) ZONE” and “PART 26G: TR (TRANSPORTATION RESERVE) ZONE” immediately after the text “PART 26E: BEDFORD WEST COMPREHENSIVE DEVELOPMENT DISTRICT (BWCDD) ZONE”.
7. Amending the “Table of Contents”, by adding the text “APPENDIX E: INTERIM BONUS ZONING REQUIREMENTS FOR APPLICABLE PLAN AMENDMENT APPLICATIONS” immediately after the text “APPENDIX D: C-5 ZONE SITE PLAN APPROVAL SUBMISSION REQUIREMENTS”.
8. Amending the “Table of Contents”, by adding the text “SCHEDULE H: WIND ENERGY ZONING” immediately after the deleted text “SCHEDULE G: WETLANDS”.
9. Amending the “Table of Contents”, by adding the text “SCHEDULE J: LANDS SUBJECT TO INTERIM BONUS ZONING REQUIREMENTS” immediately after the text “SCHEDULE I: INDIGO SHORES SPECIAL PLANNING AREA”.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.9A CANADIAN GEODETIC VERTICAL DATUM (CGVD2013)”, “2.9B CANNABIS LOUNGE”, “2.9C CANNABIS PRODUCTION FACILITY”, and “2.9D CANNABIS RETAIL SALES” after Section 2.9.

2.9A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

2.9B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.9C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

2.9D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.14A CONSERVATION USE” after Section 2.14.

2.14A CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

12. Amending Clause 2.20(d) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling.” after the text “completely detached dwelling unit.”

(d) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.25A EXISTING SENIORS CITIZENS HOUSING” after Section 2.25.

2.25A EXISTING SENIORS CITIZENS HOUSING means housing designed for occupation by senior citizens, located on those properties listed in Appendix A-1.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.31A HEN” after Section 2.31.

2.31A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

15. Amending Section 2.33 in PART 2, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “day care facility,” and before the text “fire and police station”.

2.33 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire and police station, public works, hospital and medical clinic, public library, museum and gallery, community centre and hall, government office, recreational use or open space use.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.60 RECREATION USE” after Section 2.59.

2.60 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

17. Amending PART 2, as shown below in **bold**, by adding the definitions “2.72A SHARED HOUSING USE”, “2.72B SHARED HOUSING WITH SPECIAL CARE”, “2.72C SHORT-TERM BEDROOM RENTAL”, and “2.72D SHORT-TERM RENTAL” after Section 2.72.

2.72A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or
 - (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.72B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

2.72C SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.72D SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.76.5 SUITE” after Section 2.76.

2.76.5 SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.76B WATER CONTROL STRUCTURE” after Section 2.76A.

2.76B WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.77 WATERCOURSE” after Section 2.76B.

2.77 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

21. Amending Section 3.1 in PART 3, as shown below in **bold**, by:
- a. Adding the text “RPK Regional Park Zone” and “PWS Protected Water Supply Zone” below the text “P-2 Community Facility Zone”; and
 - b. Adding the text “US Urban Settlement Zone” and “TR Transportation Reserve Zone” below the text “FP Floodplain Zone”.

P-2	Community Facility Zone
RPK	Regional Park Zone
PWS	Protected Water Supply Zone
FP	Floodplain Zone
US	Urban Settlement Zone
TR	Transportation Reserve Zone

22. Amending Clause 3.6(a) in PART 3, as shown below in **bold**, by:
- a. Adding the text “A, P-39B” after the text “P-39” and before the text “, P-41”; and
 - b. Adding the text “Shared Housing with Special Care Use with greater than ten (10) bedrooms in the Residential and Upper Hammonds Plains Community Designation.” after the text “Upper Sackville, such uses are as follows:”.

- (a) Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with the Municipal Government Act. As provided for by Policies P-18, P-19, P-22A, P-26A, P-27, P-30, P-31, P-32b, P-39A, **P-39B**, P-41, P-44, P-50, P-56, P-77, and P-131 of the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville, such uses are as follows:

Shared Housing with Special Care Use with greater than ten (10) Bedrooms in the Residential and Upper Hammonds Plains Community Designation.

23. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Clause (e) after Clause (d).

- (e) **Pursuant to Policy P-152, 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.**

24. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding preamble and Clause (i) before the text “As provided for in the Regional Municipal Planning Strategy As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the area identified as the Indigo Shores Special Planning Area in accordance with the Housing in the Halifax Regional Municipality Act and as shown in Schedule I of the Land Use By-law shall be permitted to develop more than 25 lots per year by development agreement.”.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter, except in the Beaver Bank/Hammonds Plains Growth Control Areas:

- (i) **Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the area identified as the Indigo Shores Special Planning Area in accordance with the Housing in the Halifax Regional Municipality Act and as shown in Schedule I of the Land Use By-law shall be permitted to develop more than 25 lots per year by development agreement.

25. Amending PART 3, as shown below in **bold**, by adding Section “3.7 LARGER CANNABIS PRODUCTION FACILITY BY DEVELOPMENT AGREEMENT” and Section “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES”, after Section 3.6.

3.7 LARGER CANNABIS PRODUCTION FACILITY BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

26. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B, 4.1C, 4.1D, and 4.1E, after Section 4.1A.

- 4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Halifax Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.**
- 4.1C An accessory hen use is exempt from the requirement to obtain a development permit.**
- 4.1D A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
- 4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

27. Amending Section 4.4 in PART 4, as shown below in **bold**, by adding the text “except where backyard suites are permitted” after the text “dwelling on a lot” and before the text “. Notwithstanding”.

4.4 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot **except where backyard suites are permitted**. Notwithstanding, in any C-5 (Hammonds Plains Commercial) Zone, a lot may contain more than one (1) dwelling.

28. Amending Section 4.6 in PART 4, as shown below in **bold**, by adding Clause (d) after Subclause (c)(v).

- (d) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

29. Amending Section 4.9 in PART 4, as shown below in **bold**, by adding the text “or ‘A’-1” after the text “Appendix ‘A’” and before the text “, where uses are”.

4.9 EXISTING USES

Unless otherwise identified in Appendix "A" **or “A-1”**, where uses are permitted as existing uses within a zone, they shall be considered as fully conforming uses and as such are

permitted to expand, resume operation if discontinued, or be replaced, or rebuilt if destroyed, on the lot which they occupied on the effective date of this By-law.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.11A ACCESSORY HEN USE” after Section 4.11.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;**
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;**
 - iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
 - iv. is setback a minimum of 1 metre from any side or rear lot line.**
- (c) The following are not permitted:**
 - i. On-site slaughtering or euthanizing of hens; and**
 - ii. The sale of eggs, meat or hens**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.12A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12.

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two-unit dwelling, or a townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;**

- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) **BACKYARD SUITES**

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a multiple unit dwelling containing three (3) units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
- (iv) The gross floor area of a backyard suite shall not exceed 1000 square feet (93 square metres);
- (v) Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or private road,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) Notwithstanding Subsection (iii), a non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 1000 square feet (93 square metres).

32. Amending PART 4, as shown below in **bold**, by adding Section “4.18 WATERCOURSES” after Section 4.17.

4.18 WATERCOURSES

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;

- (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

33. Amending Section 4.26(a) in PART 4, as shown below in **bold**, by:
- a. Adding the text “Shared Housing Use 0 spaces” below the text “Multiple Unit Dwellings 0.33 spaces per dwelling unit”;
 - b. Adding the text “and short-term bedroom rentals” after the text “Motels, hotels”; and
 - c. Adding the text “Short-term rentals” below the text “Motels, hotels, and short-term bedroom rentals”.

Multiple Use Dwellings	0.33 spaces per dwelling unit
Shared Housing Use	0 Spaces
Retail stores, service and personal service shops:	
(a) exceeding 5,000 square feet	5.5 spaces per 1,000 square feet

(464.5 m²) of gross floor area
(b) not exceeding 5,000 square feet

(464.5 m²) of gross floor area

Banks, financial institutions and
general offices

Motels, hotels **and short-term bedroom rentals**

(92.9 m²) of gross floor area

3.3 spaces per 1,000 square feet

(92.9 m²) of gross floor area

3.3 spaces per 1,000 square feet

(92.9 m²) of gross floor area

1 space per sleeping unit plus
requirements for restaurants or
other facilities contained therein

34. Amending PART 4, as shown below in **bold**, by adding Sections “4.32 WIND ENERGY FACILITIES”, “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES”, and “4.35 SHORT-TERM RENTALS” after Section 4.31.

4.32 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) “Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) “Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics,

and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;

- i) “Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
- ii) “Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
- iii) “Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
- iv) “Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule H - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.

- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) RURAL WIND ZONE (RW-2)**
- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) RESTRICTED ZONE (R)**
- i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;**
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,**
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**
 - i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**
 - i) Micro 140 metres (460 ft)**
 - ii) Small 360 metres (1180 ft)**
 - iii) Medium 500 metres (1640 ft)**

- iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Beaver Bank, Hammond Plains and Upper Sackville Land Use By-law:
 - i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

a) **Schedule H – Wind Energy Zoning**

4.33 **PUBLIC TRANSIT FACILITIES**

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.34 **CANNABIS-RELATED USES**

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.35 **SHORT-TERM RENTALS**

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling unit shall be provided for each bedroom to be rented.**

35. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

36. Amending Section 6.10 in PART 6, as shown below in **bold**, after Section 6.9, by:
- Adding the heading “SHARED HOUSING ON PID 00420927”;
 - Adding the text “a shared housing with special care with greater than 10 bedrooms” after the text “Notwithstanding Section 6.1,” and before the text “shall be permitted”; and
 - Adding the text “as PID 00420927” after the text “Uplands Park identified”.

6.10 SHARED HOUSING ON PID 00420927

Notwithstanding Section 6.1, **a shared housing with special care with greater than 10 bedrooms** shall be permitted within the R 1 zone on the property in Uplands Park identified as **PID 00420927**.

37. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.” below the text “Auxiliary dwelling units;”.

Auxiliary dwelling units;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.

38. Amending Section 7A.1 in PART 7A, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwellings”.

Auxiliary dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

39. Amending Section 7B.1 in PART 7B, as shown below in **bold**, by:
- Adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”; and
 - Adding the text “Short-term Rentals” below the text “Bed & Breakfasts”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings

Offices in conjunction with permitted dwellings

Bed & Breakfasts

Short-term Rentals

Open space uses

40. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

41. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

42. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

43. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Existing residential uses”.

Existing residential uses
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 13.1 in PART 13, as shown below in **bold** and ~~strikeout~~, by:
- Adding the text “Shared housing use” below the text “Two unit dwellings”;
 - Adding the text “Existing” before the text “Senior Citizens housing” below the text “Shared housing use”;
 - Adding the text “on properties listed in Appendix A-1” after the text “Seniors Citizens housing” below the text “Shared housing use”; and
 - Adding the text “Short-term Bedroom rentals accessory to a residential use with up to 6

bedrooms” below the text “Business uses in conjunction with permitted dwellings”.

Residential Uses

Single unit dwellings

Two unit dwellings

Shared housing use

Existing Senior Citizens housing on properties listed in Appendix A-1

Existing multiple unit dwellings

New multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area

Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings

Business uses in conjunction with permitted dwellings

Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms

45. Amending Section 14.1 in PART 14, as shown below in **bold**, by:
- Adding the text “Existing Senior Citizens Housing on properties listed in Appendix A-1” below the text “All uses permitted in the MU-1 Zone”; and
 - Adding the text “Cannabis production facilities” below the text “Composting operations”.

All uses permitted in the MU-1 Zone

Existing Senior Citizens Housing on properties listed in Appendix A-1

All uses permitted in the C-4 Zone

All uses permitted in the I-1 (Mixed Industrial) Zone

Composting operations (see section 4.29)

Cannabis production facilities

46. Amending PART 14, as shown below in **bold**, by adding Section “14.16 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 14.15.

14.16 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- A cannabis production facility shall comply with the requirements of Section 14.3 and Section 14.10.**
- Where a lot containing a cannabis production facility abuts a lot**
 - zoned or used for residential purposes, or**
 - that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.**

47. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared

Housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;" below the text "Two-unit dwellings" under the Heading "Residential Uses".

Two-unit dwellings;

Shared Housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

Home Business Uses; and

48. Amending PART 15, as shown below in **bold**, by adding Section "15.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES" after Section 15.8.

15.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall comply with the provisions of Section 19.2 and 19.3.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

49. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text "Shared housing use with 10 or fewer bedrooms" below the text "Institutional Uses".

Institutional Uses

Shared housing use with 10 or fewer bedrooms

50. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text "Short-term Rentals" and "Short-term Bedroom Rentals" below the text "Fraternal centres and private clubs".

Fraternal centres and private clubs

Short-term Rentals

Short-term Bedroom Rentals

51. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text "Cannabis production facilities" below the text "Commercial and office uses accessory to permitted industrial uses" under the Heading "Industrial Uses".

Commercial and office uses accessory to permitted industrial uses

Cannabis production facilities

52. Amending PART 19, as shown below in **bold**, by adding Section “19.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 19.6.

19.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall comply with the requirements of Section 19.2 and 19.3.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

53. Amending Section 21.1 in PART 21, as shown below in **bold**, by:

- a. Adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below text “Single unit dwellings”; and
- b. Adding the text “Cannabis production facilities” below the text “Composting operations”;

Agriculture uses

Intensive agriculture uses

Kennels

Forestry uses

Fishing uses

Communications transmission stations

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Business uses in conjunction with permitted dwellings

Open space uses

Hunting and fishing lodges

Recreation uses

Composting operations (see section 4.29)

Cannabis production facilities

54. Amending PART 21, as shown below in **bold**, by adding Section “21.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 21.6.

21.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

55. Amending Section 22.1 in PART 22, as shown below in **bold**, by adding the text “Shared housing with 10 or fewer bedrooms” and the text “Shared housing with special care” below the text “Community centres and halls”.

Community centres and halls

Shared housing with 10 or fewer bedrooms

Shared housing with special care

56. Amending Section 22.4 in PART 22, as shown below in **bold**, by:
- adding the text “SHARED HOUSING WITH SPECIAL CARE” in the heading; and
 - adding the text “shared housing with special care” after the text “issued for” and before the text “except in conformity with”.

22.4 P 2 ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE**

Notwithstanding Section 22.2, in any P 2 Zone, no development permit shall be issued for **shared housing with special care** except in conformity with the following:

57. Amending Section 22.5 in PART 22, as shown below in **bold**, by adding the text “shared housing” after the text “except for” and before the text “and fire and police stations”.

The following landscaping provisions shall be required of all uses, except for **shared housing** and fire and police stations, as conditions of any development permit issued in a P 2 Zone:

58. Adding the PART, as shown below in **bold**, “PART 23: RPK (REGIONAL PARK) ZONE” after PART 22.

PART 23: RPK (REGIONAL PARK) ZONE

23.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone

except for the following:

Park Uses
Recreation uses
Conservation uses
Uses accessory to the foregoing

23.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	9.14m
Minimum Side or Rear Yard:	6.1m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	10.7 m
Maximum Building Size:	305m ²

59. Adding the PART, as shown below in **bold**, “PART 24: PWS (PROTECTED WATER SUPPLY) ZONE” after PART 23.

PART 24: PWS (PROTECTED WATER SUPPLY) ZONE

24.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

Municipal water distribution or purification facilities
Conservation uses
Public Parks
Agriculture and forestry uses involving no buildings
Single Unit Dwellings
Uses accessory to the foregoing uses

24.2 PWS ZONE REQUIREMENTS: SINGLE UNIT DWELLINGS

In any PWS Zone, where single unit dwellings are permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	7432 m ²
Minimum Frontage:	61m

Minimum Front or Flankage Yard:	6.1m
Minimum Side Yard:	4.6m
Minimum Rear Yard:	7.6m
Maximum Height of Main Building:	10.7m

24.3 PWS ZONE REQUIREMENTS: OTHER USES

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	1858m²
Minimum Front or Flankage Yard:	7.61m
Minimum Side Yard:	4.6m
Minimum Rear Yard:	7.6m

24.4 OTHER REQUIREMENTS: SETBACKS FROM WATERCOURSES

- (a) Notwithstanding the provisions of Sections 24.2 and 24.3, no development permit shall be issued for any dwelling or accessory structure within 76.2 metres of the rim of Beaver, or Tomahawk Lake, or 100 metres from Pockwock Lake.**
- (b) Notwithstanding Section 4.18, water distribution uses may be built to the lot line where the line corresponds to the shore line.**

60. Amending Section 25.1 in PART 25, as shown below in **bold**, by adding the text “Water control structures” and the text “Wastewater, stormwater and water infrastructure” below the text “Fishing and fishing related uses”.

Fishing and fishing related uses

Water control structures

Wastewater, stormwater and water infrastructure

61. Amending Section 26.1 in PART 26, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

62. Amending Section 26D.1 in PART 26D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

63. Adding the PARTs, “PART 26F: US (URBAN SETTLEMENT) ZONE” and “PART 26G: TR (TRANSPORTATION RESERVE) ZONE”, as shown below in **bold**, after PART 26E.

PART 26F: US (URBAN SETTLEMENT) ZONE

26F.1 US USES PERMITTED

No development permit shall be issued in any US (Urban Settlement) Zone except for the following:

Single unit dwellings on existing lots

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Public parks and playgrounds

Uses accessory to the foregoing uses 26F.2

26F.2 US ZONE REQUIREMENTS

In any US Zone, no development permit shall be issued except in conformity with the following:

Minimum Frontage: 110m

Minimum Lot Area: 2ha M

Minimum Front or Flankage Yard: 9.1m

Minimum Side Yard: 2.5m

Minimum Rear Yard: 2.5m

Maximum Lot Coverage: 35%

Maximum Height of Main Building: 11m

PART 26G: TR (TRANSPORTATION RESERVE) ZONE

26G.1 TR USES PERMITTED

No development permit shall be issued in any TR (Transportation Reserve) Zone except for the following:

None

26G.2 OTHER REQUIREMENTS

No development permit shall be issued for any development abutting any TR (Transportation Reserve) Zone except where the yard separating the development from the zone boundary is equal to the minimum yard separating a development from a street line, as required by this by-law.

64. Adding “APPENDIX A-1: EXISTING SENIOR CITIZENS HOUSING USES” after Appendix A as shown on Schedule C-2A.
65. Adding “APPENDIX E: INTERM BONUS ZONING REQUIREMENTS FOR APPLICABLE PLAN AMENDMENT APPLICATIONS” after Appendix D as shown on Schedule C-2B.
66. Adding “SCHEDULE H: WIND ENERGY ZONING” after deleted Schedule G as shown on Schedule C-2C.
67. Adding “SCHEDULE J: LANDS SUBJECT TO INTERIM BONUS ZONING REQUIREMENTS” and “Schedule J, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after Schedule I as shown on Schedules C-2D, and C-2E, respectively, attached hereto.
68. Zoning Maps “Zoning Schedule 1-A”, “Zoning Schedule 1-B”, “Zoning Schedule 1-C”, “Zoning Schedule 1-D”, and “Zoning Schedule 1-E” are amended by rezoning the properties to RPK (Regional Park) Zone, PWS (Protected Water Supply) Zone, US (Urban Settlement) Zone, and TR (Transportation) Zone as shown on Schedule C-2F attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-3
Proposed Amendments to the Municipal Planning Strategy for Bedford

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

1. Amending the RESIDENTIAL Section under the heading Residential Comprehensive Development Districts, as shown below in **bold**, by adding Clause (k) after Clause (j).
 - j) Uses accessory to any of the forgoing uses; and
 - k) **Shared Housing Uses.**
2. Amending Clause a) in the RESIDENTIAL Section under 4) Special Housing Needs, as shown below in **bold**, by:
 - a. Adding the text “some” after the text “private sector and” and before the text “development guidance”; and
 - b. Adding the text “Policies R-19B and R-19C” after the text “The Criteria in” and before the text “ apply to”.
 - a) Seniors Residential Complexes - Although most senior citizens in Bedford live in their own dwelling or live with relatives, it is anticipated that the demand for multiple residential for seniors will increase. Council should consider various objectives with respect to the development of seniors residential facilities in Bedford. Council should consider conducting research on the concept of daycare facilities for seniors. Research by CMHC has identified a number of planning, site and building factors relative to multiple residential complexes for seniors. Their integration within established communities and close proximity to amenities, services and public transportation should be priority criteria. The provision of various programs and services within any complex should also be encouraged, where appropriate, to help achieve a good quality of life for the residents. Some examples may be day-care, homemaker services, personal and/or medical care services, meal programs, physiotherapy and activity programs. The achievement of a community orientation, i.e. encouragement of social interaction between residents and others from the community, is a very important objective. To help ensure that the venture is successful in all respects is important to both the Town and residents. Increasingly, these facilities will be provided by the private sector and **some** development guidance should be provided through provisions in the MPS. The criteria in **Policies R-19B and R19C** apply to the traditional form of seniors residential complexes which are generally viewed as institutional uses and are not applicable to housing forms that are targeted at certain market groups (i.e. empty

nesters and adult lifestyle) which do not require these special design features.

3. Amending Policy R-4, as shown below in **bold**, by:
 - a. Adding the text “shared housing uses with up to 10 bedrooms” after the text “park uses and”; and
 - b. Adding the text “Shared housing uses with more than 10 bedrooms” after the text “permitted by rezoning.” and before the text “may be permitted”.

Policy R-4:

It shall be the intention of Town Council to establish a "Residential" designation on the Generalized Future Land Use Map. The Residential designation shall permit the full range of residential uses as well as park uses and **shared housing uses with up to 10 bedrooms**. Institutional uses and utilities may be permitted by rezoning. **Shared housing uses with more than 10 bedrooms** may be permitted by development agreement.

4. Amending the RESIDENTIAL Section under Policy R-5, as shown below in **bold**, by:
 - a. Adding the text “shared housing uses with” after the text “Neighbourhood parks and” and before the text “up to 10”; and
 - b. Adding the text “bedrooms” after the text “up to 10” and before the text “will also be”.

These zones shall apply in the existing neighbourhoods which are identified by the Residential designation on the Generalized Future Land Use Map. Neighbourhood parks and **shared housing uses with up to 10 bedrooms** will also be permitted in these zones.

5. Amending Policy R-7, as shown below in **bold**, by adding the text “shared housing uses with up to 10 bedrooms,” after the text “on large lots,” and before the text “and local parks.

Policy R-7:

It shall be the intention of Town Council to establish a Residential Reserve Zone (RR) which shall permit single unit residences on large lots, **shared housing uses with up to 10 bedrooms**, and local parks.

6. Amending Policy R-9, as shown below in **bold**, by adding the text “shared housing uses,” after the text “mobile home,” and before the text “neighbourhood convenience stores”.

Policy R-9:

It shall be the intention of Town Council to establish Residential Comprehensive

Development Districts (RCDD) within the Residential Development Boundary where the predominant housing form of each residential district shall be the single-unit detached dwelling unit. These residential districts are shown on the Generalized Future Land Use Map. Council shall enter a development agreement to control the development within the area identified as RCDD. Permitted uses within RCDDs shall include, but not be limited to, single detached dwelling units, two unit attached dwellings, townhouses, multiple unit dwellings, mobile home, **shared housing uses**, neighbourhood convenience stores, neighbourhood commercial uses, institutional uses, parks and recreational uses.

7. Amending the RESIDENTIAL Section, as shown below in **bold**, by adding Policy R-19B and R-19C after deleted Policy R-19A.

Policy R-19B:

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. Pursuant to Policies R-9 and C-7; C-20, WF-22 and applicable criteria in Policies R-16 and WF-23, 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 Z-3.

Policy R-19C:

In addition to Policy R-19B, 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.
8. Amending Policy C-7, as shown below in **bold**, by adding the text “shared housing uses,” after the text “multiple-unit buildings” and before the text “neighbourhood commercial”.

Policy C-7:

It shall be the intention of Town Council to designate the lands shown on Map 3 as Commercial Comprehensive Development Districts, and in the Land Use By-Law the lands shall be zoned Commercial Comprehensive Development District (CCDD). The CCDD Zone will permit mixed use, residential/commercial projects, including single unit dwellings, two unit dwellings, multiple-unit buildings, **shared housing uses**, neighbourhood commercial, office buildings, CGB Zone uses, convention facilities, recycling depots, park uses, and institutional uses.

9. Amending Policy C-20, as shown below in **bold**, by adding the text “shared housing with special care” after the text “In addition,” and before the text “will be permitted”.

Policy C-20:

Town Council shall establish a Mainstreet Commercial Zone within the Land Use By-Law and apply it to the portion of the mainstreet commercial core area extending from the Sackville River south to Locke Street on the north side of the street and between the Sackville River and Shore Avenue on the south side of the street as shown on Map 2. Permitted uses within the Mainstreet Commercial Zone shall be small scale, pedestrian oriented uses including but not limited to general retail stores, business and professional offices, personal and household service shops, financial institutions, full service restaurants, pubs, lounges, recycling depots, dwelling units within a commercial building not to exceed 50 percent of the gross floor area and not located on the street front of the first floor, and existing residential uses. In addition, **shared housing with special care** will be permitted by development agreement pursuant to Policy R-19A.

10. Amending Policy WF-22, as shown below in **bold**, by adding the text “shared housing uses” to Clause c).

Policy WF-22:

It shall be the intention of Town Council that the following uses shall be considered as potentially permitted uses in the Waterfront Comprehensive Development District:

- | | | | |
|----|----------------------------|----|-----------------------|
| a) | townhouse dwellings | i) | marine related uses |
| b) | multiple unit dwellings | j) | office uses |
| c) | shared housing uses | k) | convention facilities |

11. Amending the INSTITUTIONAL Section under the heading Special Care Facilities as shown below in **bold**, by adding the text “and other forms of small scale shared housing” after the text “special care facilities” and before the text “within all residential zones”.

Special Care Facilities

Small scale special care facilities (those providing care to 10 persons or less), are often located within residential areas where older and larger residential homes provide sufficient space for such operations and where the quiet surroundings of a residential neighbourhood contribute significantly to the quality of care being provided. Policy S-6 indicates Town Council's intention to permit small scale special care facilities **and other forms of small scale shared housing** within all residential zones.

12. Amending Policy S-2, as shown below in **bold**, by adding the text “shared housing uses with 10 or fewer bedrooms, shared housing with special care uses,” after the text “public buildings,” and before the text “daycare facilities”.

Policy S-2:

It shall be the intention of Town Council to regulate institutional uses through the establishment of two institutional zones within the Land Use By-law; one zone to regulate non-utility institutional uses (Institutional - SI Zone) and a second for utility functions (Utilities - SU Zone). Permitted uses within the SI Zone shall include, but not be limited to churches, schools, cemeteries, public buildings, **shared housing uses with 10 or fewer bedrooms, shared housing with special care uses**, daycare facilities and recycling depots.

13. Amending Policy S-6, as shown below in **bold**, by adding the text “shared housing uses with up to 10 bedrooms” after the text “to permit” and before the text “within all residential zones”.

Policy S-6:

It shall be the intention of Town Council to permit **shared housing uses with up to 10 bedrooms**, within all residential zones.

14. Amending the INSTITUTIONAL Section, as shown below in **bold**, by adding Policy S-7A and Policy S-7B after Policy S-7.

Policy S-7A:

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. 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 Z-3.**

Policy S-7B

In addition to Policy S-7A, 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.**

15. Amending the IMPLEMENTATION Section, as shown below in **bold**, by adding Policy Z-27, Policy Z-28, and Policy Z-29 after Policy Z-26.

Policy Z-27:

Where there is enabling policy to consider the development, by development agreement, of a 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.

Policy Z-28:

Notwithstanding Policies R-19B, R-19C, S-7A and S-7B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in effect on the coming in force of Policies R-19B, S-7A, and S-7B 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.

Policy Z-29:

In addition to Policy Z-28, 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.

16. Adding “Appendix B Table IIIA - Generalized Future Land Use Designations” after Appendix A, as attached hereto.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.
Municipal Clerk

Attachment C-4
Proposed Amendments to the Land Use Bylaw for Bedford

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

1. Amending the “Table of Contents”, by adding the text “12A. Public Transit Facilities”, “12B. Public Transit Facilities within the Floodway Zone (FW)”, “12C. Cannabis-Related Uses”, and “12D. Short-Term Rentals”, immediately after the deleted text “12. Truck, Bus, and Coach Bodies”.
2. Amending the “Table of Contents”, by adding “21. Watercourses” immediately after the text “20. Special Requirements: Corner Lots”.
3. Amending the “Table of Contents”, by adding the text “21A. Coastal Areas” immediately after the text “21. Watercourses”.
4. Amending the “Table of Contents”, by adding the text “29B Secondary Suites and Backyard Suites” and “29C. Accessory Hen Use” immediately after the text “29A. Shipping Containers as Accessory Buildings”.
5. Amending the “Table of Contents”, by adding the text “37A Bicycle Parking Facilities”, “37B Location of Bicycle Parking” and “37C Special Bicycle Parking Facility Requirements” immediately after the text “37. Loading Spaces”.
6. Amending the “Table of Contents”, by adding the text “39. GENERAL PROVISIONS: WIND ENERGY FACILITIES” immediately after the text “7. Signs in a Residential Zone”.
7. Amending the “Table of Contents”, by adding the text “PART 23A: REGIONAL PARK (RPK) ZONE” immediately after the text “PART 23: PARK OPEN SPACE (POS) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 30: URBAN RESERVE (UR) ZONE”, and “PART 31: URBAN SETTLEMENT (US) ZONE” immediately after the text “PART 29: INFRASTRUCTURE CHARGE HOLDING (ICH) ZONE”.
9. Amending the “Table of Contents”, by adding the text “APPENDIX E: Wind Energy Zoning Map”, “APPENDIX F: Lands exempt from Lot Frontage Requirements” and “APPENDIX G: Interim Bonus Zoning for Applicable Plan Amendment Applications” immediately after the deleted text “APPENDIX D: Wetlands”.
10. Amending the “Table of Contents”, by adding the text “SCHEDULE C: Lands Subject to Interim Bonus Zoning Public Benefits” immediately after the text “SCHEDULE B: Northgate Retail Complex”.

11. Amending PART 2, as shown below in **bold**, by adding the definition “Accessory Hen Use” after the definition “Accessory Use”.

Accessory Hen Use - means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “Bicycle Parking, Class A”, “Bicycle Parking, Class B”, and “Bicycle Parking, Class C” after the repealed definition “Bed and Breakfast/Guest Home Operation”.

Bicycle Parking, Class A - means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

Bicycle Parking, Class B - means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

Bicycle Parking, Enhanced - means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

13. Amending PART 2, as shown below in **bold**, by adding the definition “Canadian Geodetic Vertical Datum 2013 (CGVD2013)” after the definition “Cabaret”.

Canadian Geodetic Vertical Datum 2013 (CGVD2013) - means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

14. Amending PART 2, as shown below in **bold**, by adding the definitions “Cannabis Lounge”, “Cannabis Production Facility” and “Cannabis Retail Sales” after the definition “Canadian Geodetic Vertical Datum (CGVD28)”.

Cannabis Lounge - means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

Cannabis Production Facility - means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or

cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

Cannabis Retail Sales - means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

15. Amending PART 2, as shown below in **bold**, by adding the definition “Commercial Recreation Use” after the definition “Commercial Photography”.

Commercial Recreation Use - means a building or lot or part of a building or lot used solely for commercial recreation or sport purposes and without limiting the generality of the foregoing, may include animal or vehicle racing tracks, rifle ranges, marinas, golf courses, amusement parks and centres, and commercial camping grounds, together with the necessary accessory buildings and structures.

16. Amending PART 2, as shown below in **bold**, by adding the definition “Conservation Use” after the definition “Community Centre”.

Conservation Use - means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

17. Amending the definition “Dwelling, Single Detached” in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile home/mini home.” after the text “detached dwelling unit”.

Dwelling, Single Detached - means a completely detached dwelling unit, and includes a mobile home/mini home.

18. Amending PART 2, as shown below in **bold**, by adding the definition “Hen” after the definition “Height”.

Hen - means adult female chicken.

19. Amending PART 2, as shown below in **bold**, by adding the definition “Recreation Use” after the definition “Recycling Facilities”

Recreation Use - means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

20. Amending PART 2, as shown below in **bold**, by adding the definition “Shared Housing” after the definition “Setback.”

Shared Housing Use - means a use that contains 4 or more bedrooms, that meets one or more of the following:

- a) that are rented for remuneration as separate rooms for residential accommodation; or**
 - b) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

21. Amending PART 2, as shown below in **bold**, by adding the definition “Shared Housing with Special Care” after the definition “Shared Housing Use”.

Shared Housing with Special Care - means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

22. Amending PART 2, as shown below in **bold**, by adding the definitions “Short-term Bedroom Rental” and “Short-term Rental”, after the definition “Shopping Centre”.

Short-term Bedroom Rental - means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

Short-term Rental - means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less

23. Amending PART 2, as shown below in **bold**, by adding the definitions “Suite, Backyard” and “Suite, Secondary” after the definition “Structure”.

Suite, Backyard - means a self-contained subordinate dwelling unit that is located

within an accessory building or structure.

Suite, Secondary - means a self-contained subordinate dwelling unit that is located within a residential main building.

24. Amending PART 2, as shown below in **bold**, by adding the definition “Water Control Structure” after the definition “Warehouse”.

Water Control Structure - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

25. Amending PART 2, as shown below in **bold**, by adding the definition “Watercourse” after the definition “Water Control Structure”.

Watercourse - means a lake, river, stream, ocean or other natural body of water.

26. Amending Section 1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone” below the text “POS Park Open Space Zone”.

POS	Park Open Space Zone
RPK	Regional Park Zone

27. Amending Section 1 in PART 3, as shown below in **bold**, by adding the text “UR Urban Reserve Zone” and “US Urban Settlement Zone”, below the text “WFCDD Waterfront Comprehensive Development District”.

WFCDD Waterfront Comprehensive Development District
UR Urban Reserve Zone
US Urban Settlement Zone

28. Amending PART 3, as shown below in **bold**, by adding Section 3A after Section 3.

3A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

29. Amending Section 3 in PART 4, as shown below in **bold**, by:
- Adding the text “R-19B, R-19C,” after the text “R-17” and before the text “R-27”;

- b. Adding the text “, S-7A, S-7B” after the text “S-7” and before the text “; Environmental Policies”;
- c. Adding the text “Policies” after the text “Implementation” and before the text “Z-2”;
and
- d. Adding the text “Z-27, Z-28, and Z-29” after the text “Z-2,”.

The Municipal Planning Strategy provides that the following shall be dealt with by Development Agreement in accordance with Residential Policies R-8 to R-17, **R-19B, R-19C**, R-27, R-27A, R-27B, R-28 and R-31; Commercial Policies C-4, C-4a), C-5, C-7 to C-15, C-18, C-20, C-29A, C-31 to C-32; Waterfront Policies WF-20 to WF-23; Industrial Policies I-2, I-4 and I-7; Institutional Policy S-7, **S-7A, S-7B**; Environmental Policies E-4 to E-8, E-11, E-14 and E-45; and Implementation **Policies Z-2, Z-27, Z-28 and Z-29.**

- 30. Amending Subsection 3 b) in PART 4, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “development including” and before the text “mobile homes”.

b) Within the Residential Comprehensive Development District designation on the Generalized Future Land Use Map, a development agreement may be considered for a mixed residential development including **shared housing with special care**, mobile home parks and/or subdivisions (Policy R-9 and R-13);

- 31. Amending Clause 3 c) in PART 4, as shown below in **bold**, by adding subsection vii) after subsection vi).

vii) shared housing with special care

- 32. Amending Clause 3 j) in PART 4, as shown below in **bold**, by:
 - a. Adding the text “shared housing with special care” after the text “service centre” and before the text “for 11 or more”; and
 - b. Adding the text “, S-7.4 and S-7.5” after the text “11 or more persons” and before Clause k).

j) Within all designations on the Generalized Future Land Use Map, a development agreement may be considered for a multi-service centre or **shared housing with special care** for 11 or more persons (Policy S-7, **S-7.4 and S-7.5**);

- 33. Amending Section 3 in PART 4, as shown below in **bold**, by adding Clause q) after Clause p).

q) **Pursuant to Policy Z-27, 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.

34. Amending PART 4, as shown below in **bold**, by adding Section 4 and Clause 4(a), after Clause 3 q).
- 4. Notwithstanding anything in this by-law, in areas designated Rural Commuter under the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement:**
- (a) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**
35. Amending PART 4, as shown below in **bold**, by adding Section 5, after Section 4.
- 5. Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.**
36. Amending PART 4, as shown below in **bold**, by adding Section 6, after Section 5.
- 6. Notwithstanding any other provision of this By-law, within lands designated as Special Planning Area, early tree removal, blasting, and earthworks may be considered, subject to the provisions of a development agreement in accordance with policy IM-19 of the Regional Municipal Planning Strategy.**
37. Amending PART 5, as shown below in **bold**, by adding Section 3B., 3C., and 3D. after Section 3A.
- 3B. An accessory hen use is exempt from the requirement to obtain a development permit.**
- 3C. A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
- 3D. Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**
38. Amending Clause 8k)ix) in PART 5, as shown below in **bold**, by:
- a. Adding the text "except for an accessory hen use" before the text "any use involving the care of animals".

- ix) **except for an accessory hen use** any use involving the care of animals.
39. Amending PART 5, as shown below in **bold**, by adding Section “12A. Public Transit Facilities”, “12B. Public Transit Facilities within the Floodway Zone (FW)”, “12C. Cannabis-Related Uses”, and “12D. SHORT-TERM RENTALS” after repealed Section 12.

12A. Public Transit Facilities

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

12B. Public Transit Facilities within the Floodway Zone (FW)

Notwithstanding Section 12A, within the Floodway Zone (FW), public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall excludes transit terminals.

12C. Cannabis-Related Uses

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

12D. SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

40. Amending PART 5, as shown below in **bold**, by adding “21. Watercourses” after Section 20.

21 Watercourses

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.
- (d) Notwithstanding clause (a), horizontal buffers shall not apply within the lands sub-designated as Halifax Harbour as shown on the Regional Land Use Structure Map in the Regional Municipal Planning Strategy.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (7). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be

authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:**
 - (i) marine dependent uses, fisheries uses, conservation uses;**
 - (ii) fences, wharfs, boat ramps;**
 - (iii) historic sites and monuments,**
 - (iv) driveway crossings;**
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and**
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².**
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:**
 - (i) wastewater, storm and water infrastructure, and public water control structures; and**
 - (ii) parks, public roads, and active transportation crossings.**
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.**
- (7) Within the required buffer pursuant to subsection (1), and notwithstanding subsections (4), and (5) within all commercial zones and the ILI and IHI industrial zones, and the SI institutional zone, activity shall be limited to the placement of boardwalks, walkways and trails not exceeding 3 m in width, conservation uses, parks on public lands, historic sites and monuments, public road crossings and driveway crossings, and wastewater, storm and water infrastructure, and public water control structures.**

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure**

will meet the applicable requirements of this section.

41. Amending PART 5, as shown below in **bold**, by adding Section “21A. Coastal Areas” after Section 21.

21A. Coastal Areas

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.**
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:**
 - (a) accessory to a main building; and**
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.**

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.**
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does**

not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.
42. Amending Clause 29 a)i) in PART 5, as shown below in **bold**, by adding the text “, except where backyard suites are permitted” after the text “human habitation”.
- ii) be used for human habitation, **except where backyard suites are permitted**;
43. Amending PART 5, as shown below in **bold**, by adding Sections “29B. Secondary Suites and Backyard Suites”, after Section 29A.

29B. Secondary Suites and Backyard Suites

(a) Secondary Suites

Secondary suites shall be permitted accessory to a single detached dwelling, a mobile home, a two-unit dwelling, a duplex dwelling, a linked dwelling, a semi-detached dwelling, or a rowhouse/townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two-unit dwelling, a duplex dwelling, a linked dwelling, or a semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) Backyard Suites

Backyard suites shall be permitted accessory to a single detached dwelling, a mobile home, a two-unit dwelling, a duplex dwelling, a linked dwelling, a semi-detached dwelling, a rowhouse/townhouse dwelling, or an Apartment containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Part 5 Sections 28 and 29;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93 square metres);
- (v) Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required;
- (ix) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (x) A backyard suite must be located on the same lot as the main dwelling unit;
- (xi) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or shared private driveway,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres;
- (xi) An accessory non-conforming structure may be converted to a backyard suite subject to the requirements of this clause.

44. Amending PART 5, as shown below in **bold**, by adding Section “29C. ACCESSORY HEN USE” after Section 29B

29C. ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions

- (a) **The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) **Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 29C(b) iv. meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.

(c) The following are not permitted:

- i. On-site slaughtering or euthanizing of hens; and**
- ii. The sale of eggs, meat or hens**

45. Amending Clause 34 a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Hotels, motels, and staff houses”.

**Hotels, motels, staff houses, and
short-term bedroom rentals**

46. Amending Clause 34 a) in PART 5, as shown below in **bold**, by adding the text “Shared Housing Use No Parking shall be required” below the text “Shopping Centres”.

Shopping Centres

Five and one half (5.5) parking spaces per thousand (1000) square feet of gross leasable floor area.

Shared Housing Use

No parking shall be required.

47. Amending PART 5, as shown below in **bold**, by adding Sections “37A Bicycle Parking Facilities”, “37B Location of Bicycle Parking”, and “37C Special Bicycle Parking Facility Requirements” after Section 37.

37A Bicycle Parking Facilities

- (1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:**

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums,	1 space for every 20 seats 20% Class A/ 80% Class B

Halls	Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m ² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries	1 space per 200m ² GFA 20% Class A/ 80% Class B
General Industrial Uses	Minimum of 2 Class B spaces 1 space per 1000 m ² GFA 80% Class A/ 20% Class B
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	Minimum of 2 Class B spaces Maximum of 20 spaces 5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m ² GFA 50% Class A/ 50% Class B

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, shared housing use, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;
- (b) have a minimum overhead clearance of 2.0m;
- (c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

37B Location of Bicycle Parking

- (1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.
- (2) Class A bicycle parking may be located up to 200m from an entrance.

- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

37C Special Bicycle Parking Facility Requirements

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

48. Amending PART 5, as shown below in **bold**, by adding Section “39. GENERAL PROVISIONS: WIND ENERGY FACILITIES” after Section 38.

39. GENERAL PROVISIONS: WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**

- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines:
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Appendix E - Wind Energy Zoning Map. Such zones are:

- (UW-1) Urban Wind Zone**
- (RW-2) Rural Wind Zone**
- (R) Restricted Zone**

- a) **URBAN WIND ZONE (UW-1)**

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
 - ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.,
 - iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) RURAL WIND ZONE (RW-2)**
- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or

- (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

c) RESTRICTED ZONE (R)

- i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building

Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:

- i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**
 - i) Micro 140 metres (460 ft)**
 - ii) Small 360 metres (1180 ft)**
 - iii) Medium 500 metres (1640 ft)**
 - iv) Large 2000 metres (6560 ft)**
- c) The notice pursuant to section b) shall include the following information:**
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;**
 - ii) a description of the type of wind energy facility; and**
 - iii) the applicant's contact information which shall include a mailing address.**

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Bedford Land Use By-law:**
 - i) RPK (Regional Park) Zone.**

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.**
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.**
- c) All electrical wires shall, to the maximum extent possible, be placed underground.**
- d) The visual appearance of the Wind Energy Facility shall at a minimum:**
 - i) be a non-obtrusive colour such as white, off-white or gray;**

- ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
- iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES/ APPENDICES

- a) Appendix E – Wind Energy Zoning Map.

49. Amending PART 6, as shown below in **bold**, by adding Clause c) after Clause b).

- b) neighbourhood parks;
- c) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;**

50. Amending PART 6, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” below the text “Maximum Number of Dwelling Units on a Lot” under the Heading “Zone Requirements RSU”.

Maximum Number of Dwelling Units on Lot
(**not including secondary or backyard suites**)

51. Amending PART 7, as shown below in **bold**, by adding Clause f) after Clause ea).

- ea) an Apartment containing 3 or 4 dwelling units within the Urban Service Area;
- f) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;**

52. Amending in PART 7, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” after the text “Maximum Number of Dwellings Units Per Lot” under the Heading “Zone Requirements RTU”.

Maximum Number of Dwelling Units Per Lot
(**not including secondary or backyard suites**)

53. Amending PART 8, as shown below in **bold**, by adding Clause b) after Clause a).
- a) apartment building;
 - b) **shared housing use;**
54. Amending PART 8, as shown below in **bold**, by adding the text “Where shared housing use is provided, a minimum of 500 Sq.Ft. of lot area shall be required for each bedroom, and a minimum of 200 Sq.Ft. of recreation space shall be required for each bedroom.” after the text “1,325 Sq. ft” and before the text “A recreational space” under the Heading “Zone Requirements RMU”.

Where shared housing use is provided, a minimum of 500 Sq.Ft. of lot area shall be required for each bedroom, and a minimum of 200 Sq.Ft. of recreation space shall be required for each bedroom.

55. Amending PART 9, as shown below in **bold**, by adding Clause b) after Clause a).
- a) rowhouse or townhouse dwelling;
 - b) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;**
56. Amending PART 9, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” below the text “Number of Dwellings Units Per Lot” under the heading “Zone Requirements RTH”.

Number of Dwelling Units Per Lot
(not including secondary or backyard suites)

57. Amending PART 9A, as shown below in **bold**, by adding Clause f) after Clause ea).
- ea) Apartments containing 3 or 4 dwelling units within the Urban Service Area;
 - f) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;**
58. Amending Clause 2(h) in PART 9A, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” after the text “units per building” under the Heading “Rowhouses/Townhouses on Individual Lots”.
- (h) Maximum number of units
per building **(not including
secondary or backyard suites)**

59. Amending Clause 2(j) in PART 9A, as shown below in **bold**, by adding the text “Bedford Highway” after the text “Minimum yard along the”.

(j) Minimum yard along the 9.14 metres (30 feet)
Bedford Highway

60. Amending Clause 3(l) in PART 9A, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” after the text “units per lot” under the Heading “Dwelling Units on a shared lot”.

(l) Maximum number of
dwelling units per lot (**not
including secondary or
backyard suites**)

61. Amending PART 10, as shown below in **bold**, by adding Clause f) after repealed Clause e).

f) Shared housing use;

62. Amending PART 11, as shown below in **bold**, by adding Clause c) after Clause b).

b) Neighbourhood parks;

c) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

63. Amending PART 11, as shown below in **bold**, by adding the text “(not including secondary or backyard suites)” after the text “Dwelling Units on Lot” and above the text “Lot Coverage” under the Heading “ZONE REQUIREMENTS RR”.

Maximum Number of Dwelling Units on Lot (**not including secondary
or backyard suites**)

64. Amending PART 12, as shown below in **bold**, by adding Clauses t) and u) after Clause s).

s) Banks and Financial Institutions

t) Short-term Rentals

u) Short-term Bedroom Rentals

65. Amending Clause a) in PART 14, as shown below in **bold**, by adding the text “, including shared housing uses,” after the text “dwelling units” and before the text “not to exceed”.

a) dwelling units, **including shared housing uses**, not to exceed 50% of the gross floor area and not to be located fronting on a street on the first floor

66. Amending Clause f) in PART 14, as shown below in **bold**, by adding the text “ing” after the text “exceed” and before the text “ten (10) units.”
- f) inn and country inn establishments not exceeding **ing** ten (10) units per establishment
67. Amending PART 14, as shown below in **bold**, by adding Clauses x) and y) after Clause w).
- w) Ice cream stands
x) **short-term rentals**
y) **short-term bedroom rentals**
68. Amending PART 15, as shown below in **bold**, by adding Clauses r) and s) after Clause q).
- q) office uses
r) **short-term rentals**
s) **short-term bedroom rentals**
69. Amending PART 15A, as shown below in **bold**, by adding Clauses y) and z) after Clause x).
- x) multiple unit dwelling in conjunction with and subordinate to a hotel
y) **short-term rentals**
z) **short-term bedroom rentals**
70. Amending Section 2 in PART 16, as shown below in **bold**, by adding Clause da) after Clause d).
- d) multiple unit buildings;
da) shared housing use;
71. Amending PART 17, as shown below in **bold**, by adding Clause qc) after Clause qb).
- qb) Service stations and gas bars on properties identified on Schedule C-3
qc) cannabis production facilities
72. Amending PART 17, as shown below in **bold**, by adding the Heading and requirements “SPECIAL REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after the Heading and requirements “SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE”.

SPECIAL REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **Where a lot containing a cannabis production facility abuts a lot**

- (i) zoned or used for residential purposes, or
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

73. Amending PART 19A, as shown below in **bold**, by:

- a. Adding Clause l) after Clause k); and
- b. Adding Clauses p) and q) after Clause o).

k) Day care facilities;

l) Shared housing with special care;

m) Park and ride facilities;

n) Restaurant Full-Service, Restaurant Take-Out, and retail uses in association with any other permitted uses;

o) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.

p) Short-term Rentals

q) Short-term Bedroom Rentals

74. Amending PART 20, as shown below in **bold**, by adding Clauses l) and la) after Clause k).

k) P and POS uses, subject to the P and POS Zone requirements

l) shared housing with special care;

la) Shared housing use with 10 or fewer bedrooms;

75. Adding the following PART, PART 23: REGIONAL PARK (RPK) ZONE, as shown below in **bold**, after PART 23.

PART 23A: REGIONAL PARK (RPK) ZONE

RPK USES PERMITTED

23A.1 No development permit shall be issued in a Regional Park (RPK) Zone except for one or more of the following uses:

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

RPK ZONE REQUIREMENTS

23A.2 In any Regional Park (RPK) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area

76. Amending PART 24, as shown below in **bold**, by:
- c. Adding Clauses i) after Clause h); and
 - d. Adding Clause j) after Clause i).
- h) conservation related uses
i) **water control structures**
j) **wastewater, storm water and water infrastructure. Treatment facilities for wastewater, storm water and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014.**
77. Amending PART 25, as shown below in **bold**, by adding Clause c) after Clause b).
- b) Multiple und dwellings;
 - c) **Shared housing use;**
78. Adding PARTs, “PART 30: URBAN RESERVE (UR) ZONE”, and “PART 31: URBAN SETTLEMENT (US) ZONE”, as shown below in **bold**, after PART 29.

PART 30: URBAN RESERVE (UR) ZONE

30.1 UR USES PERMITTED

No development permit shall be issued in an Urban Reserve (UR) Zone except for one or more of the following uses:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Passive recreation uses

Uses accessory to the foregoing uses

30.2 UR ZONE REQUIREMENTS

In any Urban Reserve (UR) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

PART 31: URBAN SETTLEMENT (US) ZONE

31.1 US USES PERMITTED

No development permit shall be issued in an Urban Settlement (US) Zone except for one or more of the following uses:

Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot
Public parks and playgrounds
Uses accessory to the foregoing uses

31.2 US ZONE REQUIREMENTS

In any Urban Settlement (US) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Frontage:	110 m
Minimum Lot Area:	2 ha
Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

79. Adding “APPENDIX E: Wind Energy Zoning”, “Appendix G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”, “Schedule C: Lands Subject to Interim Bonus Zoning Requirements”, and “Schedule C, Table 1: Lands Subject to Interim Bonus Zoning” after repealed “Appendix D: Wetlands” as shown on Schedules C-4A, C-4B, C-4C, and C-4D, respectively, attached hereto.
80. Zoning Map “Schedule A: Bedford Zoning Map” are amended by rezoning the properties to Regional Park, Urban Reserve, and Urban Settlement as shown on Schedule C-4E attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-5

Proposed Amendments to the Municipal Planning Strategy for Cole Harbour/Westphal

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Cole Harbour/Westphal is hereby amended as follows:

1. Amending Policy UR-13, as shown below in **bold**, by:
 - a. Adding the text “Shared housing” after the text “collector street.” and before the text “shall be”;
 - b. Adding the text “Policies” after the text “under” and before the text “UR-15”; and
 - c. Adding the text “A and UR-15B” after the text “UR-15”.

UR-13 The 3.1 acre site on Karen Drive is intended for residential development either in the form of townhouses or low rise multiple unit dwellings, in support of Provincial goals to provide seniors-oriented and/or affordable housing. Development on the site shall be consider through the development agreement process. Townhouse developments shall be considered pursuant to Policy UR-8. Multiple unit housing shall be considered pursuant to UR-10, notwithstanding that policy’s normal requirement for frontage on a collector street. **Shared housing** shall be considered under **Policies UR-15A and UR-15B**.

2. Amending SECTION III under the heading Community Facility Uses, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “The siting of” and before the text “will be accommodated” in the second paragraph.

In order to provide for the consideration of specific effects on residential neighbourhoods, most community facility uses may be considered by amendment to the land use by-law. The siting of **shared housing with special care uses** will be accommodated through site-specific measures provided for in the development agreement process.

3. Amending SECTION III under the heading Transportation within the chapter Morris-Russell Lake Secondary Planning Strategy, as shown below in **bold**, by adding the preamble and policies immediately below Policy ML-8.

In 2022, during a review of the Regional Municipal Planning Strategy (Regional Plan), the Municipality identified the need for additional housing to support recent population growth. Remaining vacant lands within the Morris-Russell Lake secondary plan area are within the Regional Plan’s Urban Settlement designation and within the Urban Service Area where municipal water and wastewater services are available.

Therefore, these lands provide an opportunity to accommodate new housing for the region's growing population.

The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, provides a region-wide vision for mobility, directing future investment in transportation demand management, transit, active transportation, and the roadway network. The IMP represents a meaningful shift in the Municipality's approach to transportation and focuses on moving people and goods instead of vehicles. Planning for improved mobility in suburban areas requires that consideration is given to active transportation and access to transit, rather than just movement of private vehicles. Neighbourhoods should be designed with walking, bicycling and transit in mind to provide mobility for people of all ages and abilities.

ML-8A Notwithstanding Policy ML-8, Council may consider development on Parcels MLE2 and 18 in accordance with the Future Land Use and Transportation Plan (as shown on Map 5) by development agreement. In considering any such agreement, in addition to the policies of this plan and the Regional Plan, Council shall consider the following:

- a) That the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods; and
- b) Requiring off-site improvements that are necessary to support the development or accepting the payment of money in lieu of such improvements, respecting transit service and active transportation connections to nearby transit facilities such as the Portland Hills Terminal and Woodside Ferry Terminal.

4. Amending SECTION III under the heading Community Facility Uses, as shown below in **bold**, by adding Policy UR-15A and UR-15B after deleted Policy UR-15.

UR-15A 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 Policy UR-2, within any Designation, 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 that 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-11.

UR-15B In addition to Policy UR 15A, 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.

5. Amending the TRANSPORTATION Section under the heading Morris-Russell Lake Secondary Planning Strategy, as shown below in **bold**, by adding new preamble and new policy after Policy ML-8.

In 2022, during a review of the Regional Municipal Planning Strategy (Regional Plan), the Municipality identified the need for additional housing to support recent population growth. Remaining vacant lands within the Morris-Russell Lake secondary plan area are within the Regional Plan's Urban Settlement designation and within the Urban Service Area where municipal water and wastewater services are available. Therefore, these lands provide an opportunity to accommodate new housing for the region's growing population. The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, provides a region-wide vision for mobility, directing future investment in transportation demand management, transit, active

transportation, and the roadway network. The IMP represents a meaningful shift in the Municipality's approach to transportation and focuses on moving people and goods instead of vehicles. Planning for improved mobility in suburban areas requires that consideration is given to active transportation and access to transit, rather than just movement of private vehicles. Neighbourhoods should be designed with walking, bicycling and transit in mind to provide mobility for people of all ages and abilities.

ML-8A Notwithstanding Policy ML-8, Council may consider development on Parcels MLE2 and 18 in accordance with the Future Land Use and Transportation Plan (as shown on Map 5) by development agreement. In considering any such agreement, in addition to the policies of this plan and the Regional Plan, Council shall consider the following:

- a) That the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods; and
- b) Requiring off-site improvements that are necessary to support the development or accepting the payment of money in lieu of such improvements, respecting transit service and active transportation connections to nearby transit facilities such as the Portland Hills Terminal and Woodside Ferry Terminal.

- 6. Amending Policy IM-9(f)(i), as shown below in **bold**, by adding:
 - a. Adding the text "Shared housing with special care at a larger scale than permitted in the underlying zone," before the text "according to";
 - b. Adding the text "ies" to the text "Polic"; and
 - c. Adding the text "A and UR-15B" after the text "15".
- (f) Within any designation:
 - (i) **Shared housing with special care at a larger scale than permitted in the underlying zone, according to Policies UR-15A and UR-15B.**
- 7. Amending the IMPLEMENTATION Section, as shown below in **bold**, by adding Policy IM-23, IM-24, and IM-25 after Policy IM-22.

IM-23 Where there is enabling policy to consider the development, by development agreement, of a 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.

IM-24 Notwithstanding Policies UR-15A and UR-15B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in effect on the coming in force of Policies UR-15A and UR-15B 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.

IM-25 In addition to Policy IM-24, 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-6

Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.10A ACCESORY HEN USE” immediately after the text “4.10 ACCESSORY USES AND BUILDINGS.”
2. Amending the “Table of Contents”, by adding the text “4.11C SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.11B QUONSET HUTS”.
3. Amending the “Table of Contents”, by adding the text “4.17 WATERCOURSES” immediately after the text “4.16 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.17A COASTAL AREAS” immediately after the text “4.17 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.27A BICYCLE PARKING FACILITIES”, “4.27B LOCATION OF BICYCLE PARKING”, and “4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
6. Amending the “Table of Contents”, by adding the text “4.32 WIND ENERGY FACILITIES”, “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES”, and “4.35 SHORT-TERM RENTALS”, immediately after the deleted text “4.31 SCHEDULE C – WETLANDS”.
7. Amending the “Table of Contents”, by adding the text “PART 22A: RPK (REGIONAL PARK) ZONE” and “PART 23: PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “PART 22: P-3 (PROVINCIAL PARK) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 24E: UR (URBAN RESERVE) ZONE” immediately after the text “PART 24D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “APPENDIX G: Interim Bonus Zoning Requirements for Applicable Plan Amendments Applications” and “Schedule A-1 - Wind Energy Zoning” immediately after the text “APPENDIX F: LANDS OF THE FORMER A.R. HEMMNGS BUILDING SYSTEMS LIMITED INDUSTRIAL SITE”.
10. Amending the “Table of Contents”, by adding the text “SCHEDULE F: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule F, Table 1: Lands Subject to Interim

Bonus Zoning Requirements” immediately after the text “SCHEDULE E: SUB AREAS OF MOD (MIXED OPPORTUNITY DISTRICT) ZONE”.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.8C BICYCLE PARKING, CLASS A”, “2.8D BICYCLE PARKING, CLASS B”, and “2.8E BICYCLE PARKING, ENHANCED” after Section 2.8B.

2.8C BICYCLE PARKING, CLASS A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

2.8D BICYCLE PARKING, CLASS B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

2.8E BICYCLE PARKING, ENHANCED means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.10A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.10.

2.10A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

14. Amending PART 2, as shown below in **bold**, by adding the definitions “2.10B CANNABIS LOUNGE”, “2.10C CANNABIS PRODUCTION FACILITY” and “2.10D CANNABIS RETAIL SALES” after Section 2.10A.

2.10B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.10C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

2.10D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AA CONSERVATION USE” after Section 2.11.

2.11AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

16. Amending Subsection 2.17 (c) in PART 2, as shown below in **bold**, by adding the text “includes a mobile dwelling” after the text “dwelling unit and”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit and **includes a mobile dwelling**.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.26A HEN” after Section 2.26.

2.26A HEN means adult female chicken. For the purposes of this by-law hens

associated with an accessory hen use are not livestock

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.54 RECREATION USE” after Section 2.53.

2.54 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

19. Amending PART 2, as shown below in **bold** by adding the definitions “2.66A SHARED HOUSING USE” and “2.66B SHARED HOUSING WITH SPECIAL CARE” after Section 2.66.

2.66A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:
(i) that are rented for remuneration as separate rooms for residential accommodation; or
(ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.66B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

20. Amending PART 2, as shown below in **bold**, by adding the definitions “2.66D SHORT-TERM BEDROOM RENTAL” and “2.66E SHORT-TERM RENTAL” after Section 2.66C.

2.66D SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.66E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28

days or less.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.70.5 SUITE” after Section 2.70.

2.70.5 SUITE

- (a) **Suite, Backyard** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Suite, Secondary** means a self-contained subordinate dwelling unit that is located within a residential main building.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.70AA WATERCOURSE” after Section 2.70A.

2.70AA WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

23. Amending PART 2, as shown below in **bold**, by adding the definition “2.70AB WATER CONTROL STRUCTURE” after Section 2.70AA.

2.70AB WATER CONTROL STRUCTURE means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

24. Amending Section 3.1 in PART 3, as shown below in **bold**, after the text “P-3 Provincial Park Zone” by:

- a. Adding the text “RPK Regional Park Zone” below the deleted text;
- b. Adding the text “PWS Protected Water Supply Zone” below the text “RPK Regional Park Zone”;
- c. Adding the heading “Urban Reserve”; and
- d. Adding the text “UR Urban Reserve Zone” below the text “PWS Protected Water Supply Zone.”

P-4	(Deleted)
RPK	Regional Park Zone
PWS	Protected Water Supply Zone

Urban Reserve

UR

Urban Reserve Zone

25. Amending Subsection 3.6(x) in PART 3, as shown below in **bold**, by adding the text “shared housing with special care;”.

(x) **shared housing with special care;**

26. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Subsection (aa) after Subsection (z).

(aa) **As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, Conservation Design Developments may be considered by development agreement on lands designated Rural Commuter, in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

27. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Subsection (ae) after Subsection (ad).

(ae) **Pursuant to Policy IM-23, 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.**

28. Amending PART 3, as shown below in **bold**, by adding Section “3.7 DEVELOPMENT AGREEMENT FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

29. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iii) after Clause 4.1(d)(ii).

- (ii) any sign, except signs permitted according to Section 5.3 of this By-law.
- (iii) **An accessory hen use.**

30. Amending PART 4, as shown below in **bold**, by adding Section 4.1B, 4.1C, and 4.1D after deleted Section 4.1A.

- 4.1B** Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.
- 4.1C** A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- 4.1D** Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
31. Amending Section 4.7 in PART 4, as shown below in **bold**, by adding Subsection 4.7(e) after Subsection 4.7(d).
- (e) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**
32. Amending PART 4, as shown below in **bold**, by adding "Section 4.10A ACCESSORY HEN USE" after Section 4.10.

4.10A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:**
- i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) Hens shall be contained within an accessory building or a fenced area that:**
- i. is located in a rear yard;**
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;**
 - iii. subject to 4.10A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
 - iv. is setback a minimum of 1 metre from any side or rear lot line.**
- (c) The following are not permitted:**

- i. **On-site slaughtering or euthanizing of hens; and**
- ii. **The sale of eggs, meat or hens**

33. Amending Subclause 4.11(a)(iii)(a) in PART 4, as shown below in **bold**, by adding the text “or a residential accessory building in the RPK (Regional Park) zone” after the text “any residential zone” and before the text “located outside”

- (iii)(a) no accessory building in any residential zone **or a residential accessory building in the RPK (Regional Park) zone** located outside the Urban Service Area shall exceed 25 feet (7.7 metres), nor have a footprint that exceeds 80% of the footprint of the main dwelling up to a maximum of 1,250 square feet (116.13 square metres), or 750 square feet (69.68 square metres), whichever is the greater.

34. Amending PART 4, as shown below in **bold**, by adding Section 4.11C after Section 4.11B.

4.11C SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling, or a rowhouse or townhouse dwelling subject to the following provisions:

- (i) **No more than one secondary suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and**
- (v) **A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling, a rowhouse or townhouse dwelling, or a multiple unit dwelling containing three (3) units, subject to the following provisions:

- (i) **No more than one backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;**

- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or private road,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) a non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

35. Amending PART 4, as shown below in **bold**, by adding Section “4.17 WATERCOURSES” after Section 4.16.

4.17 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) In any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer shall not be less than 15.2 metres from Little Salmon River and 100 m from the ordinary highwater mark of Lake Major.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the

buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.

(c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsection (4) to (7). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.
- (7) Within the required buffer pursuant to subsections (1), and notwithstanding sections (4) and (5) within 15.2 m of the Little Salmon River, 100 m of Lake Major, or 30 m from any tributary within the Lake Major Watershed as designated by the Minister of the Environment on April 8, 1996, activity shall be limited to the placement of boardwalks, walkways and trails not exceeding 3 m in width, conservation uses, parks on public lands, historic sites and monuments, public road crossings and driveway crossings, wastewater, storm and water infrastructure, and public water control structures.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

- 36. Amending PART 4, as shown below in **bold**, by adding Section “4.17A COASTAL AREAS” after Section 4.17.

4.17A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity area, or a storage space permitted in this By-law that is:
 - (a) accessory to a main building; and

- (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

37. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels **and short-term bedroom rentals**

1 space per sleeping unit plus
requirements for restaurants or
other facilities contained therein

38. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text

“otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as otherwise	the greater of 1 space per 4 seats, where there are fixed seats specified and 1 space per 100 square feet (9.3 m ²) of gross floor area
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39. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “Shared Housing 0 spaces” after the text “Hospitals 2 spaces per bed”.

Hospitals	2 spaces per bed
Shared Housing	0 spaces

40. Amending PART 4, as shown below in **bold**, by adding Sections “4.27A BICYCLE PARKING FACILITIES”, Section “4.27B LOCATION OF BICYCLE PARKING”, and Section “4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” after Section 4.27.

4.27A BICYCLE PARKING FACILITIES

(1) Within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Urban Settlement, for the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces

Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

- (2) **Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.**
- (3) **Notwithstanding subsection (1), the bicycle parking requirements may be reduced by 50% where each unit of a Multiple Unit Dwelling contains a storage room with a minimum dimension of 1.5m by 2m.**
- (4) **Each Class B bicycle parking space shall:**
 - (a) **be a minimum of 0.6m wide and 1.8m long;**
 - (b) **have a minimum overhead clearance of 2.0m;**
 - (c) **be located a minimum of 0.6m from any wall or other obstruction.**
- (5) **Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.5m in width, to be provided and maintained beside or between each row of bicycle parking. Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5m of open space.**
- (6) **Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than**

1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

4.27B LOCATION OF BICYCLE PARKING

- (1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.
- (2) Class A bicycle parking may be located up to 200m from an entrance.
- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

41. Amending PART 4, as shown below in **bold**, by adding Section “4.32 WIND ENERGY FACILITIES” after deleted Section 4.31.

4.32 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building”** means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations;
- b) **“Nacelle”** means the frame and housing at the top of the tower that encloses the gearbox and generator;
- c) **“Nameplate Capacity”** means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) **“Total Rated Capacity”** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures;
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.”
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone

design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**
 - i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
 - ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any

- habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;

- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid; or
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Cole Harbour/Westphal Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) P4 (Conservation) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule A-1 – Wind Energy Zoning

42. Amending PART 4, as shown below in **bold**, by adding Sections “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES”, and “4.35 SHORT-TERM RENTALS” after Section 4.32.

4.33 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.34 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.35 **SHORT-TERM RENTALS**

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;
 - ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and
 - v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.

43. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

45. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

46. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

47. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 15 or fewer bedrooms;” below the text “Multiple unit dwellings containing up to six (6) dwelling units;”.

Multiple unit dwellings containing up to six (6) dwelling units;
Shared housing use with 15 or fewer bedrooms;

48. Amending Section 10.3 in PART 10, as shown bellowing in **bold**, by:
- Adding the text “AND SHARED HOUSING USES” after the text “MULTIPLE UNIT DWELLINGS” to the Heading;
 - Adding the text “and shared housing uses” after the text “multiple unit dwellings” and before the text “are erected”;
 - Adding the text “or 100 square feet per bedroom in a shared housing use, whichever is greater,” after the text “dwelling unit” and before the text “shall be provided” in Clause (a).

10.3 OTHER REQUIREMENTS: MULTIPLE UNIT DWELLINGS AND SHARED HOUSING USES

Where multiple unit dwellings **and shared housing uses** are erected in any R-4 Zone, the following shall apply:

- (a) An amenity area of not less than one hundred (100) square feet (9.3 m²) per dwelling unit **or 100 square feet per bedroom in a shared housing use, whichever is greater**, shall be provided.

49. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.” below the text “Rowhouse dwellings.”

Rowhouse dwellings.
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted

dwelling unit.

50. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Sing unit dwellings”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

51. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Sing unit dwellings;”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

52. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings;”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

53. Amending Section 15A.1.1 in PART 15A, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Townhouse dwellings” under the Heading “Low-Rise Residential Uses”.

Townhouse dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

54. Amending Section 15A.1.1 in PART 15A, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Daycare facilities” under the Heading “Institutional Uses”.

Daycare facilities

Shared housing with special care

55. Amending Section 15A.1.2 in PART 15A, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below

the text “Townhouse dwellings” under the Heading “Low-Rise Residential Uses”.

Townhouse dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

56. Amending Section 15A.1.2 in PART 15A, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Hotels” under the Heading “Commercial Uses”.

Hotels

Short-term rentals

Short-term bedroom rentals

57. Amending Section 15A.1.2 in PART 15A, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Daycare facilities” under the Heading “Institutional Uses”.

Daycare facilities

Shared housing with special care

58. Amending Section 15A.1.3 in PART 15A, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Townhouse dwellings” under the Heading “Low-Rise Residential Uses”.

Townhouse dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

59. Amending Section 15A.1.4 in PART 15A, as shown below in **bold**, by adding the text “Shared housing use with greater than 10 bedrooms;” below the text “Restaurants except drive-through restaurants” under the Heading “Within Sub Area A of Schedule E”.

Restaurants except drive-through restaurants

Shared housing use with greater than 10 bedrooms

60. Amending Section 15A.1.4 in PART 15A, as shown below in **bold**, by:
- Adding the text “Shared housing use with greater than 10 bedrooms” below the text “Daycare facilities” under the Heading “Within Sub Area B of Schedule E”; and
 - Adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Mixed use buildings containing residential units and any one or more of the following: commercial, institutional, or community uses” under the Heading “Within Sub Area B of Schedule E”.

Daycare facilities

Shared housing use with greater than 10 bedrooms

Medical clinics

Commercial recreation uses

Mixed use buildings containing residential units and any one or more of the following:
commercial, institutional or community uses

Short-term rentals

Short-term bedroom rentals

61. Amending Section 15A.4.3 in PART 15A, as shown below in **bold**, by:
- Adding the text “AND SHARED HOUSING WITH SPECIAL CARE” to the heading “OTHER REQUIREMENTS: HOTELS”; and
 - Adding the text “or shared housing with special care” after the text “Where hotels” and before the text “are erected”.

15A.4.3 **OTHER REQUIREMENTS: HOTELS AND SHARED HOUSING WITH SPECIAL CARE**

Where hotels **or shared housing with special care** are erected in any MOD Zone, the following shall apply:

62. Amending Section 15A.4.3 in PART 15A, as shown below in **bold**, by:
- Adding the text “shared housing with special care use” after the text “gross floor area of a” in Clause (f).
 - Adding the text “shared housing with special care use” after the text “potential lot as the” and before the text “it is intended to serve” in Clause (g).
- (f) The greater of 100 sq. m or 5 sq. m of indoor or outdoor common amenity area shall be provided for every 92.9 sq. m (1,000 sq. ft.) of gross floor area of a **shared housing with special care use**.
- (g) Common amenity areas shall be located on the same lot or potential lot as the **shared housing with special care use** it is intended to serve.
63. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

64. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Automotive repair uses (minor)”.

Automotive repair uses (minor)

Short-term rentals

Short-term bedroom rentals

65. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 30 or fewer bedrooms;” immediately below the text “Existing dwellings;”.

Existing dwellings;

Shared housing use with 30 or fewer bedrooms;

66. Amending Section 17.6 in PART 17, as shown below in **bold**, by:
- Adding the text “AND SHARED HOUSING USE” after the text “MULTIPLE UNIT DWELLINGS” in the Heading;
 - Adding the text “or shared housing use” after the text “unit dwellings” and before the text “are erected in any C-2 Zone”;
 - Adding the text “or per bedroom in a shared housing use” after the text “dwelling unit” and before the text “shall be provided.” in Subsection (a);
 - Adding the text “or shared housing use” after the text “multiple unit dwelling” and before the text “is to be” in Subsection (b);
 - Adding the text “yard which abuts the residential zone” after the text “provided within the” and before the text “except where a fence” in Subsection (b); and
 - Adding Subsection (d) after Subsection (c).

17.6 OTHER REQUIREMENTS: MULTIPLE UNIT DWELLINGS AND SHARED HOUSING USE

Where multiple unit dwellings **or shared housing use** are erected in any C-2 Zone, the following shall apply:

- An amenity area of not less than one hundred (100) square feet (30.5 m) per dwelling unit **or per bedroom in a shared housing use** shall be provided.
- Where any multiple unit dwelling **or shared housing use** is to be erected in a C-2 Zone on lands which abut any residential zone except an R-4 (Multiple Unit Dwelling) Zone, no portion of any parking space shall be provided within the **yard which abuts the residential zone** except where a fence or other visual and physical barrier is provided in which case no portion of any parking space shall be located within five (5) feet (1.5 m) of the abutting residential zone.
- Access to a lot shall only be from Cole Harbour Road, Cumberland Drive or Forest Hills Drive.
- Notwithstanding 17.6 (a) through (c), a shared housing use may be located**

within an existing dwelling subject only to the requirements which apply to the existing dwelling.

67. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Offices”.

Offices

Short-term rentals

Short-term bedroom rentals

68. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Existing dwellings”.

Existing dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

69. Amending Section 21.1, in PART 21, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms;” immediately below the text “Fire and police stations”.

Fire and police stations;

Shared housing use with 10 or fewer bedrooms;

70. Amending 21.1 in PART 21, as shown below in **bold**, by adding the text “Existing shared housing with special care” immediately below the text “Funeral establishments in conjunction with a cemetery”.

Funeral establishments in conjunction with a cemetery

Existing shared housing with special care

71. Amending PART 21, as shown below in **bold**, by adding Section 21.4 “SHARED HOUSING WITH SPECIAL CARE” after Section 21.3.

21.4 SHARED HOUSING WITH SPECIAL CARE

Additions which create no extra beds shall be permitted for existing shared housing with special care located on Circassion Drive and Chameau Crescent, subject to the requirements of the P-2 Zone.

72. Amending Section 22.1 in PART 22, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a dwelling unit;” below the text

“Existing dwellings and recreational uses identified in Appendix ‘E’;”

Existing dwellings and recreational uses identified in Appendix "E";

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

73. Adding the PARTs, “PART 22A: RPK (REGIONAL PARK ZONE)” and “PART 23: PWS (PROTECTED WATER SUPPLY) ZONE”, as shown below in **bold**, immediately after PART 22.

PART 22A: RPK (REGIONAL PARK) ZONE

22A.1 RPK USES PERMITTED

No Development Permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

Other Uses

Existing dwellings and recreational uses identified in Appendix “E”

Home business uses in conjunction with permitted dwellings

Uses accessory to permitted dwellings and recreational uses

22A.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	9.14m
Minimum Side or Rear Yard:	6.1m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building:	10.7 m

Maximum Building Size: 305m²

22A.3 OTHER REQUIREMENTS: HOME BUSINESS USES

Where home business uses are permitted in any RPK Zone, the following shall apply:

- (a) Any business shall be wholly contained within the dwelling which is the principle residence of the operator of the business;**
- (b) No more that twenty-five (25) percent of the gross floor area shall be devoted to any business use, and in no case shall any business occupy more than three hundred (300) square feet (27.9 m²).**
- (c) No open storage or outdoor display shall be permitted.**
- (d) No more than one (1) sign shall be permitted for any business and no such sign shall exceed two (2) square feet (0.2 m²) in area.**
- (e) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration or glare.**
- (f) One (1) off-street parking space other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (13.9 m²) of floor area devoted to any business.**

22A.4 CONDITION: DEVELOPMENT PERMIT

Notwithstanding anything else in this By-law, no development permit shall be issued in any RPK Zone except where a Regional Development Permit has been issued.

PART 23: PWS (PROTECTED WATER SUPPLY) ZONE

23.1 PWS USES PERMITTED

No Development Permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

**Municipal water distribution or purification facilities
Public parks involving no buildings
Conservation uses
Uses accessory to the foregoing uses
Single unit dwellings**

23.2 PWS ZONE REQUIREMENTS

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	7432.2 m²
Minimum Frontage:	61 m
Minimum Front or Flankage Yard:	6.1 m
Minimum Rear or Side Yard:	2.4 m
Maximum Lot Coverage:	35%
Minimum Height of Main Building:	10.7 m
Minimum Width of Main Building:	6.1 m

74. Adding the PART, as shown below in **bold**, “PART 24E: UR (URBAN RESERVE) ZONE”, after PART 24D.

PART 24E: UR (URBAN RESERVE) ZONE

21E.1 UR USES PERMITTED

No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot
Passive recreation uses
Uses accessory to the foregoing uses

21E.2 UR ZONE REQUIREMENTS

In any UR Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 9.1m
Minimum Side Yard: 2.5m
Minimum Rear Yard: 2.5m
Maximum Lot Coverage: 35%
Maximum Height of Main Building: 11m

75. Adding “Appendix G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” and “Schedule A-1 - Wind Energy Zoning” as shown in Schedules C-6A and C-6B after Appendix F, attached hereto.

76. Adding “Schedule F: LANDS SUBJECT TO BONUS ZONING REQUIREMENTS” and “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements” as shown in Schedules C-6C and C-6D respectively, after Schedule E, attached hereto.
77. Zoning Maps “Schedule A: Cole Harbour / Westphal Zoning Map” are amended by rezoning the properties to Regional Park (RPK) Zone, Protected Water Supply (PWS) Zone, and Urban Reserve (UR) Zone as shown on Schedule C-6E attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-7

Proposed Amendments to the Municipal Planning Strategy for Dartmouth

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

1. Amending the “Table of Contents”, by adding the text “Shared Housing with Special Care” to (6) immediately below “(5) Rehabilitation of Neighborhoods and Housing” under the HOUSING Chapter.
2. Amending the “Table of Contents”, by adding “(9) Burnside Comprehensive Development District” immediately below “(8) Adult Cabarets and Massage Parlours” under the INDUSTRIAL Chapter.
3. Amending the “Table of Contents”, by adding “Map 9Y (Burnside Mixed Use Comprehensive Development Agreement)” after “Map 9X (Burnside Industrial Business Park).”.
4. Amending Section (6) in the HOUSING Chapter, as shown below in **bold**, by:
 - a. Adding the text “Shared Housing” to the heading of Section (6); and
 - b. Adding the text “shared housing uses” after the text “recognized that” and before the text “are a necessary”.

(6) Shared Housing

It is recognized that **shared housing uses** are a necessary and affordable form of residential accommodation, and that such uses should be permitted in Dartmouth. This type of housing helps to fulfill the City’s objective of providing mixed housing stock in sufficient numbers to meet the needs of people in all income groups.

5. Amending Policy H-3BA in the HOUSING Chapter, as shown below in **bold** and ~~strikeout~~:
 - a. By deleting the text “south” and replacing it with the text “west” after the text “on the” and before the text “by Halifax Regional Water”
 - b. By deleting the text “west” and replacing it with the text “east and north” after the text “bounded on the” and before the text “by the Forest”
 - c. Deleting the text “and to the north by privately held lands” after the text “(Highway 7)” and before the text “, to support”

- d. Deleting the text “that meets the following requirements:” and replacing it with the text “. In considering development agreement proposals, Council shall” after the text “development agreement”;
- e. Deleting the text “Policies H3A and” and replacing it with the text “Policy” before the text H3B in clause (a);
- f. Deleting the text “of Policy H-3B that” after the text “and (i)” and before the text “shall not apply”;
- g. Deleting the text “and” at the end of clause (e);
- h. by deleting the text “Section 9.7A” and replacing it with the text “Section 5.5.3” after the text “in accordance with” and before the text “of the Regional Municipal Planning Strategy” in clause (f); and
- i. Adding clauses (g) and (h).

Policy H-3BA For lands located in the Lake Loon Golf Centre CDD, identified as PID 40396152, 00602474, 41053299, 00261933, 00261925, 00261958, 41053281, 40173395, 40285397, and 00261917, bounded on the ~~south~~ **west** by Halifax Regional Water Commission Topsail Lake watershed lands, to the ~~west~~ **east and north** by the Forest Hills Connector **and privately held lands, and** to the ~~east~~ **south** by Golf View Drive and Main Street (Highway #7) ~~and to the north by privately held lands~~, to support compact, mixed use and transit oriented development that provides adequate buffers from environmentally sensitive features on the site, Council may consider development proposals by development agreement. **In considering development agreement proposals, Council shall consider:** ~~that meet the following requirements:~~

- (a) ~~Policies H3A and~~ **Policy H3B** shall apply, except for the requirements limiting land use, density, and lot frontage under clauses (b), (d), and (i) ~~of Policy H-3B that shall not apply;~~
- (b) permitted density on the site shall be determined based on the recommendations of:
 - (i) a Land Suitability Analysis, including mapping and analysis of the area's ecological features to identify lands that are constrained, partially constrained, or not constrained for development. The analysis shall include consideration of watercourse and wetland habitat, forest habitat, species at risk habitat, landscape and ecological connectivity, surficial and bedrock geology, steep slopes, contaminated sites, and
 - (ii) a Transportation Impact Assessment; and
 - (iii) consultation with Halifax Water regarding any setback or buffering requirements for Topsail Lake;

- (c) a built form on the site that includes:
 - (i) a mix of three to eight storey buildings with three-storey streetwalls,
 - (ii) ground oriented units or commercial uses at the ground level,
 - (iii) limiting surface parking,
 - (iv) a maximum building width and maximum building depth of 64 metres, and
 - (v) tall buildings on the site be located closer to Main Street;
- (d) buffering, including setbacks, fencing and landscaping (planting or retention of trees or vegetation), required for the purposes of sedimentation or erosion control to protect the Emergency Water Supply Area;
- (e) controlling erosion and sedimentation during the construction of the development; ~~and~~
- (f) bonus zoning requirements in accordance with ~~Section 9.7A~~ **Section 5.5.3** of the Regional Municipal Planning Strategy and Appendix A of the Dartmouth Land Use By-law;
- (g) the general phasing of development; and**
- (h) Policy IP-1(c).**

6. Amending Subsection (10) in the HOUSING Chapter, as shown below in **bold**, by:

- a. Adding the text “and other users of shared housing with special care” after the text “senior citizens” and before the text “be considered”; and
- b. Amending Policy H-14, by adding the text “shared housing with special care use” after the text “to consider a” and before the text “, at 6 Admiral”.

(10) 6 Admiral Street

The owners of the property at 6 Admiral Street in Dartmouth (former Evangel Temple) wish to develop a multiple unit dwelling specifically designed to meet the needs of senior citizens. While it has been demonstrated by the community that there is support for this type of facility in this location, there is a desire to ensure the development is properly integrated within the community, and that its appearance and scale, as well as, the overall development of the site is handled in a manner which is sensitive to the surrounding low

*density residential environment. It is, therefore, desirable that the development of 6 Admiral Street, for the purposes of a multiple unit dwelling specifically designed for senior citizens **and other users of shared housing with special care**, be considered by development agreement.*

*Policy H-14 It shall be the intention of Council to consider a **shared housing with special care use**, at 6 Admiral Street in Dartmouth, according to the development agreement provisions of the Planning Act.*

7. Amending Section 18 “Future Development Within the Morris-Russel Lake” in the HOUSING Chapter under the subheading “Transportation” as shown below in **bold**, by adding new preamble and new policy ML-8A, after Policy ML-8.

In 2022, during a review of the Regional Municipal Planning Strategy (Regional Plan), the Municipality identified the need for additional housing to support recent population growth. Remaining vacant lands within the Morris-Russell Lake secondary plan area are within the Regional Plan’s Urban Settlement designation and within the Urban Service Area where municipal water and wastewater services are available. Therefore, these lands provide an opportunity to accommodate new housing for the region’s growing population.

The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, provides a region-wide vision for mobility, directing future investment in transportation demand management, transit, active transportation, and the roadway network. The IMP represents a meaningful shift in the Municipality’s approach to transportation and focuses on moving people and goods instead of private vehicles. Planning for improved mobility in suburban areas requires that consideration is given to active transportation and access to transit, rather than just movement of vehicles. Neighbourhoods should be designed with walking, bicycling and transit in mind to provide mobility for people of all ages and abilities.

ML-8A Notwithstanding Policy ML-8, Council may consider development on Parcels MLE2 and 18 in accordance with the Future Land Use and Transportation Plan (as shown on Map 9N) by development agreement. In considering any such agreement, in addition to the policies of this plan and the Regional Plan, Council shall consider the following:

- a) That the development’s transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and where possible strengthens connections to surrounding neighbourhoods; and*
- b) Requiring off-site improvements that are necessary to support the development or accepting the payment of money in lieu of such improvements, respecting transit service and active transportation connections to nearby transit facilities such as the Portland Hills Terminal and Woodside Ferry Terminal.*

8. Amending Policy ML-18(c) in the HOUSING Chapter, as shown below in **bold**, by adding the text “shared housing uses,” after the text “multiple-unit buildings,” and before the text “and townhouses.”

*(c) Parcel 3: This property may be developed for a variety of higher-density residential developments including but not limited to multiple-unit buildings, **shared housing uses**, and townhouses. Multiple unit buildings shall adhere to the same height restrictions imposed on Parcel 2;*

9. Amending Section (9) Waverley Road Designation in the COMMERCIAL Chapter, in a paragraph after Policy C-40 as shown below in **bold**, by:
- a. Adding the text “ / Shared Housing Uses” to the subheading “Development agreements: Multiple unit dwellings”;
 - b. Adding the text “shared housing uses” after the text “the need for” and before the text “in the community”;
 - c. Adding the text “larger scale housing uses” after the text “applications for” and before the text “should only be”;
 - d. Adding the text “shared housing at a larger scale than would be permitted in the underlying zone” after the text “unit dwellings and” and before the text “by development agreement” in Policy C-41.

*Development agreements: Multiple unit dwellings / **Shared Housing Uses***

Multiple unit dwellings were recognized during the Waverley Road study as a land use which could contribute to the desired walkable, mixed use community; however, concern was expressed about the impact such uses may have on the existing neighbourhoods. Therefore, multiple unit dwellings shall only be permitted by development agreement to ensure compatibility with the existing neighbourhoods.

Also, residents recognized the need for **shared housing uses** in the community and identified this sub-designation as an appropriate location. Controls on design and reduced impacts on residential neighbours are desired, therefore applications for **larger scale shared housing uses** should only be considered through the development agreement process.

Policy C-41 Within the WR Mixed Use sub-designation, Council shall consider multiple unit dwellings and **shared housing at a larger scale than would be permitted in the underlying zone** by development agreement in accordance with the provisions of the *Halifax Regional Municipality*

Charter. In considering such an agreement, Council shall have regard for the provisions of Policy IP-5, and should use the land use density standards of the R-3 zone as a guide.

10. Amending the INDUSTRIAL Chapter, as shown below in **bold**, by adding Subsection (9) “Burnside Comprehensive Development District” and policies BC-13, BC-14, BC-15, BC-16 after Policy M-10.

(9) Burnside Comprehensive Development District

Business park development in Dartmouth affords opportunities for select residential development as well as commercial and industrial. Medium to high-density residential land uses can complement a business park by allowing easy access to employment for residents and reducing commuting costs to the individual and the Municipality as a whole. However, it is important that the location of residential uses be carefully considered in the context of the overall business park development plan to reduce and mitigate potential land use conflicts related to noise, odour, safety, traffic and related issues.

One area where a mix of medium to high density residential land uses might be considered complementary is in the area north and east of the Burnside Business Park and the City of Lakes Business Park, as specifically identified on Map 12 as the Burnside Comprehensive Development District Sub-designation. In this area a mix of multiple unit dwellings and townhouses may be integrated with commercial and office uses to provide for a vibrant and accessible urban transit village. Limitations on the extent of residential development shall be established to ensure that it does not become the predominant land use in this area. In an effort to achieve compatibility and integration with surrounding and future potential commercial development, and to allow for innovation and flexibility in design, these uses and any commercial retail and office uses may be considered by rezoning to a comprehensive development district.

Policy BC-13 HRM shall establish a Burnside Comprehensive Development District Sub-designation, as shown on Map 12, and shall establish a Burnside Comprehensive Development District (BCDD) Zone within the Land Use By-law.

Policy BC-14 Within the Burnside Comprehensive Development District Sub-designation, HRM may consider rezoning lands to the Burnside Comprehensive Development District (BCDD) Zone.

Policy BC-15 The Burnside Comprehensive Development District (BCDD) Zone shall permit a mix of multiple unit dwellings, townhouses, commercial, office,

institutional and recreation uses subject to the provisions of a development agreement. Prior to considering any development agreement within the BCDD Zone, HRM shall require a concept plan for the entire area. The concept plan shall include the following information, some or all of which may be made part of any agreement as HRM deems necessary to fully describe and control the development:

- (a) a map(s) and assessment of the physical nature of the land, including its topography, and any significant vegetation, natural features and environmental characteristics that would shape and enhance the development;**
- (b) a transportation plan, including vehicular, pedestrian and public transit systems, and traffic impact analysis sufficient to evaluate the internal and off-site implications of the systems;**
- (c) the method of providing municipal wastewater and water distribution services to the development;**
- (d) the general phasing of development;**
- (e) the distribution and nature of all land uses;**
- (f) the total number and type of dwelling units, and the gross residential density proposed in the whole development and each of the phases.**

Policy BC-16 Notwithstanding the CDD policies within the Residential Section, further to the provisions of Policy BC-15, in considering approval of a development agreement within the Burnside Comprehensive Development District (BCDD) Zone, HRM shall consider the following:

- (a) the mix of residential uses, which shall consist of multiple unit dwellings and townhouses with a variation in architectural design;**
- (b) the density of townhouse and multiple unit development, which shall not exceed 89 and 124 units per net hectare, respectively;**
- (c) that the residential component of the development is adequately separated and buffered from any existing or future potential heavy industrial use to mitigate land use conflicts;**
- (d) the architecture of mixed commercial, residential, institutional use buildings which should be clearly articulated as having a building base, building middle and building top through the use of cornice lines, changes of materials, window proportions, etc.;**
- (e) the measures to integrate commercial, residential, institutional and recreation uses within and among buildings to alleviate potential impacts among uses;**
- (f) the land uses, which shall be well integrated through a system of**

- (g) **pedestrian walkways, trails, footpaths, parks and natural areas; that the residential component is within a convenient walking distance of transit, services and amenities;**
- (h) **that the development is designed to foster a sense of place and public safety and to limit opportunities for crime;**
- (i) **human scaled elements, which shall be incorporated in the first three stories of the mid to high-rise buildings to enhance the pedestrian environment;**
- (j) **that the upper stories of mid to high rise buildings are designed to promote visual interest and variety in the skyline;**
- (k) **the hours of operation of any non-residential uses, including business uses located in residential buildings;**
- (l) **the safety and efficiency of all transportation systems, including the effects of driveways to and traffic from abutting uses and its effects on pedestrian walkway systems; and**
- (m) **any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy IP-1(c).**

11. Amending Policy IP-5, as shown below in **bold**, by:

- a. deleting the words “GC” and replacing with the words “C-3”;
- b. adding the text “or shared housing uses at a larger scale than permitted in the underlying zone in R-3, R-4, C-2, MF-1 and C-3 Zones.” after the text “Zones” and before the text “Council shall”.

*Policy IP-5 It shall be the intention of City Council to consider Development Agreements for apartment building development in R-3, R-4, C-2, MF-1 and ~~GC~~ **C-3 Zones or shared housing uses at a larger scale than permitted in the underlying zone in R-3, R-4, C-2, MF-1 and C-3 Zones.** Council shall require a site plan, building elevations and perspective drawings for the apartment development indicating such things as the size of the building(s), access & egress to the site, landscaping, amenity space, parking and location of site features such as refuse containers and fuel storage tanks for the building.*

12. Amending Policy IP-15, as shown below in **bold**, by adding the text “Policy CH-20” of the Halifax Regional Municipal Planning Strategy” after the text “in accordance with”

IP-15 Council shall consider uses other than those which are permitted by the land use by-law for registered heritage properties, in accordance with **Policy CH-20 of the Halifax Regional Municipal Planning Strategy.**

13. Amending Policy IP-16, as shown below in **bold**, by adding Policy IP-16 after Policy IP-15.

IP-16 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.

14. Map “Map 10 – Generalized Future Land Use Map” is amended by redesignating the properties to Comprehensive Development District (CDD) as shown on Schedule C-7A attached hereto.
15. Map “Map 10 – Generalized Future Land Use Map” is amended by redesignating the properties to Industrial as shown in Schedule C-7B attached hereto.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-8
Proposed Amendments to the Land Use Bylaw for Dartmouth

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

1. Amending the “Table of Contents”, by adding the text “PART 18: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 17: OS (OPEN SPACE) ZONE”.
2. Amending the “Table of Contents”, by adding the text “PART 22: US (URBAN SETTLEMENT) ZONE” and “PART 23: UR (URBAN RESERVE) ZONE” immediately after the text “PART 21: H (HOLDING) ZONE”.
3. Amending the “Table of Contents”, by adding the text “PART 32: TR (TRANSPORTATION RESERVE) ZONE” and “PART 33: BCDD (BURNSIDE COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE” immediately after the text “PART 31: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
4. Amending the “Table of Contents”, by adding the text “PART 37: PA (PROTECTED AREA) ZONE” immediately after the text “PART 36: BGI (BURNSIDE GENERAL INDUSTRIAL) ZONE”.
5. Amending the “Table of Contents”, by adding the text “SCHEDULE A-1 Wind Energy Zoning” immediately after the text “SECTION 4: SCHEDULING”.
6. Amending the “Table of Contents”, by adding the text “Schedule AJ: Lands Subject to Interim Bonus Zoning Requirements” immediately after the text “SCHEDULE AI: Kuhn Road Area Zoning”.
7. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(aa) ACCESSORY HEN USE” after Subsection 1(a).

(aa) ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes.
8. Amending Subsection 1(c) in “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the text “or a shared housing use” after the text “include townhouses”.

(c) APARTMENT BUILDING - means a single building comprised of three or more dwelling units but shall not include townhouses or a shared housing use.
9. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definitions

“(fa) BICYCLE PARKING, CLASS A”, “(fb) BICYCLE PARKING, CLASS B”, and “(fc) BICYCLE PARKING, ENHANCED” after Subsection 1(f).

- (fa) **BICYCLE PARKING, CLASS A - means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.**
- (fb) **BICYCLE PARKING, CLASS B - means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.**
- (fc) **BICYCLE PARKING, ENHANCED - means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).**

10. Amending the definition (haa) in “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(haa) CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Subsection 1(ha).

- (haa) **CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.**

11. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definitions “(hab) CANNABIS LOUNGE”, “(hac) CANNABIS PRODUCTION FACILITY”, and “(had) CANNABIS RETAIL SALES”, after Subsection 1(haa).

- (hab) **CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.**
- (hac) **CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,**
 - (i) **including**

- (A) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
- (B) associated activities permitted by the federal license, such as research and development, storage, and destruction, and
- (ii) excluding
 - (A) industrial hemp, and
 - (B) premises used for personal production permitted by federal legislation.

(had) **CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.**

12. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(ia) CONSERVATION USE” after Subsection 1(i).

(ia) **CONSERVATION USE - means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.**

13. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(ta) HEN” after Subsection 1(t).

(ta) **HEN means adult female chicken.**

14. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(ada) RECREATION USE” after Subsection 1(adaa).

(ada) **RECREATION USE - means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.**

15. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the text “(adb)” to the definition “RECYCLING DEPOT” after Subsection 1(adaa).

(adb) **RECYCLING DEPOT means a building which is used for the deposit, collection and handling of waste paper, rags, tires, bottles or other materials (excluding Construction and Demolition Materials or hazardous materials) which are to be delivered wholesale to other operations for reclamation,**

processing or salvage, but shall not include any such salvage or processing on the same lot or within any building used as a re-cycling depot.

16. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definitions “(aga) SHARED HOUSING USE”, “(agb) SHARED HOUSING WITH SPECIAL CARE”, “(agc) SHORT-TERM BEDROOM RENTAL” and “(agd) SHORT-TERM RENTAL” after Subsection 1(ag).

(aga) **SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:**

- (i) **that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) **that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation. For greater certainty, a shared housing use is not considered a multiple family residential development.

(agb) **SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants and must meet the definition of Shared Housing Use.**

(agc) **SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.**

(agd) **SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.**

17. Amending Subsection 1(ai) in “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the text “and includes a mobile dwelling” after the text “one family unit”.

(ai) **SINGLE-FAMILY DWELLING - means a detached dwelling containing one family unit and includes a mobile dwelling.**

18. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definitions “(akd) SUITE, BACKYARD” and “(ake) SUITE, SECONDARY” after Subsection 1(akc).

(akd) **SUITE, BACKYARD - means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**

(ake) **SUITE, SECONDARY - means a self-contained subordinate dwelling unit that is located within a residential main building.**

19. Amending “SECTION 1: DEFINITIONS” as shown below in **bold**, by adding the definition “(ald) WATER CONTROL STRUCTURE” after Section 1(alc).

(ald) **WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.**

20. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(as) WATERCOURSE” after Subsection 1(ar).

(as) **WATERCOURSE means a lake, river, stream, ocean or other natural body of water.**

21. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section 7A after Section 7.

7A Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

22. Amending Section 10A in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding the text “excepting where a backyard suite is permitted or” after the text “in any zone,” and before the text “excepting that more”.

10A There shall be no more than one dwelling per lot in any zone, **excepting where a backyard suite is permitted or** excepting that more than one mobile dwelling per lot is permitted in a T zone.

23. Amending Section 11 in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**,

by adding the text “Except for an accessory hen use,” before the text “Horses”. .

- 11. Except for an accessory hen use,** Horses, cattle, sheep, swine, and domestic fowl shall not be kept on those lands in the City of Dartmouth described in Schedule 1 – Zoning Map for Dartmouth hereto, nor in an R-1, R-1M, R-1A, R-2, R-3, R-4, T or TH Zone.
24. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding the Section “11A ACCESSORY HEN USE” after Section 11.

11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;**
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;**
 - iii. subject to 11A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
 - iv. is setback a minimum of 1 metre from any side or rear lot line.**
- (c) The following are not permitted:**
 - i. On-site slaughtering or euthanizing of hens; and**
 - ii. The sale of eggs, meat or hens.**

25. Amending “SECTION 2: GENERAL PROVISIONS” as shown below in **bold**, by adding Section 12A after Section 12.

12A Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

26. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Subsection 14(p) after Subsection 14(o).

(p) for shared housing 0 parking spaces.

27. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “17 BICYCLE PARKING FACILITIES”, Section “17A LOCATION OF BICYCLE PARKING” and Section “17B SPECIAL BICYCLE PARKING FACILITY PARKING REQUIREMENTS” after Section 16.

17. BICYCLE PARKING FACILITIES

- (1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m ² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m ² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Use	Bicycle Parking Requirement
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m ² GFA 20% Class A/ 80% Class B

Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

- (2) **Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.**
- (3) **Each Class B bicycle parking space shall:**
 - (i) **be a minimum of 0.6m wide and 1.8m long;**
 - (ii) **have a minimum overhead clearance of 2.0m;**
 - (iii) **be located a minimum of 0.6m from any wall or other obstruction.**
- (4) **Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.**
- (5) **Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.**

17A LOCATION OF BICYCLE PARKING

- (1) **Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.**
- (2) **Class A bicycle parking may be located up to 200m from an entrance.**

- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

17B SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

28. Amending Section 18F in “SECTION 2: GENERAL PROVISINS”, as shown below in **bold**, by adding the text “, shared housing with special care” after the text “according to Policy H-14”.

18F On lands known as Civic Number 6 Admiral Street (LIMS PID #209106), as identified as Schedule “Q”, Council may consider by development agreement, according to Policy H-14, **shared housing with special care**.

29. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section 18R after repealed Section 18Q.

18R Notwithstanding any other provisions of the By-law, on lands designated Rural Commuter pursuant to the Regional Municipal Planning Strategy, the following uses may be considered by development agreement:

- (i) **Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

30. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section 18T.

18T Notwithstanding any other provisions of this By-law, development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

31. Amending Clause 18(Ua)(b)(i) in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding the text “shared housing uses at a larger scale than would be permitted in the underlying zone” after the text “multiple unit dwellings” and before the text “may be considered”.

b) Within the WR Mixed Use sub-designation, in accordance with:

- (i) Policy C-41, multiple unit dwellings and **shared housing uses at a larger scale than would be permitted in the underlying zone** may be considered by development agreement;

32. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section 18W after Section 18V.

18W Notwithstanding any other provision of this By-law, a mix of multiple unit dwellings, townhouses, commercial, office, institutional and recreation uses may be considered in the Burnside Comprehensive Development District (BCDD) Zone subject to the provisions of a development agreement in accordance with policies BC-15 and BC-16.

33. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding the Section 18Y after Section 18X.

18Y Pursuant to Policy IP-16 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.

34. Amending Section 18Z in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold** and ~~strikeout~~, by deleting the text “G-11A” and replacing it with the text “IM-21”

18Z Notwithstanding any other provision of this By-law, within lands designated as a special planning area, early tree removal, blasting, and earthworks may be considered, subject to the provisions of a development agreement in accordance with policy ~~G-11A~~ **IM-19 of the Regional Municipal Planning Strategy.**

35. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding “Section 27D SECONDARY AND BACKYARD SUITES” after Section 27C.

27D SECONDARY AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single-family dwelling, a two-family dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling or secondary suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two-family dwelling, semi-detached dwelling, or duplex dwelling that contains a secondary suite shall not be considered an apartment building; and**
- (iv) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single-family dwelling, a two-family dwelling, a duplex dwelling, a semi-detached dwelling, a townhouse dwelling, or an apartment building containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 27A, 27B and 27C. Backyard Suites within the Main Street Designation shall also meet the requirements of Sections 27BA and 27BB;**
- (iv) Notwithstanding the parking requirements of Sections 14 and 15, additional off-street parking shall not be required;**
- (v) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;**
- (vi) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (vii) A backyard suite shall have unobstructed access that**
 - (A) connects the backyard suite to a street or private road,**
 - (B) is located on the same lot on which the backyard suite is located, and**
 - (C) has a minimum width of 1.1 metres;**
- (viii) A non-conforming accessory structure may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1000 square feet; and**
- (ix) The floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres).**

36. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “32A WATERCOURSES” after Section 31.

32A WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), horizontal buffers shall not apply within the lands sub-designated as Halifax Harbour as shown on the Regional Land Use Structure Map in the Regional Municipal Planning Strategy.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be

authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
 - (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
 - (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

- 37. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “32B COASTAL AREAS” after Section 32A.

32B COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.**
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity area, or a storage space permitted in this By-law that is:**
 - (a) accessory to a main building; and**
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.**

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.**
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.**

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

38. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “32G WIND ENERGY FACILITIES” after Section 32F.

32G WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) “Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) “Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;

- i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
- ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
- iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
- iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

**(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone**

- a) **URBAN WIND ZONE (UW-1)**
 - i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
 - ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
 - iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
 - iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**
 - v) **Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**

- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;**
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,**
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**
 - i) not attached to a building and is not connected to the power grid and,**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**
 - i) Micro 140 metres (460 ft)**
 - ii) Small 360 metres (1180 ft)**
 - iii) Medium 500 metres (1640 ft)**
 - iv) Large 2000 metres (6560 ft)**

- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Dartmouth Land Use By-law:
 - i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

a) **Schedule - A-1 – Wind Energy Zoning**

39. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Sections “32I PUBLIC TRANSIT FACILITIES”, “33 Development Permit Exemptions”, and “34 SHORT-TERM RENTALS” after Section 32H.7.

32I PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

33 Development Permit Exemptions

- (a) **An accessory hen use is exempt from the requirement to obtain a development permit.**
- (b) **A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
- (c) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

34 SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

40. Amending Section 31 in “SECTION 3: ZONES”, as shown below in **bold**, by adding the text “RPK Regional Park Zone” below the text “OS Public Open Space Zone”.

OS Public Open Space Zone
RPK **Regional Park Zone**

41. Amending Section 31 in “SECTION 3: ZONES”, as shown below in **bold**, by adding the text “US Urban Settlement Zone” and “UR Urban Reserve Zone” below the text “H Holding Zone”.

H Holding Zone
US **Urban Settlement Zone**
UR **Urban Reserve Zone**

42. Amending Section 31 in “SECTION 3: ZONES”, as shown below in **bold**, by adding the text “BCDD Burnside Comprehensive Development District” below the text “CDD Comprehensive Development District”.

CDD Comprehensive Development District
BCDD **Burnside Comprehensive Development District**

43. Amending Section 31 in “SECTION 3: ZONES”, as shown below in **bold**, by adding the text “TR Transportation Reserve Zone” below the text “ICH Infrastructure Charge Holding Zone”.

ICH Infrastructure Charge Holding Zone
TR **Transportation Reserve Zone**

44. Amending Section 31 in “SECTION 3: ZONES”, as shown below in **bold**, by adding the text “PA Protected Area Zone” below the text “BGI Burnside General Industrial Zone”.

BGI Burnside General Industrial Zone
PA **Protected Area Zone**

45. Amending Subsection 32(1) in PART 1, as shown below in **bold**, by adding Clause (aa) after Clause (a.2).

(a.2) Apartment building containing 3 or 4 dwelling units within the Urban Service Area;
(aa) **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;**

46. Amending Subsection 33(1) in PART 3, as shown below in **bold**, by adding Clause (e) after repealed Clause (d).

(d) repealed
(e) **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted**

dwelling unit,

47. Amending Subsection 34(1) in PART 4, as shown below in **bold**, by adding Clause (d) after Clause (c).
- (c) uses accessory to any of the foregoing uses.
(d) shared housing use,
48. Amending Subsection 35(1) in PART 5, as shown below in **bold**, by adding Clause (ba) after Clause (b).
- (b) apartment buildings,
(ba) shared housing use,
49. Amending Subsection 36(1) in PART 6, as shown below in **bold**, by adding Clause (aa) after Clause (a).
- (a) Two or more one-family dwellings, which are attached vertically and which have their own independent entrances and exits;
(aa) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;
50. Amending Subsection 41(1) in PART 12, as shown below in **bold**, by adding Clause (e) after Clause (d).
- (d) pawn shops
(e) cannabis production facilities
51. Amending PART 12, as shown below in **bold**, by adding Subsection 41(4) after Subsection 41(3).
- 41(4) Where a lot containing a cannabis production facility abuts a lot**
- (i) **zoned or used for residential purposes, or**
- (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**
- such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.**
52. Amending Subsection 42(1) in PART 13, as shown below in **bold**, by adding Clause (g) after

Clause (f).

(f) Within lands designated Harbour-Related Commercial/Residential on Schedule AA, existing uses shall be permitted and may expand in accordance with the I-2 Zone provisions, but no change of use shall be permitted except in accordance with Clause 18(U) of this By-law.

(g) cannabis production facilities

53. Amending PART 13, as shown below in **bold**, by adding Subsection 42(7) after Subsection 42(6).

42(7) Notwithstanding clause 42(6)(a), where a lot containing a cannabis production facility abuts a lot

- (i) zoned or used for residential purposes, or**
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

54. Adding a PART, “PART 18: RPK (REGIONAL PARK) ZONE”, as shown below in **bold**, after PART 17.

PART 18: RPK (REGIONAL PARK) ZONE

44A(1) The following uses only shall be permitted in an RPK Zone:

- (a) Recreation uses**
- (b) Conservation uses**
- (c) Uses accessory to the foregoing uses**

44A(2) Buildings used for RPK uses in an RPK Zone shall comply with the following requirements:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50%

55. Amending Subsection 45(1) in PART 19, as shown below in **bold**, by adding Clause (f) and (fa) after Clause (e).

- (e) health clinics;
- (f) **Shared housing with special care;**
- (fa)**Shared housing use with 10 or fewer bedrooms;**

56. Adding PARTs, “PART 22: US (URBAN SETTLEMENT ZONE)”, and “PART 23: UR (URBAN RESERVE) ZONE as shown below in **bold**, after PART 21.

PART 22: US (URBAN SETTLEMENT) ZONE

47A(1) The following uses only shall be permitted in a US Zone:

- (a) **Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot**
- (aa) **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit**
- (b) **Public parks and playgrounds**
- (c) **Uses accessory to the foregoing uses**

47A(2) Buildings used for US uses in a US Zone shall comply with the following requirements:

Minimum Frontage	110m
Minimum Lot Area	2ha
Minimum Front or Flankage Yard	9.1m
Minimum Side Yard	2.5m
Minimum Rear Yard	2.5m
Maximum Lot Coverage	35%
Maximum Height of Main Building	11m

PART 23: UR (URBAN RESERVE) ZONE

47B(1) The following uses only shall be permitted in a UR Zone:

- (a) **Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot**
- (aa) **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit**
- (b) **Passive recreation uses**
- (c) **Uses accessory to the foregoing uses**

47B(2) Buildings used for UR uses in a UR Zone shall comply with the following requirements:

Minimum Front or Flankage Yard	9.1m
Minimum Side Yard	2.5m
Minimum Rear Yard	2.5m
Maximum Lot Coverage	35%
Maximum Height of Main Building	11m

57. Amending Subsection 48(1) in PART 24, as shown below in **bold**, by:

- a. Adding Clause (a);
- b. Adding Clause (h) after Clause (g); and
- c. Adding Clause (i) after Clause (h).

- (a) **Shared Housing Use**
- (b) Apartment house
- (c) Hospitals, excepting hospitals for the treatment of infectious diseases
- (d) Institutions, other than for corrections use or for the treatment of mental cases
- (e) Sports or social club
- (f) Fire station
- (g) Hotel or motel
- (h) **Short-term rental**
- (i) **Short-term bedroom rentals**
- (j) Any use accessory to any of the foregoing uses.

58. Amending Subsection 53(E)(1) in PART 31, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

- Single Unit Dwellings
- **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit**
- Open Space Uses

59. Adding the PARTs, “PART 32: TR (TRANSPORTATION RESERVE) ZONE” and “PART 33: BCDD (BURNSIDE COMPREHENSIVE DEVELOPMENT DISTRICTS) ZONE”, as shown below in **bold**, after PART 31.

PART 32: TR (TRANSPORTATION RESERVE) ZONE

53(F)(1) The following uses only shall be permitted in a TR Zone:
None

53(F)(2) No development permit shall be issued for any development abutting any TR (Transportation Reserve) Zone except where the yard separating the

development from the zone boundary is equal to the minimum yard separating a development from a street line, as required by this by-law.

PART 33: BCDD (BURNSIDE COMPREHENSIVE DEVELOPMENT DISTRICT)
ZONE

54(a) The following uses only shall be permitted in a BCDD Zone:

- (i) townhouse;
- (ii) apartment building;
- (ii.5) shared housing use;
- (iii) commercial retail;
- (iv) institutional;
- (v) recreation;
- (vi) offices

(b) No development permit shall be issued except in conformity with a development agreement pursuant to the Halifax Regional Municipality Charter.

60. Amending Subsection 55(1) in PART 34, as shown below in **bold**, by adding Clauses (z) and (aa) after Clause (y).

- (y) Accessory uses
- (z) **Short-term rental**
- (aa) **Short-term bedroom rentals**

61. Amending PART 34, as shown below in **bold**, by adding the heading “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Subsection 55(5) after Subsection 55(4).

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

55 (5) Cannabis production facilities in the BP Zone shall meet the following requirements:

- (a) **Where a lot containing a cannabis production facility abuts a lot**
 - i. **zoned or used for residential purposes, or**
 - ii. **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 ft. (70 m) from the

abutting lot line.

62. Amending PART 35, as shown below in **bold**, by adding the heading “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Subsection 56(4) after Subsection 56(3).

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

56 (4) Cannabis production facilities in the CI Zone shall meet the following requirements:

- (a) Where a lot containing a cannabis production facility abuts a lot**
 - i. zoned or used for residential purposes, or**
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

63. Amending PART 36, as shown below in **bold**, by adding the heading “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Subsection 57(6) after Subsection 57(5).

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

57 (6) Cannabis production facilities in the BGI Zone shall meet the following requirements:

- (a) Where a lot containing a cannabis production facility abuts a lot**
 - i. zoned or used for residential purposes, or**
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 ft. (70 m) from the abutting lot line.

64. Adding PART, “PART 37: PA (PROTECTED AREA) ZONE” as shown below in **bold**, after PART 36.

PART 37: PA (PROTECTED AREA) Zone

58(1) PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

**Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses**

58(2) PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

**Minimum Lot Area: 930 m²
Minimum Frontage: 30.5 m
Minimum Front or Flankage Yard: 20 m
Minimum Side or Rear Yard: 20 m**

58(3) OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

65. Amending SECTION 4: SCHEDULING, by adding “SCHEDULE A-1 - Wind Energy Zoning” as shown in Schedule C-8A, attached hereto.
66. Amending SECTION 4: SCHEDULING, by adding “Schedule AJ: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule AJ, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after Schedule AI, as shown in Schedules C-8B and C-8C, respectively, attached hereto.
67. Adding “APPENDIX A: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”, after SECTION 6: APPEAL PROCEDURE, as shown in Schedule C-8D, attached hereto.
68. Zoning Map “Schedule 1 – Zoning Map for Dartmouth” is amended by rezoning the properties to Urban Settlement (US) Zone, Regional Park (RPK) Zone, and Comprehensive Development District (CDD) Zone, as shown as Schedule C-8E attached hereto.

69. Adding “Schedule 1 – Zoning Map for Dartmouth”, as shown as Schedule C-8F to rezone the designated lands from Holding (H) to Comprehensive Development District (CDD), attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-9
Proposed Amendments to the Municipal Planning Strategy for
Eastern Passage/Cow Bay

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Passage/Cow Bay is hereby amended as follows:

1. Amending Policy UR-3, as shown below in **bold**, by adding the text “shared housing uses,” after the text “two unit dwellings,” and before the text “limited day care facilities”.

UR-3 Notwithstanding Policy UR-2, within the unserviced portion of the Urban Residential Designation, it shall be the intention of Council to establish a rural residential zone on unserviced lands, which permits single unit dwellings, mobile and two unit dwellings, **shared housing uses**, limited day care facilities and businesses in conjunction with permitted dwellings, as well as resource uses, open space uses and institutional uses.

2. Amending SECTION II under the heading URBAN RESIDENTIAL DESIGNATION and the subheading Community Facility Uses, as shown below in **bold** by:
 - a. Adding the text “shared housing with special care uses” after the text “instance of” and before the text “medical clinics” in the first paragraph; and
 - b. Adding the text “shared housing with special care uses” after the text “churches,” and before the text “, fire and police” in Policy UR-17.

Community Facility Uses

Institutional and other community supporting uses can be located in residential neighbourhoods in order to facilitate their social and physical integration within the overall community. Such facilities can be designed, located and scaled to aid in this integration, and to respond to the difficulties of accepting high volume uses within residential areas.

In order to provide for the consideration of specific effects on residential neighbourhoods, most community facility uses may be considered by amendment to the land use by-law. However, in the instance of **shared housing with special care uses**, medical clinics, day care facilities, fraternal halls and centres and community halls and centres, additional considerations may be required and will, therefore, be subject to the site-specific controls available through the development agreement process.

UR-17 Notwithstanding Policies UR-2 and RR-2, within the Urban Residential and Rural Area Designations, it shall be the intention of Council to establish a community facility 1 zone which permits a variety of community related uses, such as schools, churches, **shared housing with special care uses**, fire and police stations, hospitals, public libraries, museums, galleries, open space uses,

government offices and public works. Medical clinics, daycare facilities, fraternal halls and centres, community halls and centres, transportation maintenance yards and crematoriums will not be permitted within this zone.

3. Amending SECTION II, as shown below in **bold**, by adding Policy UR-19A and UR-19B after deleted Policy UR-19.

UR-19A 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. Within the Residential Designation, 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-11.

UR-19B In addition to Policy UR-19A, 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.

4. Amending SECTION II under the heading MORRIS-RUSSELL LAKE SECONDARY PLANNING STRATEGY and the subheading Transportation, as shown below in **bold**, by adding the preamble and Policy ML-6A after Policy ML-6.

In 2022, during a review of the Regional Municipal Planning Strategy (Regional Plan), the Municipality identified the need for additional housing to support recent population growth. Remaining vacant lands within the Morris-Russell Lake secondary plan area are within the Regional Plan's Urban Settlement designation and within the Urban Service Area where municipal water and wastewater services are available. Therefore, these lands provide an opportunity to accommodate new housing for the region's growing population.

The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, provides a region-wide vision for mobility, directing future investment in transportation demand management, transit, active transportation, and the roadway network. The IMP represents a meaningful shift in the Municipality's approach to transportation and focuses on moving people and goods instead of private vehicles. Planning for improved mobility in suburban areas requires that consideration is given to active transportation and access to transit, rather than just movement of vehicles. Neighbourhoods should be designed with walking, bicycling and transit in mind to provide mobility for people of all ages and abilities.

ML-6A Notwithstanding Policy ML-6, Council may consider development on Parcels MLE2 and 18 in accordance with the Future Land Use and Transportation Plan (as shown on Map 5) by development agreement. In considering any such agreement, in addition to the policies of this plan and the Regional Plan, Council shall consider the following:

- a) **That the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and where possible strengthens connections to surrounding neighbourhoods; and**
- b) **Requiring off-site improvements that are necessary to support the development or accepting the payment of money in lieu of such improvements, respecting transit service and active transportation connections to nearby transit facilities such as the Portland Hills Terminal and Woodside Ferry Terminal.**

5. Amending SECTION II under the heading RURAL AREA DESIGNATION and the subheading Tourist Accommodation, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “While small scale”;

Tourist Accommodation

Given the proximity of the plan area to the metropolitan area, the availability of outdoor recreation and sightseeing opportunities, and the success of the Fisherman's Cove project as a tourism destination, there is a need to provide a broad range of accommodation options for tourists and the travelling public. While small scale **short-term bedroom rentals** such as, but not limited to, bed and breakfast operations are allowed throughout the communities, there is also a demand for campground facilities and tourist cottages.

6. Amending Policy CF-1, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “schools, churches” and before the text “, fire and police stations”.

CF-1 It shall be the intention of Council to establish a Community Facility Designation, as shown on Map 1 - Generalized Future Land Use. Within this Designation, Council shall establish a community facility 2 zone which permits a variety of community related uses, such as schools, churches, **shared housing with special care use**, fire and police stations, hospitals and medical clinics, day care facilities and single unit dwellings in conjunction with such facilities, public libraries, museums, galleries, open space uses, fraternal halls and centres, community halls and centres, existing residential care facilities, government offices and public works, except transportation maintenance yards and crematoriums. In addition to other areas, this zone shall be applied to existing community facility uses located within the Urban and Rural Area Designations.

7. Amending Policy IM-9(f), as shown below in **bold**, by:
 - a. Adding the text “Shared housing with special care at a larger scale than permitted in the underlying zone” to Subclause (ii);

- b. Adding the text “ies” to the text “Polic” in Subclause (ii); and
 - c. Adding the text “A and UR-19B” after the text “UR-19” in Subclause (ii).
- (f) within any Designation:
- (i) expansions of existing mobile home parks where municipal central sewer and water services are available according to Policy UR-11;
 - (ii) **Shared housing with special care at a larger scale than permitted in the underlying zone** according to Policies UR-19A and UR-19B;
8. Amending SECTION II, as shown below in **bold**, by adding Policies IM-20, IM-21, and IM-22 after Policy IM-19.
- IM-20 Where there is enabling policy to consider the development, by development agreement, of a 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.**
- IM-21 Notwithstanding Policies UR-19A and UR-19B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in effect on the coming in force of policies UR-19A and UR-19B 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.**
- IM-22 In addition to Policy IM-21, 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.**

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this _____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-10

Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.10A ACCESSORY HEN USE” immediately after the text “4.10 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.11B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.11AB Shipping containers”.
3. Amending the “Table of Contents”, by adding the text “4.18 WATERCOURSES” immediately after the text “4.17 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.18A COASTAL AREAS” after the text “4.18 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.27A BICYCLE PARKING FACILITIES”, “4.27B LOCATION OF BICYCLE PARKING”, and “4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
6. Amending the “Table of Contents”, by adding the text “4.32 WIND ENERGY FACILITIES” immediately after the deleted text “4.31 SCHEDULE C – WETLANDS”
7. Amending the “Table of Contents”, by adding the text “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES”, and “4.35 SHORT-TERM RENTALS” immediately after the text “4.32 WIND ENERGY FACILITIES”.
8. Amending the “Table of Contents”, by adding the text “PART 23A: P-3 (PROVINCIAL PARK) ZONE” and “PART 24: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 23: P-2 (COMMUNITY FACILITY) ZONE”.
9. Amending the “Table of Contents”, by adding the text “PART 24C: PA (PROTECTED AREA) ZONE” immediately after the text “PART 24B: FP (FLOODPLAIN) ZONE”.
10. Amending the “Table of Contents”, by adding the text “PART 26E: UR (URBAN RESERVE) ZONE”, “PART 26F: US (URBAN SETTLEMENT) ZONE”, and “PART 26G: TR (TRANSPORTATION RESERVE) ZONE” immediately after the text “PART 26D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
11. Amending the “Table of Contents”, by adding the text “APPENDIX E: Interim Bonus Zoning

Requirements for Applicable Plan Amendment Applications” immediately after the text “APPENDIX D: SILVER SANDS CDD”.

12. Amending the “Table of Contents”, by adding the text “Schedule A-2 - Wind Energy Zoning” immediately after the text “SCHEDULE A-1: Heritage Hills”.
13. Amending the “Table of Contents”, by deleting the text “Schedule B: Areas of Elevated Archaeological Potential” and “Schedule C: Wetlands” after the text “Schedule A-2: Wind Energy Zoning”.
14. Amending the “Table of Contents”, by adding the text “Schedule D: Developments Subject to Interim Bonus Zoning Requirements” after the deleted text “Schedule C: Wetlands”.
15. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” immediately after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

16. Amending PART 2, as shown below in **bold**, by adding the definitions “2.7A BICYCLE PARKING, CLASS A”, “2.7B BICYCLE PARKING, CLASS B”, and “2.7C BICYCLE PARKING, ENHANCED” after Section 2.7.

2.7A BICYCLE PARKING, CLASS A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

2.7B BICYCLE PARKING, CLASS B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

2.7C BICYCLE PARKING, ENHANCED means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

17. Amending Section 2.9A in PART 2, as shown below in **bold**, by adding the definition “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.9.

- 2.9A** CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.
18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.9B CANNABIS LOUNGE”, “2.9C CANNABIS PRODUCTION FACILITY”, and “2.10D CANNABIS RETAIL SALES”, after Section 2.9A.
- 2.9B** CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.
- 2.9C** CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,
- (a) including
 - (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
 - (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and
 - (b) excluding
 - (i) industrial hemp, and
 - (ii) premises used for personal production permitted by federal legislation.
- 2.10D** CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products to the general public.
19. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AC CONSERVAION USE” after Section 2.11A.
- 2.11AC** CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.
20. Amending Subsection 2.16(c) in PART 2, as shown below in **bold**, by adding the text “includes a mobile dwelling.” after the text “dwelling unit and”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit and **includes a mobile dwelling.**

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.25A HEN” after Section 2.25.

2.25A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.53 RECREATION SPACE” after Section 2.52.

2.53 RECREATION SPACE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

23. Amending PART 2, as shown below in **bold**, by adding the definitions “2.62A SHARED HOUSING USE” and “2.62B SHARED HOUSING WITH SPECIAL CARE” after Section 2.62.

2.62A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) **that are rented for remuneration as separate rooms for residential accommodation; or**
 - (ii) **that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

2.62B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

24. Amending PART 2, as shown below in **bold**, by adding the definitions “2.62D SHORT-TERM BEDROOM RENTAL” and “2.62E SHORT-TERM RENTAL” after Section 2.62C.

2.62D SHORT-TERM BEDROOM RENTAL means a short-term rental where

individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.62E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

25. Amending PART 2, as shown below in **bold**, by adding the definition “2.66.5 SUITE” after Section 2.66.

2.66.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

26. Amending PART 2, as shown below in **bold**, by adding the definition “2.66B WATERCOURSE” after Section 2.66A.

2.66B WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

27. Amending PART 2, as shown below in **bold**, by adding the definition “2.66C WATER CONTROL STRUCTURE” after Section 2.66B.

2.66C WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

28. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “US Urban Settlement” below the text “CDD Comprehensive Development District”.

CDD	Comprehensive Development District
US	Urban Settlement

29. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “P-3 Provincial Park Zone”, “RPK Regional Park Zone”, and “PA Protected Area Zone” below the text “P-2 Community Facility Zone”.

P-2	Community Facility Zone
P-3	Provincial Park Zone
RPK	Regional Park Zone
PA	Protected Area Zone

30. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “TR Transportation Reserve Zone” and “UR Urban Reserve Zone” immediately below the text “D-1 DND Zone”.

D-1	DND Zone
TR	Transportation Reserve Zone
UR	Urban Reserve Zone

31. Amending Section 3.6 in PART 3, as shown below in **bold**, by:
- adding the text “A” after the text “UR-19”;
 - adding the text “UR-19B,” after the text “UR-19A,” and before the text “UR-20”;
 - adding the text “and IM-20” after the text “SA-4,” and before the text “of the Municipal”

Notwithstanding Section 3.5 above, certain uses which may not be listed as permitted uses in a zone may be considered in accordance with the development agreement provisions of the Halifax Regional Municipality Charter, as provided for by Policies UR7a, UR-8, UR-10, UR-11, UR-15, UR-18, UR-19A, **UR-19B**, UR-20, UR-21, COM-6 - Deleted, COM-7, COM-8, COM-9, COM-10, CF-2, CF-4 and SA-4, and **IM-20** of the Municipal Planning Strategy.

32. Amending Subsection 3.6(g) in PART 3, as shown below in **bold**, by adding Clause (ii) after Clause (i).

- kennels and expansion of kennels located on properties identified in Appendix "B";
- shared housing with special care;**

33. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Subsection 3.6(k) after Subsection 3.6 (j).

(k) Conservation Design Developments in accordance with IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

34. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Subsection 3.6(l) after Subsection 3.6(k).

(l) Pursuant to Policy IM-20, 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.

35. Amending PART 3, as shown below in **bold**, by adding Section “3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6;

3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

36. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iii), (iv), and (v) after Clause (ii).

- (ii) any sign, except signs permitted according to Section 5.3 of this By-law.
- (iii) **An accessory hen use.**
- (iv) **A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
- (v) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

37. Amending PART 4, as shown below in **bold**, by adding Section 4.1B after Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

38. Amending Section 4.7 in PART 4, as shown below in **bold**, by adding Subsection (f) after Clause 4.7(e)(v).

(f) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

39. Amending PART 4, as shown below in **bold**, by adding Section “4.10A ACCESSORY HEN USES” and after Section 4.10.

4.10A ACCESSORY HEN USES

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 4.10A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

40. Amending Subclause 4.11(a)(iii)(a) in PART 4, as shown below in **bold**, by adding the text “or the P-3 Zone” after the text “in any residential zone” and before the text “located outside the”.

- (iii)(a) no accessory building in any residential zone **or the P-3 Zone** located outside the Urban Service Area shall exceed the height of the main dwelling, nor have a footprint that exceeds 80% of the footprint of the main dwelling up to a maximum of 1,250 square feet (116.13 square metres) or 750 square feet (69.68 square metres), whichever is the greater.

41. Amending PART 4, as shown below in **bold**, by adding Section “4.11B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.11A.

4.11B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling or semi-detached dwelling that contains a secondary

- suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling, a multiple unit dwelling containing 3 units, or a townhouse dwelling subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a public street, private road, or private right-of-way,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

42. Amending PART 4, as shown below in **bold**, by adding Section “4.18 WATERCOURSES” after Section 4.17.

4.18 WATERCOURSES

WATERCOURSE BUFFER

Watercourses except the Atlantic Ocean

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of

any watercourse, except the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.

Atlantic Ocean

(b) Horizontal buffers shall not apply within the lands sub-designated as Halifax Harbour as shown on the Regional Land Use Structure Map in the Regional Municipal Planning Strategy.

(c) Subject to Subsections (2) through (6), no development permit shall be issued for any development within 61 m of the ordinary highwater mark of the Atlantic Ocean in areas shown as Coastal Lands as shown on Schedule E.

All Watercourses

(c) In any zone that contains a buffer or setback that is more restrictive than clause (1)(a) or (1)(c), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced to:
- (i) 30 m of the ordinary high water mark of the Atlantic Ocean in areas shown as Coastal Lands as shown on Schedule E; or
 - (ii) 15 m of the ordinary highwater mark of any other watercourse.
- (b) Where the configuration of any existing lot abutting Cow Bay Lake, including lots approved as a result of completed, tentative and final subdivision applications on file prior to August 12, 2022 is such that no main building could be located on the lot due to the 61 m buffer, the buffer distance shall be reduced to 30 m of the ordinary highwater mark of Cow Bay Lake.
- (c) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (d) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to

adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an

appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

43. Amending PART 4, as shown below in **bold**, by adding Section “4.18A COASTAL AREAS” after Section 4.18.

4.18A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity area, or a storage space permitted in this By-law that is:
 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use. Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation

that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

(4) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

44. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” immediately below the text “Multiple dwellings 1.5 spaces per dwelling unit”.

Multiple dwellings	1.5 spaces per dwelling unit
Shared housing use	0 spaces

45. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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46. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “square” after the text “exceeding 300” and before the text “feet”.

Restaurants - Take-Out:	
a) exceeding 300 square feet (28 m ²) of gross floor area	16 spaces per 1000 square feet (93 m ²) of gross floor area
b) not exceeding 300 square feet (28 m ²) of gross floor area	

47. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as otherwise specified	where there are fixed seats, the greater of 1 space per 4 seats and 1 space per 100 square feet (9.3 m ²) of gross floor area;
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48. Amending PART 4, as shown below in **bold**, by adding Sections “4.27A BICYCLE PARKING FACILITIES”, “4.27B LOCATION OF BICYCLE PARKING”, and “4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” after Section 4.27.

4.27A BICYCLE PARKING FACILITIES

(1) Within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Urban Settlement, for the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m ² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m ² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m ² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m ² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m ² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces

Any Uses Not Specified Above	1 space per 500 m ² GFA 50% Class A/ 50% Class B
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(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, shared housing use, self storage facilities, car washes, cemeteries and funeral homes.

(3) Notwithstanding subsection (1), the bicycle parking requirements may be reduced by 50% where each unit of a Multiple Unit Dwelling contains a storage room with a minimum dimension of 1.5m by 2m.

(4) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;
- (b) have a minimum overhead clearance of 2.0m;
- (c) be located a minimum of 0.6m from any wall or other obstruction.

(5) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.5m in width, to be provided and maintained beside or between each row of bicycle parking. Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5m of open space.

(6) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

4.27B LOCATION OF BICYCLE PARKING

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

4.27C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.**
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.**
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.**

49. Amending PART 4, as shown below in **bold**, adding Section “4.32 WIND ENERGY FACILITIES” after repealed Section 4.31.

4.32 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**

- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-2 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**

- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) RURAL WIND ZONE (RW-2)**
- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and

- (ii) a residential dwelling receives less than 30 minute per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Eastern Passage/Cow Bay Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone; and,
 - iii) EC (Environmental Conservation) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.

- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule A-2 – Wind Energy Zoning

50. Amending PART 4, as shown below in **bold**, by adding Sections “4.33 PUBLIC TRANSIT FACILITIES”, “4.34 CANNABIS-RELATED USES” and “4.35 SHORT-TERM RENTALS” after Section 4.32.

4.33 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.34 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.35 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones

provided that the dwelling unit is the primary residence of the short-term rental operator.

b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**

- i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

51. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

52. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Auxiliary dwelling units;”.

Auxiliary unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

53. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

54. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

55. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.” below the text “Townhouse dwellings”.

Townhouses dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.

56. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

57. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

58. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Small Scale Fishing Operations”.

Small Scale Fishing Operations
Short-term Rentals
Short-term Bedroom Rentals

59. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use” below the text “Multiple unit dwellings”.

Multiple unit dwellings
Shared housing use

60. Amending Section 14.2 in PART 14, as shown below in **bold**, by adding the text “, AND SHARED HOUSING USES” in the heading after the text “MULTIPLE UNIT DWELLINGS”.

14.2 LOT AND YARD REQUIREMENTS: COMMERCIAL AND INSTITUTIONAL USES, MULTIPLE UNIT DWELLINGS, AND SHARED HOUSING USES

61. Amending Section 14.13 in PART 14, as shown below in **bold**, by adding the text “shared housing” after the text “unit dwellings and” and before the text “in the C-2 Zone”.

For any new or expanded commercial or institutional use, and multiple unit dwellings and **shared housing** uses in the C-2 Zone, the following shall apply:

62. Amending Section 14.14 in PART 14, as shown below in **bold**, by adding the text “shared housing uses” after the text “dwellings,” and before the text “in the C-2 Zone”.

For any new or expanded commercial or institutional building, and for multiple unit dwellings, **shared housing uses** in the C-2 Zone, the following shall apply:

63. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use;” below the text “Two unit dwellings;”.

Two unit dwellings;
Shared housing use;

64. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a dwelling unit;” below the text “Two unit dwellings;”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

65. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations”; and

Composting operations (refer to Section 4.29)
Cannabis production facilities

66. Amending PART 18, as shown below in **bold**, by adding Section 18.5 “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 18.4.

18.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Notwithstanding Section 18.4(a), where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

67. Amending Section 19.1 in PART 19, as shown below in **bold**, by:
- a. Adding a heading “Other Industrial Uses:” below the text “Accessory dwelling unit which are provided for the purposes of safety security or maintenance personnel”; and
 - b. Adding the text “Cannabis production facilities” below the heading “Other Industrial Uses”.

Other Industrial Uses:
Cannabis production facilities

68. Amending PART 19, as shown below in **bold**, by adding the Heading “19.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and requirements after 19.5.

19.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Notwithstanding Section 19.5(a), where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

69. Amending Section 20.1 in PART 20, as shown below in **bold**, by adding the text “; Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” after the text “Two unit dwellings;”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

70. Amending Section 21.1 in PART 21, as shown below in **bold**, by adding the text “; Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” after the text “Single unit dwellings”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

71. Amending Section 22.1 in PART 22, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms; Shared housing with special care;” after the text “Denominational institutions and uses;”.

Denominational institutions and uses;

Shared housing use with 10 or fewer bedrooms;

Shared housing with special care;

72. Adding the PARTS, “PART 23A: P-3 (PROVINCIAL PARK) ZONE” and “PART 24: RPK (REGIONAL PARK ZONE”, as shown below in **bold**, after PART 23.

PART 23A: P-3 (PROVINCIAL PARK) ZONE

23A.1 P-3 USES PERMITTED

No development permit shall be issued in any P-3 (Provincial Park) Zone except for the following:

Park Uses

Recreation uses

Conservation related uses

Public and private parks and playgrounds

Residential Uses

Existing dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.

23A.2 P-3 ZONE REQUIREMENTS

In any P-3 Zone, no development permit shall be issued except in conformity with the provisions of Parts 23 and 9 as correspond to uses permitted.

23A.3 OTHER REQUIREMENTS: EXISTING DWELLINGS

Notwithstanding section 4.9, an existing dwelling may be reconstructed, repaired or renovated provided there is no increase in volume of the building and all other applicable provisions of this by-law are satisfied.

PART 24: RPK (REGIONAL PARK) ZONE

24.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

Residential Uses

Existing dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.

24.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building:	10.7 m

24.3 Notwithstanding Section 4.8 an existing dwelling may be reconstructed, repaired or renovated provided there is no increase in volume of the building and all other applicable provisions of this by-law are satisfied.

73. Amending Section 24B.1 in PART 24B, as shown below in **bold**, by adding the text “Water control structures” and “Wastewater, stormwater, and water infrastructure” below the text “Conservation uses”.

Conservation uses

Water control structures

Wastewater, stormwater and water infrastructure

74. Adding the PART, “PART 24C: PA (PROTECTED AREA) ZONE”, as shown below in **bold**, after PART 24B.

PART 24C: PA (PROTECTED AREA) ZONE

24C.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

24C.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

24C.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

75. Amending Section 26D.1 in PART 26D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

76. Amending Section 26E.1 in PART 26E, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted single unit dwelling” below the text “Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot”.

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

77. Adding the PARTS, “PART 26E: UR (URBAN RESERVE) ZONE”, “PART 26F: US (URBAN SETTLEMENT) ZONE” and “PART 26G: TR (TRANSPORTATION RESERVE) ZONE”, as shown below in **bold**, after PART 26D.

PART 26E: UR (URBAN RESERVE) ZONE

26E.1 UR USES PERMITTED

No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Passive recreation uses

Uses accessory to the foregoing uses

26E.2 UR ZONE REQUIREMENTS

In any UR Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 9.1m

Minimum Side Yard: 2.5m

Minimum Rear Yard: 2.5m

Maximum Lot Coverage: 35%

Maximum Height of Main Building: 11m

PART 26F: US (URBAN SETTLEMENT) ZONE

26F.1 US USES PERMITTED

No development permit shall be issued in any US (Urban Settlement) Zone except for the following:

Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Public parks and playgrounds

Uses accessory to the foregoing uses

26F.2 US ZONE REQUIREMENTS

In any US Zone, no development permit shall be issued except in conformity with the following:

Minimum Frontage:	110m
Minimum Lot Area:	2 ha
Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

PART 26G: TR (TRANSPORTATION RESERVE) ZONE

26G.1 TR USES PERMITTED

No development permit shall be issued in any TR (Transportation Reserve) Zone except for the following:

None

26G.2 OTHER REQUIREMENTS

No development permit shall be issued for any development abutting any TR (Transportation Reserve) Zone except where the yard separating the development from the zone boundary is equal to the minimum yard separating a development from a street line, as required by this by-law.

78. Adding “APPENDIX E: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” as shown in Schedule C-10A, after “APPENDIX D: SILVER SANDS CDD”,

attached hereto.

79. Adding “Schedule A-2 - Wind Energy Zoning” as shown in Schedule C-10B, after “Schedule A-1: Heritage Hills, attached hereto.
80. Adding “Schedule D: Developments Subject to Interim Bonus Zoning Requirements”, and “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements” as shown in Schedules C-10C and C-10D, after repealed “Schedule C: Wetlands” attached hereto .
81. Adding “Schedule E – Coastal Lands” as shown in Schedule C-10E after Schedule D, Table 1, attached hereto.
82. Amending Zoning Map “Schedule A: Eastern Passage / Cow Bay Zoning Map” to rezone the properties to Regional Park (RPK) Zone, Urban Settlement (US) Zone, Protected Area (Zone), and Transportation Reserve (TR) Zone, as shown in Schedule C-10F attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-11
Proposed Amendments to the Municipal Planning Strategy for
Eastern Shore (East)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Shore (East) is hereby amended as follows:

1. Amending SECTION I, under the heading REGIONAL CONTEXT and subheading Economic Activity, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to,” after the text “area’s motels,” and before the text “bed and breakfasts” in the last paragraph.

The beaches and coastal scenery also support a growing tourism industry, while the area's motels, **short-term bedroom rentals such as, but not limited to**, bed and breakfasts, campgrounds, restaurants, shops and services compliment these natural attractions.

2. Amending SECTION III, under the heading VILLAGE DESIGNATION and subheading Residential Development, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “development of” and before the text “in the form of”.

The development of **shared housing with special care uses** in the form of apartment buildings or townhouses is supported within the Village Designation to encourage this form of housing in the district. Other forms of higher density residential development, however, will be subject to a site-by-site review process to ensure that proper safeguards are established to protect overall community form and the natural environment.

3. Amending SECTION III under the heading RESOURCE DESIGNATION, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “support, however, for” and before the text “in conventional row” in the third paragraph.

Maintaining the rural character and form of the area is, however, very important to residents. As such, it is felt that certain higher density forms of residential development are not appropriate. Higher density housing such as multiple unit dwellings (containing more than four units) and mobile home parks are not, therefore, encouraged within the Resource Designation. There is support, however, for **shared housing with special care uses** in conventional row or apartment housing.

4. Amending SECTION IV, as shown below in **bold**, by adding Policy IM-24 after Policy IM-23.

IM-24 Where there is enabling policy to consider, by development agreement, the development 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.

This is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-12

Proposed Amendments to the Land Use Bylaw for Eastern Shore (East)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (East) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.12A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.18 WATERCOURSES” immediately after the text “4.17 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.18A COASTAL AREAS” immediately after the text “4.18 WATERCOURS”.
5. Amending the “Table of Contents”, by adding the text “4.33 WIND ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE D – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 CANNABIS-RELATED USES” and “4.36 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 11: RPK (REGIONAL PARK ZONE)” immediately after the text “PART 10: P-3 (COASTAL CONSERVATION) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 11E: PA (PROTECTED AREA) ZONE” immediately after the text “PART 11D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “Schedule B-1 - Wind Energy Zoning” immediately after the text “PART 12: ADMINISTRATION”.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.11A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.11.

2.11A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.11B CANNABIS LOUNGE”, “2.11C CANNABIS PRODUCTION FACILITY”, and “2.11D CANNABIS RETAIL SALES” after Section 2.11.

2.11B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.11C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

- (a) including**
 - (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
 - (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**
- (b) excluding**
 - (i) industrial hemp, and**
 - (ii) premises used for personal production permitted by federal legislation.**

2.11D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

13. Amending PART 2, as shown below in **bold**, by adding definition “2.17 CONSERVATION USE” after Section 2.16.

2.17 CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife

sanctuaries and similar uses to the foregoing.

14. Amending Subsection 2.25(c) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.38A HEN” after Section 2.38.

2.38A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

16. Amending Section 2.42, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “day care facility” and before the text “, fire station”.

2.42 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire station, police station, public works, hospital, public library, post office, museum and gallery, community centre and hall, recreation use or open space use.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.73 RECREATION SPACE” after Section 2.72.

2.73 RECREATION SPACE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.85A SHARED HOUSING USE” and “2.85B SHARED HOUSING WITH SPECIAL CARE” after Section 2.85.

2.85A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) **that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) **that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use, and includes Shared Housing with Special Care but does not**

include short-term rental, hotel, motel, or tourist accommodation.

2.85B **SHARED HOUSING WITH SPECIAL CARE** means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.86A SHORT-TERM BEDROOM RENTAL” and “2.86B SHORT-TERM RENTAL” after Section 2.86.

2.86A **SHORT-TERM BEDROOM RENTAL** means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.86B **SHORT-TERM RENTAL** means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.90A SUITE” after Section 2.90.

2.90A **SUITE**

(a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

(b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.94A WATER CONTROL STRUCTURE” after Section 2.94.

2.94A **WATER CONTROL STRUCTURE** - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.95 WATERCOURSE” after Section 2.94A.

2.95 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

23. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone” and “PA Protected Area Zone” below the text “P-3 Coastal Conservation Zone.”

Conservation Zones	P-3	Coastal Conservation Zone
	RPK	Regional Park Zone
	PA	Protected Area Zone

24. Amending Section 3.6 in PART 3, as shown below in **bold**, by:

- a. Adding Subsection (f) after deleted Subsection (e);
- b. Adding Subsection (g) after Subsection (f); and
- c. Adding preamble text and Clause (i) after Subsection (g).

(f) Pursuant to Policy IM-24, 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.

(g) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Resource:

(i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

25. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.6; and
- b. Adding Section “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.7.

3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the

maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

26. Amending Section 4.1 in PART 4, by adding Clauses (iv), (v), and (vi) after Clause (iii).

- (d) Notwithstanding Section 4.1(a) above, no development permit shall be required for the following:
 - (i) any open space use which does not involve a building or structure;
 - (ii) any accessory building or structure which has less than three hundred (300) square feet (27.9 m²) of gross floor area; and
 - (iii) any sign which is less than one hundred (100) square feet (9.3 m²) in area, or other sign permitted under Section 5.3.
 - (iv) **An accessory hen use**
 - (v) **A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
 - (vi) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

27. Amending PART 4, as shown below in **bold**, by adding Section 4.1A after Section 4.1.

4.1A Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

28. Amending Section 4.4 in PART 4, as shown below in **bold**, by adding Subsection (d) after Subsection (c).

(d) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

29. Amending Section 4.6 in PART 4, as shown below in **bold**, by adding the text “, except where

backyard suites are permitted” after the text “erected on a lot”.

Not more than one (1) dwelling shall be erected on a lot, **except where backyard suites are permitted.**

30. Amending PART 4, as shown below in **bold**, by adding “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

(a) The maximum number of hens permitted on a lot shall be:

- i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
- ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
- iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
- iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**

(b) Hens shall be contained within an accessory building or a fenced area that:

- i. is located in a rear yard;**
- ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;**
- iii. subject to 4.10A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
- iv. is setback a minimum of 1 metre from any side or rear lot line.**

(c) The following are not permitted:

- i. On-site slaughtering or euthanizing of hens; and**
- ii. The sale of eggs, meat or hens.**

31. Amending PART 4, as shown below in **bold**, by adding Section 4.12A “SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12.

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or two unit dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;**

- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.18 WATERCOURSES” after Section 4.17.

4.18 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.

(b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.**
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.**
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.**

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.**

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:**
- (i) marine dependent uses, fisheries uses, conservation uses;**
 - (ii) fences, wharfs, boat ramps;**
 - (iii) historic sites and monuments,**
 - (iv) driveway crossings;**
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and**

- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
 - (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

33. Amending PART 4, as shown below **bold**, by adding Section “4.18A COASTAL AREAS” after Section 4.18.

4.18A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses, any lands within the I-1 (Business Industry) Zone abutting the port of Sheet Harbour, temporary uses, or open space uses.

- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:
- (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

34. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “Shared Housing Use 0 spaces” below the text “Multiple dwellings 1.5 spaces per dwelling unit.”

Multiple dwellings

1.5 spaces per dwelling unit

Shared Housing Use

0 spaces

35. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels, and short-term bedroom rentals

1 space per sleeping unit plus requirements for restaurants or other facilities contained therein

36. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as
otherwise specified

37. Amending PART 4, as shown below in **bold**, by adding Section “4.33 WIND ENERGY FACILITIES” after Section 4.32A.

4.33 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**

- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**
- g) **“Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;**
 - i) **“Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.**
 - ii) **“Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.**
 - iii) **“Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.**
 - iv) **“Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.**

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule B-1 - Wind Energy Zoning. Such zones are:

**(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone**

- a) **URBAN WIND ZONE (UW-1)**
 - i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
 - ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
 - iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**

- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) Turbine towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- iv) Turbine towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- v) Turbine towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- vi) Turbine towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent

c) RESTRICTED ZONE®

i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**
- i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**

- i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Eastern Shore (East) Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and, not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions

for buildings under this By-law.

IX SCHEDULES

a) Schedule B-1 – Wind Energy Zoning

38. Amending PART 4, as shown below in **bold**, by adding Sections “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 CANNABIS-RELATED USES”, and “4.36 SHORT-TERM RENTALS” after Section 4.33.

4.34 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.35 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.36 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**
- c) Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met.**

39. Amending Section 6.1 in PART 6, as shown below in **bold**, by:

- a. adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit”; below the text “Two unit dwellings” under the Heading “RESIDENTIAL USES”; and
- b. adding the text “Shared housing with special care” below the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” under the Heading “RESIDENTIAL USES”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Shared housing with special care

40. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Commercial Accommodation Uses” under the heading “Commercial Uses”.

Commercial Accommodation Uses

Short-term Rentals

Short-term Bedroom Rentals

41. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the heading “OTHER USES”, the text “Cannabis production facilities” below the text “Recreation uses”.

COMMUNITY USES

Daycare facilities

Institutional uses

Open space uses

Recreation uses

OTHER USES

Cannabis production facilities

42. Amending PART 6, as shown below in **bold**, by adding Section “6.14 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 6.13.

6.14 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall comply with the requirements of Section 6.2 and 6.6.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

- (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

43. Amending Section 7.1, in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 8.1, in PART 8, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Open storage and outdoor display”;

Open storage and outdoor display

Cannabis production facilities

45. Amending PART 8, as shown below in **bold**, by adding Section “8.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after section 8.6.

8.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

46. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations”.

Composting operations

Cannabis production facilities

47. Amending PART 9, as shown below in **bold**, by adding Section 9.14 “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 9.13.

9.14 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall comply with the requirements of Section 9.10(a)(i), (iii) and (iv).

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

48. Adding the PART, “PART 11: RPK (REGIONAL PARK ZONE)”, as shown below in **bold**, after PART 10.

PART 11: RPK (REGIONAL PARK) ZONE

11.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Marinas

Uses accessory to the foregoing uses

Community Uses

Institutional Uses

11.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

**Maximum Lot Coverage: 50% for lots less than 4 ha in area, or
5% for lots 4 ha or more in area**

Maximum Height of Main Building 10.7 m

49. Amending Section 11D.1 in PART 11D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

50. Adding the PART, “PART 11E: PA (PROTECTED AREA) ZONE” as shown below in **bold**, after PART 11D.

PART 11E: PA (PROTECTED AREA) ZONE

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

11E.1 PA USES PERMITTED

Scientific study and education, involving no buildings

Trails, boardwalks or walkways

Conservation uses

Uses accessory to the foregoing uses

11E.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area: 930m²

Minimum Frontage: 30.5m

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

11E.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

51. Adding “Schedule B-1 - Wind Energy Zoning” as shown in Schedule C-12A, after PART 12, attached hereto.
52. Zoning Map “Schedule B: Eastern Shore East Zoning Map” is amended to rezone the properties Regional Park (RPK) Zone and Protected Area (PA) Zone as shown in Schedule C-12B attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-13
Proposed Amendments to the Municipal Planning Strategy for
Eastern Shore (West)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Shore (West) is hereby amended as follows:

1. Amending SECTION I, under the heading REGIONAL CONTEXT and subheading Economic Activity, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to,” after the text “of motels” and before the text “bed and breakfasts” in the fourth paragraph.

With some of the province's best beaches and coastal scenery, the Plan Area also supports a growing tourism industry. A number of motels, **short-term bedroom rentals such as, but not limited to**, bed and breakfasts, campgrounds, restaurants, and shops and services compliment the areas' natural attractions.

2. Amending SECTION IV, under the heading MIXED USE DESIGNATION and subheading Residential Development, as shown below in **bold**, by adding the text “shared housing with special care” after the text “The development of” and before the text “in the form of” in the first paragraph.

Residential Development

The development of **shared housing with special care** in the form of small apartment complexes or townhouses is supported within the Mixed Use Designation to encourage this form of housing in the district. Other forms of higher density residential development, however, will be subject to a site-by-site review process to ensure that proper safeguards are established to protect overall community form and the natural environment.

3. Amending Policy MU-16, as shown below in **bold**, by adding the text “short-term rentals” after the text “clinics, offices,” and before the text “with more than five (5)”.

MU-16 It shall be the intention of Council to consider permitting convenience stores, garden centers, medical and veterinary clinics, offices, **short-term bedroom rentals** with more than five (5) rooms to let, commercial uses permitted in the R-6 Zone and FV Zone (excluding existing kennels) where the floor area is greater than two thousand (2,000) square feet, institutional uses, and recreation uses in accordance with the development agreement provisions of the Planning Act.

4. Amending SECTION V, as shown below in **bold**, by adding Policy IM-24 after Policy IM-23.

IM-24 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-14

Proposed Amendments to the Land Use Bylaw for Eastern Shore (West)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (West) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.12A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.18 WATERCOURSES” immediately after the text “4.17 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.18A COASTAL AREAS” immediately after the text “4.18 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.27 USES PERMITTED ON EXISTING PRIVATE ROADS” immediately after the text “4.26 COMPOSTING OPERATIONS.”
6. Amending the “Table of Contents”, by adding the text “4.30 WIND ENERGY FACILITIES” immediately after the deleted text “4.29 SCHEDULE C – WETLANDS”.
7. Amending the “Table of Contents”, by adding the text “4.31 PUBLIC TRANSIT FACILITIES”, “4.32 CANNABIS-RELATED USES”, and “4.33 SHORT-TERM RENTALS” immediately after the text “4.30 WIND ENERGY FACILITIES”.
8. Amending the “Table of Contents”, by adding the text “PART 12E: RPK (REGIONAL PARK) ZONE”, “PART 12F: PA (PROTECTED AREA) ZONE” and “PART 12G: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE immediately after the text “PART 12D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE.”
9. Amending the “Table of Contents”, by adding the text “Schedule A-1 - Wind Energy Zoning” immediately after the text “APPENDIX A: NON-CONFORMING USES”.
10. Amending the “Table of Contents”, by adding the text “Schedule D: Areas Subject to Reduced Road Frontage Requirements”, and “Schedule E: Shared Private Driveway Design Standards”, immediately after the deleted text “Schedule C: Wetlands”.
11. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a

permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

12. Amending Section 2.13A in PART 2, as shown below in **bold**, by adding the definition “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.13.

2.13A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

13. Amending PART 2, as shown below in **bold**, by adding the definitions “2.13B CANNABIS LOUNGE”, “2.13C CANNABIS PRODUCTION FACILITY”, and “2.13D CANNABIS RETAIL SALES” after Section 2.13.

2.13B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.13C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research

and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

2.13D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.19 CONSERVATION USE” after Section 2.18.

2.19 CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

15. Amending Subsection 2.27(c) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “detached dwelling unit.”

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.45A HEN” after Section 2.45.

2.45A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

17. Amending Section 2.49 in PART 2, as shown below in **bold**, by adding the text “, shared housing with special care” after the text “day care facility.”

2.49 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire station, police station, public works, hospital, public library, post office, museum and gallery, community centre and hall, recreation use or open space use.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.80 RECREATION USE” after Section 2.79.

2.80 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.93A SHARED HOUSING USE” and “2.93B SHARED HOUSING WITH SPECIAL CARE” after Section 2.93.

2.93A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.93B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

20. Amending PART 2, as shown below in **bold**, by adding the definitions “2.94A SHORT-TERM BEDROOM RENTAL” and “2.94B SHORT-TERM RENTAL” after Section 2.94.

2.94A SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.94B SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.98A SUITE” after Section 2.98.

2.98A SUITE
(a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
(b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.103A WATER CONTROL STRUCTURE” after Section 2.102.

2.103A WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may

include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

23. Amending PART 2, as shown below in **bold** by adding the definition “2.103 WATERCOURSE” after Section 2.103A.

2.103 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

24. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “CDD Comprehensive Development District” below the text “I-1 Business Industry Zone”.

I-1	Business Industry Zone
CDD	Comprehensive Development District Zone

25. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone” and “PA Protected Area Zone” below the text “P-4 Provincial Park Zone”.

P-4	Provincial Park Zone
RPK	Regional Park Zone
PA	Protected Area Zone

26. Amending Subsection 3.6(e) in PART 3, as shown below in **bold**, by adding the text “Short-term bedroom rentals” before the text “ with more than five”.

- (e) **Short-term bedroom rentals** with more than five (5) rooms to let within the Mixed Use Designation on those properties zoned R-6 or FV along the East and West Petpeswick Roads and the Clamshell Road.

27. Amending Section 3.6, as shown below in **bold**, by:

- Adding Subsection (u) after Subsection (t);
- Adding Subsection (v) after Subsection (u);
- Adding preamble and Clause (i) after Clause (v);
- Adding Preamble and Clause (i) after the preamble and Clause (i).

(u) Pursuant to Policy IM-24, 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.

(v) Alternative approaches to the development of islands and coastal areas and

development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter and Rural Resource:

- (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- (i) a mix of residential, commercial and institutional uses under the CDD (Comprehensive Development District) Zone, as per policy IM-22 of the Regional Municipal Planning Strategy.

28. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.6; and
- b. Adding Section “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.7.

3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

29. Amending Subsection 4.1(d), in PART 4, as shown below in **bold**, by adding Clause (iv), (v),

and (vi) after Clause (iii).

(d) Notwithstanding Section 4.1(a) above, no development permit shall be required for the following:

- (i) any open space use which does not involve a building or structure;
- (ii) any accessory building or structure which has less than three hundred (300) square feet (27.9 m²) of gross floor area; and
- (iii) any sign which is permitted under Section 5.3.
- (iv) **An accessory hen use.**
- (v) **A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
- (vi) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

30. Amending PART 4, as shown below in **bold**, by adding Section 4.1B after deleted Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

31. Amending Section 4.4, in PART 4, as shown below in **bold**, by:

- a. Adding Subsection (d) after Subsection (c); and
 - b. Adding Subsection (e) after Subsection (d).
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**
- (e) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses, excluding daycare facilities, are permitted on lots that do not meet lot frontage requirements provided the following conditions are satisfied:**
- i. **the lot existed on April 1, 2016 and is located within the area shown in Schedule D;**
 - ii. **at the time of permitting, the applicant shall provide evidence satisfactory to the Development Officer establishing a registered easement in favour of the property that allows vehicular access to a street or road;**
 - iii. **where the vehicular access required by subclause ii is a shared private driveway serving four or more dwellings, it has been constructed, as certified by a professional engineer, to the design standards contained in Schedule E;**

- iv. for properties accessed by the shared private driveway known as Moser Head Road, Subsection iii of this section shall come into force on January 1, 2022; and
- v. all other requirements of this By-law are met.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.11A ACCESSORY HEN USE” after Section 4.11.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.12A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12.

4.12A SECONDARY SUITES AND BACKYARD SUITES

- (a) **SECONDARY SUITES** Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, or two unit dwelling subject to the following provisions:
 - (i) No more than one secondary suite shall be permitted on a lot;
 - (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
 - (iii) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
 - (iv) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and
 - (v) A secondary suite shall be permitted accessory to a non-conforming

structure for residential use, except where no residential uses are permitted in the zone.

- (b) **BACKYARD SUITES** Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:
- (i) No more than one backyard suite shall be permitted on a lot;
 - (ii) A backyard suite is not considered a separate main building or main dwelling;
 - (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
 - (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
 - (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
 - (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
 - (vii) A backyard suite must be located on the same lot as the main dwelling unit;
 - (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
 - (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

34. Amending PART 4, as shown below in **bold**, by adding Section “4.18 WATERCOURSES” after Section 4.17.

4.18 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in

the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

35. Amending PART 4, as shown below in **bold**, by adding Section “4.18A COASTAL AREAS” after Section 4.18.

4.18A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:
- (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

(3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use. Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

(4) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

36. Amending Subsection 4.24(a) in PART 4, as shown below in bold, by adding the text “Shared Housing Use 0 spaces” below the text “Multiple dwellings 1.5 spaces per dwelling unit”.

Multiple dwellings	1.5 spaces per dwelling unit
Shared Housing Use	0 spaces

37. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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38. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified.”

Institutional uses except as otherwise specified	where there are fixed seats, the greater of 1 space per 4 seats and 1
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39. Amending PART 4, as shown below in **bold**, by adding Section 4.27 “USES PERMITTED ON EXISTING PRIVATE ROADS” after Section 4.26.

4.27 USES PERMITTED ON EXISTING PRIVATE ROADS

Development on existing private roads shall be limited to those uses permitted in the MU Zone.

40. Amending PART 4, as shown below in **bold**, by adding Section “4.30 WIND ENERGY FACILITIES” after Section 4.29A.

4.30 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) “Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**
- g) “Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical**

infrastructure and transmission lines;

- i) “Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.**
- ii) “Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.**
- iii) “Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.**
- iv) “Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.**

II ZONES For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property. v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).**
- ii) All turbine towers shall have a minimum distance between turbines equal to the**

height of the tallest tower.

iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:

- 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
- 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:

- 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
- 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:

- 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
- 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:

- 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
- 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

c) RESTRICTED ZONE (R)

i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind

- turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
 - d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
 - e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
 - f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

a) Wind Energy Facilities shall not be permitted in the following zones of the Eastern Shore (West) Land Use By-law:

- i) RPK (Regional Park) Zone;
- ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.

b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.

c) All electrical wires shall, to the maximum extent possible, be placed underground.

d) The visual appearance of the Wind Energy Facility shall at a minimum:

- i) be a non-obtrusive colour such as white, off-white or gray;
- ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
- iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.

b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.

c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

a) Schedule A-1 – Wind Energy Zoning

41. Amending PART 4, as shown below in **bold**, by adding Sections “4.31 PUBLIC TRANSIT FACILITIES” and “4.32 CANNABIS-RELATED USES” after Section “4.30 WIND ENERGY FACILITIES”.

4.31 PUBLIC TRANSIT FACILITIES`

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.32 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

42. Amending PART 4, as shown below in **bold**, by adding Section “4.33 SHORT-TERM RENTALS” after Section 4.32;

4.33 SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
 - b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, may be rented as a short-term bedroom rental at the same time except in the FV and R-6 zones up to five (5) bedrooms may be rented;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**
 - c) **Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met.**
43. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” and “Shared housing with special care” below the text “Two unit dwellings” under the Heading “Residential Uses”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Shared housing with special care

44. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Commercial Accommodation Uses” under the Heading “Commercial Uses”.

Commercial Accommodation Uses
Short-term rentals
Short-term bedroom rentals

45. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Institutional Uses” under the Heading “Community Uses”.

Institutional uses
Shared housing use with 10 or fewer bedrooms

46. Amending Section 6.1 in PART 6, as shown below in **bold**, by:
- a. Adding the heading “Other Uses” immediately below the text “Private clubs and lodges”; and
 - b. Adding the text “Cannabis production facilities” under the heading “Other Uses.”

Other Uses
Cannabis production facilities

47. Amending PART 6, as shown below in **bold**, by adding Section 6.18 “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 6.17.

6.18 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) A cannabis production facility shall comply with the requirements of Section 6.2 and 6.6.
- (b) Where a lot containing a cannabis production facility abuts a lot
 - (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

48. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

49. Amending Section 7.10 in PART 7, as shown below in **bold**, by adding the text “and excluding an accessory hen use,” after the text “Section 7.2,” and before the text “where an agricultural use”.

Notwithstanding the provisions of Section 7.2, **and excluding an accessory hen use**, where an agricultural use is permitted in any R-6 Zone, and where any barn, stable or other building intended for the keeping of domestic fowl or other animals is to be erected, no structure shall:

50. Amending Section 8.1 in PART 8, as shown below in **bold**, by:
- Adding the Heading “Other Uses” below the text “Community Uses permitted in the MU (Mixed Use) Zone”; and
 - Adding the text “Cannabis Production Facilities” under the heading “Other Uses”.

Other Uses

Cannabis production facilities

51. Amending PART 8, as shown below in **bold**, by adding Section “8.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 8.5.

8.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility in the F1 Zone shall comply with the requirements of Section 6.6 and 8.2.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line

52. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

53. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Open storage and outdoor display”.

Open storage and outdoor display
Cannabis production facilities

54. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Institutional uses” under the Heading “Community Uses”.

Institutional uses
Shared housing use with 10 or fewer bedrooms

55. Amending PART 10, as shown below in **bold**, by adding Section “10.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 10.4

10.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
(i) zoned or used for residential purposes, or
(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

56. Amending Section 12D.1 in PART 12D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

57. Adding the PARTS, as shown below in **bold**, “PART 12E: RPK (REGIONAL PARK) ZONE”, “PART 12F: PA (PROTECTED AREA) ZONE” and “PART 12G: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE” after PART 12D.

PART 12E: RPK (REGIONAL PARK) ZONE

12E.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone

except for the following:

Park Uses

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

Other Uses

Existing dwellings and recreational uses

Home business uses in conjunction with permitted dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Uses accessory to permitted dwellings and recreational uses

12E.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

Maximum Lot Coverage: 50% for lots less than 4 ha in area, or
5% for lots 4 ha or more in area

Maximum Height of Main Building 10.7 m

PART 12F: PA (PROTECTED AREA) ZONE

12F.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings

Trails, boardwalks or walkways

Conservation uses

Uses accessory to the foregoing uses

12F.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area: 930m²

Minimum Frontage: 30.5m

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

12F.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

PART 12G: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

12G.1 CDD USES PERMITTED

No development permit shall be issued in any CDD (Comprehensive Development District) Zone except for the following:

Residential uses
Commercial uses
Institutional uses
Recreation uses
Parking facilities and transit stations or transit stops
Existing uses
Uses accessory to the foregoing uses

12G.2 CDD REQUIREMENTS

(1) In any CDD (Comprehensive Development District) Zone no development permit shall be issued except in conformity with the development agreement provisions of the Halifax Regional Municipality Charter.

(2) Notwithstanding subsection (1), existing uses within any CDD zone shall be considered as fully conforming uses and as such are permitted to expand, resume operation if discontinued, or be replaced, or rebuilt if destroyed on the lot which they occupied on the effective date of this by-law, subject to the following requirements:

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

58. Adding “Schedule A-1 - Wind Energy Zoning” as shown in Schedule C-14A, after “Appendix

‘A’”, attached hereto.

59. Adding “Schedule D: Areas Subject to Reduced Road Frontage Requirements”, and “Schedule E: Shared Private Driveway Design Standards”, as shown in Schedules C-14B and C-14C, respectively, attached hereto.
60. Amending Zoning Map “Schedule A – Eastern Shore West Zoning Map” to rezone properties to Regional Park (RPK) Zone, Protected Area (PA) Zone, and Comprehensive Development District (CDD) Zone as shown in Schedule C-14D attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-15

Proposed Amendments to the Municipal Planning Strategy for Halifax

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

1. Amending Section 2.4.2 in SECTION II: CITY-WIDE OBJECTIVES AND POLICIES, as shown below in **bold**, by adding the text “shared housing,” after the text “housing such as” and before the text “commercial uses”.

2.4.2 In residential neighbourhoods alternative specialized housing such as **shared housing**, commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.

2. Amending SECTION II: CITY-WIDE OBJECTIVES AND POLICIES, as shown below in **bold**, by adding Section 2.12A after Section 2.12.

2.12A The development agreement requirements of section 2.12 shall not apply to any lot zoned Urban Reserve and subdivided pursuant to section 38 of the Subdivision By-law and a development permit may be granted provided that the development conforms with all other applicable requirements of this By-law.

3. Amending Section 6.8 in SECTION II: CITY-WIDE OBJECTIVES AND POLICIES, as shown below in **bold**, by adding the text “in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy” after the text “designation and zone”.

6.8 In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply to the City for a development agreement for any development or change in use not otherwise permitted by the land use designation and zone **in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.**

4. Amending Section 1.7 in SECTION VII: FAIRVIEW AREA SECONDARY PLANNING STRATEGY OBJECTIVES AND POLICIES, as shown below in **bold**, by adding the text “shared housing at a larger scale than would be permitted in the underlying zone” after the text “may consider applications for” and before the text “through development agreement.

1.7 For the site of the former Titus Smith School, Council may consider applications for

shared housing at a larger scale than would be permitted in the underlying zone through development agreement.

5. Amending Section 1.2.3 in SECTION X: MAINLAND SOUTH SECONDARY PLANNING STRATEGY, as shown below in **bold**, by adding the text “shared housing with special care” after the text “forms, parkland and” and before the text “buildings”.

1.2.3 Notwithstanding the Low Density Residential designation of Block F, Kelly Street, LRIS PID No. 40724973, the Municipality may permit a residential complex by development agreement. Such complex shall consist of an apartment building, townhouses or other ground related innovative housing forms, parkland and **shared housing with special care** buildings.

6. Amending Section 1.2.3.1 in SECTION X: MAINLAND SOUTH SECONDARY PLANNING STRATEGY, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care” after the text “buildings containing” and before the text “shall not” in Subclause (a)i);
- b. Adding the text “shared housing with special care” after the text “Buildings containing” and before the text “shall be located” in Subclause (a)iii);
- c. Adding the text “shared housing with special care” after the text “buildings containing” and before the text “may be determined” in Subclause (a)iv);
- d. Adding the text “shared housing with special care” after the text “in particular those containing” in Subclause (b)i); and
- e. Adding the text “shared housing with special care” after the text “building or” and before the text “buildings abut” in Subclause (b)iv); and

(a) Architectural Design, Scale, Building Height and Mass

- i) The height of the apartment building and buildings containing **shared housing with special care** shall not exceed four residential storeys, exclusive of an underground parking garage, and may not exceed 50 feet in height.
- ii) The apartment building shall be located adjacent to the existing apartment building, shall not exceed 70 dwelling units and shall comply with the requirements of the R-3 Zone.
- iii) Buildings containing **shared housing with special care** shall be located adjacent to the existing nursing home, shall not contain more than 190 assisted living units and shall comply with the requirements of the R-3 zone.
- iv) Notwithstanding (iii), the calculation of density and the requirement for parking for the buildings containing **shared housing with special care** may be determined on the basis of similar facilities in urban settings.

- v) The townhouses or other ground related innovative housing forms shall be located adjacent to the existing low density housing, shall not exceed a total of 50 dwelling units and shall comply with the provisions of the R-2T zone.
 - vi) Building materials shall be compatible with the community.
- (b) Site Design and Landscaping
- i) Provision shall be made for adequate recreation, vehicular and pedestrian circulation, site lighting and open areas to address the needs of the residents of all the buildings and in particular those containing **shared housing with special care**.
 - ii) The layout and design of the buildings, services and site grading shall provide for the retention of healthy mature trees.
 - iii) No building shall be constructed within 50 feet of properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419.
 - iv) The area of Block F abutting properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419, shall be maintained as a buffer area for a depth of 40 feet within which only limited construction activity will be permitted with minimal removal of existing trees and only in order to accommodate support infrastructure for the development (e.g. stormwater management, recreation infrastructure). The buffer may be reduced in width to 20 feet where site grading, servicing or support infrastructure must be accommodated and in those locations a visually obscuring fence shall be provided. Where the apartment building or **shared housing with special care** buildings abut existing one or two unit dwellings the forty foot buffer will be maintained.

7. Amending Section 1.5.3.1.1 in SECTION X: MAINLAND SOUTH SECONDARY PLANNING STRATEGY, as shown below in **bold**, by adding the text “, or shared housing with special care” after the text “dwelling units”.

1.5.3.1.1 Any addition permitted pursuant to Policy 1.5.3 shall not include any type of residential accommodation such as but not limited to dwelling units, **or shared housing with special care**.

8. Amending Section 1.5.3.5 in SECTION X: MAINLAND SOUTH SECONDARY PLANNING STRATEGY, as shown below in **bold**, by adding the text “shared housing with special care” after the text “Schedule I, permit” and before the text “on Lot 4 Ramsgate Lane”.

1.5.3.5 For the area designated as “Residential Development District” known as Melville Ridge as shown on Map 1 of Schedule I, notwithstanding that the site is less than three acres

and does not provide a mixture of residential uses nor a mix of dwelling unit types, the Municipality may, by development agreement pursuant to Schedule I, permit **shared housing with special care** on Lot 4 Ramsgate Lane.

9. Amending Subsection 27 of Policy BW-21K in SECTION XV: THE BEDFORD WEST SECONDARY PLANNING STRATEGY, as shown below in **bold**, by adding the text “BW-21J(1) and BW-21J(2)” after the text “BW-12”.

27. The proposal conforms with all other relevant policies of the Bedford West Secondary Planning Strategy, including but not limited to: Policies BW-1, BW12, **BW-21J(1), and BW-21J(2).**

10. Amending IMPLEMENTATION POLICIES, as shown below in **bold**, by adding Section 3.22 after Section 3.21.

3.22 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment C-16

Proposed Amendments to the Land Use Bylaw for Halifax Mainland

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

1. Amending the “Table of Contents”, by adding the text “13AA BICYCLE PARKING FACILITIES”, “13AB LOCATION OF BICYCLE PARKING”, and “13AC SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “DAYCARE FACILITY – SPECIAL CARE HOME PARKING”.
2. Amending the “Table of Contents”, by adding the text “SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “HOME OCCUPATIONS”.
3. Amending the “Table of Contents”, by adding the text “ACCESSORY HEN USE” immediately after the text “SECONDARY SUITES AND BACKYARD SUITES”.
4. Amending the “Table of Contents”, by adding the text “14QA WATERCOURSES” immediately after the text “SETBACKS IN FLOOD PLAIN”.
5. Amending the “Table of Contents”, by adding the text “14QB COASTAL AREAS” immediately after the text “14QA WATERCOURSES”.
6. Amending the “Table of Contents”, by adding the text “14W WIND ENERGY FACILITIES” immediately after the text “14V TEMPORARY CONSTRUCTION USES PERMITTED”.
7. Amending the “Table of Contents”, by adding the text “14X PUBLIC TRANSIT FACILITIES”, “14Y CANNABIS-RELATED USES”, “14YA DEVELOPMENT PERMIT EXEMPTIONS”, and “14YB SHORT-TERM RENTALS” immediately after the text “14W WIND ENERGY FACILITIES”.
8. Amending the “Table of Contents”, by adding the text “US (URBAN SETTLEMENT) ZONE”, and “UR (URBAN RESERVE) ZONE” immediately after the text “H ZONE: HOLDING ZONE”.
9. Amending the “Table of Content”, by adding the text “PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “UR (URBAN RESERVE) ZONE”.
10. Amending the “Table of Contents”, by adding the text “RPK (REGIONAL PARK) ZONE”, and “PA (PROTECTED AREA) ZONE” immediately after the text “ICH: INFRASTRUCTURE CHARGE HOLDING ZONE”.
11. Amending the “Table of Contents”, by adding the text “APPENDIX A: Interim Bonus Zoning

Requirements for Applicable Plan Amendment Applications” immediately after the text “WA (WATER ACCESS) ZONE”.

12. Amending the “Table of Contents”, by adding the text “ZM-25 - Wind Energy Zoning” immediately after the text “ZM-24: Northwest Arm.”
13. Amending the “Table of Contents”, by adding the text “Schedule A: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements” immediately after the text “ZM-35 Kearney Lake Area”.
14. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “ACCESSORY HEN USE” after the definition “Accessory Use”.

“ACCESSORY HEN USE” means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For greater certainty, an accessory hen use is not a home occupation use.

15. Amending the definition “Apartment House” in DEFINITIONS, as shown below in **bold**, by adding the text “or a shared housing use” after the text “R-2P zone”.

“Apartment House” means a building other than double duplex dwelling arranged, intended or designed to be occupied by three or more families living independently of each other but does not include a townhouse building in an R-2 P zone or a shared housing use;

16. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Backyard Suite”, after the repealed definition “Areas of Elevated Archaeological Potential”.

“Backyard Suite” means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

17. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “Bicycle Parking, Class A”, “Bicycle Parking, Class B”, and “Bicycle Parking, Enhanced” after the definition “Bedford Highway Area”.

“Bicycle Parking, Class A” means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

“Bicycle Parking, Class B” means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

“Bicycle Parking, Enhanced” means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

18. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Canadian Geodetic Vertical Datum 2013 (CGVD 2013)” after the definition “Building Line”.

“Canadian Geodetic Vertical Datum 2013 (CGVD2013)” means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

19. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “Cannabis Lounge”, “Cannabis Production Facility”, and “Cannabis Retail Sales” after the definition “Canadian Geodetic Vertical Datum 2013 (CGVD2013)”.

“Cannabis Lounge” means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

“Cannabis Production Facility” means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

- (i) industrial hemp, and
- (ii) premises used for personal production permitted by federal legislation.

“Cannabis Retail Sales” means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

20. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Conservation

Use” after the definition “Community Facility”.

“Conservation Use” means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

21. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “HEN” after the definition “Height”.

“HEN” means adult female chicken.

22. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Mobile Home”, immediately below the definition “Mid-Rise Portion”.

"Mobile Home" means a prefabricated detached dwelling, designed for transportation on its own chassis and wheels to a site where it is to be occupied as a dwelling, complete and ready for occupancy (except for minor and incidental unpacking or assembly operations). A mobile home shall be considered to be a mobile home whether or not the chassis or wheels are removed. This definition excludes the modular type of a prefabricated dwelling where separate units are joined together on site to form the complete dwelling unit. For further clarity, a mobile home use does not include a recreational vehicle;

23. Amending the “Multiple Dwelling” definition in DEFINITIONS, as shown below in **bold**, by adding the text “means” before the text “an apartment house;”.

"Multiple Dwelling" means an apartment house;

24. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Recreational Use” after the definition “Recreational Space”.

"Recreational Use" means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

25. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Secondary Suite” after the definition “Schedule L”.

"Secondary Suite" means a self-contained subordinate dwelling unit that is located within a residential main building.

26. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “Shared Housing Use”, “Shared Housing with Special Care”, and “Shipping Container” after the definition “Sex-Aid Shop”.

“Shared Housing Use” means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

“Shared Housing with Special Care” means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

“Shipping Container” means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

27. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “Short-term Bedroom Rental” and “Short-term Rental” after the definition “Shipping Container”.

“Short-term Bedroom Rental” means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

“Short-term Rental” means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

28. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Water Control Structure” after the definition “Used building material retail outlet”.

“Water Control Structure” means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

29. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Watercourse” after the definition “Water Control Structure”.

“Watercourse” means a lake, river, stream, or other natural body of water.

30. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Zoning Area” after the definition “Work-Live Unit”.

“Zoning Area” means the area shown on the zoning maps attached to and forming part of this by-law as R-1, R-2, R-2P, R-2T, R-2AM, R-3, R-4, RC-1, C1, C-2, C-2A, C-2B, C-6, I-1, I-2, I-3, P, U-2, T, H, US, UR, US-E, PWS, RDD, WC, WCDD, BWCDD, WCCDD, CD-1, CD-2, CD-3, ICH, RPK, PA, US-E, and WA Zones.

31. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section 3A after Section 3.

3A Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

32. Amending Section 5 in GENERAL PROVISIONS, as shown below in **bold**, by adding the text “Except for any lot approved pursuant to Section 38 of the Subdivision By-law,” before the text “every lot or part of a lot”.

5 Except for any lot approved pursuant to Section 38 of the Subdivision By-law, every lot or part of a lot shall abut on a street and a building shall be deemed to abut on the street opposite to its principal entrance, or, if such entrance is not opposite to a street, then upon the street from which it gains its principal access.

33. Amending Subsection 9(c) in GENERAL PROVISIONS, as shown below in **bold**, by adding the text “short-term bedroom rental,” after the text “tourist home,” and before the text “or building”

9(c) Parking space for one vehicle for each three guest rooms or suites in a hotel, guest home, tourist home, **short-term bedroom rental**, or building of a similar nature and such space shall be provided at a point not further than 500 feet distant from such hotel, guest home, tourist home, or building of a similar nature;

34. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section 11(4) after Section 11(3).

11(4) No parking spaces for motor vehicles shall be required for a shared housing use.

35. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Sections 13AA, 13AB, and 13AC after Section 13A.

13AA BICYCLE PARKING FACILITIES

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A / 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A / 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A / 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A / 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A / 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A / 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A / 50% Class B

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;
- (b) have a minimum overhead clearance of 2.0m;
- (c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

13AB LOCATION OF BICYCLE PARKING

- (1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.
- (2) Class A bicycle parking may be located up to 200m from an entrance.
- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

13AC SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

36. Amending Section 14A in GENERAL PROVISIONS, as shown below in **bold**, by adding Clause (h) after Clause (g);

- (g) R-1 and R-2 uses on lots which abut the existing public street network for the area identified on Schedule ZM-35.
- (h) **a development within an Urban Reserve (UR) Zone.**

37. Amending “GENERAL PROVISIONS”, as shown below in **bold**, by adding Sections “14BA SECONDARY SUITES AND BACKYARD SUITES” after Section 14B.

14BA SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single family dwelling, a mobile home, a duplex dwelling, a semi-detached dwelling, townhouse, or a townhouse building subject to the following provisions:

- (i) **No more than one secondary suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered an apartment house;**
- (iv) **Notwithstanding the parking requirements of Section 9, additional off-street parking shall not be required; and**
- (v) **A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single family dwelling, a duplex dwelling, a semi-detached dwelling, a stacked attached housing containing only 3 dwelling units, a stacked townhouse containing only 3 dwelling units, a townhouse, townhouse building, or an apartment house containing only 3 dwelling units subject to the following provisions:

- (i) **No more than one backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in each zone;**

- (iv) The gross floor area of a backyard suite shall not exceed 93.0 square metres (1000 square feet);
- (v) Notwithstanding the parking requirements of Section 9, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or private road,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 93 square metres.

38. Amending “GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “14BB ACCESSORY HEN USE” after Section 14BA.

14BB ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size; a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - ii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iii. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) **Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 14BB(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) **The following are not permitted:**
 - i. **On-site slaughtering or euthanizing of hens; and**
 - ii. **The sale of eggs, meat or hens.**

39. Amending GENERAL PROVISIONS, as shown below in **bold**, adding Section “14QA

WATERCOURSES” after deleted Section 14Q.

14QA WATERCOURSES

GENERAL - WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), horizontal buffers shall not apply within the lands sub-designated as Halifax Harbour as shown on the Regional Land Use Structure Map in the Regional Municipal Planning Strategy.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be

permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:**
 - (i) marine dependent uses, fisheries uses, conservation uses;**
 - (ii) fences, wharfs, boat ramps;**
 - (iii) historic sites and monuments,**
 - (iv) driveway crossings;**
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and**
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².**
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:**
 - (i) wastewater, storm and water infrastructure, and public water control structures; and**
 - (ii) parks, public roads, and active transportation crossings.**
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.**

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.**

40. Amending “GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “14QB COASTAL AREAS” after Section 14QA.

14QB COASTAL AREAS

COASTAL ELEVATION

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:

 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

41. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section “14W WIND ENERGY FACILITIES” after Section 14V.

14W WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) “Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) “Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) “Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.

- ii) “Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
- iii) “Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
- iv) “Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule ZM 25 - Wind Energy Zoning. Such zones are:

- (UW-1) Urban Wind Zone
- (RW-2) Rural Wind Zone
- (R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable

- ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
 - f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

i) Micro	140 metres (460 ft)
ii) Small	360 metres (1180 ft)
iii) Medium	500 metres (1640 ft)
iv) Large	2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Halifax Mainland Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule ZM-25 – Wind Energy Zoning.

1. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Sections “14X PUBLIC TRANSIT FACILITIES” and “14Y CANNABIS-RELATED USES” after Section 14W.

14X PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

14Y CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

2. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section YA after Section Y.

14YA DEVELOPMENT PERMIT EXEMPTIONS

- a) An accessory hen use is exempt from the requirement to obtain a development permit.
- b) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- c) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

3. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section 14YB after Section 14YA.

14YB **SHORT-TERM RENTALS**

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;
 - ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and
 - v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.

4. Amending Subsection 16(1) in ZONES, as shown below in **bold**, by adding the text "US Urban Settlement Zone", "UR Urban Reserve Zone", and "PWS Protected Water Supply Zone" below the text "W (Deleted)".

H	Holding Zone
	W (Deleted)
US	Urban Settlement Zone
UR	Urban Reserve Zone

PWS Protected Water Supply Zone

5. Amending Subsection 16(1) in ZONES, as shown below in **bold**, by adding the text “RPK Regional Park Zone” and “PA Protected Area Zone” below the text “ICH Infrastructure Charge Holding Zone”.

ICH	Infrastructure Charge Holding Zone
RPK	Regional Park Zone
PA	Protected Area Zone

6. Amending ZONES, as shown below in **bold**, by adding Subsection 16(2) after Subsection 16(1).

16(2) The uses of buildings and land permitted by this by-law in such zones may be referred to as R-1, R-2, R-2P, R-2T, R-2TA, R-2AM, R-3, R-4, R-4A, RC-1, R-4B, C-1, C-2A, C-2B, C-2C, C-2D, C-2, C-6, I-1, I-2, I-3, P, U-2, T, H, US, UR, US-E, , PWS, RDD, WC, WCDD, BWCDD, WCCDD, CD-1 CD-2, CD-3, ICH, RPK, PA and WA uses, respectively.

7. Amending Subsection 20(1) in the R-1 ZONE, as shown below in **bold**, by adding Clause (j) after Clause (i).

(j) a shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

8. Amending Section 21 in the R-1 ZONE, as shown below in **bold**, by adding Clause (ga) after clause (g).

(ga) Notwithstanding the provisions of Subsection 21(d), Backyard Suites are not subject to a minimum floor coverage of living space.

9. Amending Subsection 24(1) in the R-2 ZONE, as shown below in **bold**, by adding Clause (fa) after Clause (f).

(fa)a shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit.

10. Amending Section 26 in the R-2 ZONE, as shown below in **bold**, by adding Clause (ga) after clause (g).

(ga) Notwithstanding the provisions of Subsection 26(d), Backyard Suites are not subject to a minimum floor coverage of living space.

11. Amending Subsection 28AA(1) in the R-2P ZONE as shown below in **bold**, by adding Clause

(ba) after clause (b).

(ba) shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

12. Amending Subsection 28AJ(1) in the R-2T ZONE, as shown below in **bold**, by adding Clause (ba) after clause (b).

(ba) shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

13. Amending Subsection 28AO(1) in the R-2TA ZONE, as shown below in **bold**, by adding Clause (da) after Clause (d).

(da) shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

14. Amending Subsection 28BA(1) in the R-2AM ZONE, as shown below in **bold**, by adding Clause (ca) after Clause (c).

(ca) shared housing use with 35 or fewer bedrooms;

15. Amending Clause 28BA(1)(d) in the R-2AM ZONE, as shown below in **bold**, by adding the text “or 35 bedrooms” after the text “14 units” and before the text “provided that”.

(d) additions to buildings existing on September 17, 1987 to a maximum of 14 units **or 35 bedrooms**, provided that the area of ground covered by the addition is not greater than the area covered by the existing building and provided that the lot coverage is not greater than 40 percent; and

16. Amending Subsection 28CA(1) in the R-3 ZONE, as shown below in **bold**, by adding Clause (cb) after Clause (ca).

(cb) shared housing use of four storeys or less;

17. Amending Section 28CF in the R-3 ZONE, as shown below in **bold**, by:

- a. adding the text “n” to the “a” after the text “as” and before the text “apartment house” ;
- b. and adding the text “or shared housing use with greater than 10 bedrooms” after the text “house” and before the text “shall comply.”

28CF A lot on which there is a building used as an apartment house **or shared housing use with greater than 10 bedrooms** shall comply with the following requirements:

18. Amending Clause 28CF(2)(a in the R-3 ZONE, as shown below in **bold**, by adding the text “or bedroom in a shared housing use” after the text “bachelor unit” and before the text “275 sq. ft”.

(a) 150 sq.ft. for each bachelor unit **or bedroom in a shared housing use** 275 sq.ft. for each one-bedroom unit

19. Amending Section 28CK in the R-3 ZONE, as shown below in **bold**, by adding the text “an apartment house or shared housing use” after the text “Section 28CA(1),” and before the text “which fronts”.

28CK Notwithstanding Section 28CA(1), **an apartment house or shared housing use** which fronts on Herring Cove Road may include those commercial uses which are permitted in Section 34AA(1)(c) as well as offices, provided that:

20. Amending Subsection 29(1) in the R-4 ZONE, as shown below in **bold**, by adding Clause (b) after Clause (a).

(b) shared housing use

21. Amending Section 34 in the R-4 ZONE, as shown below in **bold**, by adding the text “or shared housing use with greater than 10 bedrooms” after the text “apartment house” and before the text “in an R-4 ZONE”.

34 Where any building is erected, altered, or used as an apartment house **or shared housing use with greater than 10 bedrooms** in an R-4 Zone, such building, in addition to the requirements hereinbefore set out in Section 33, shall comply with the following requirements:

22. Amending Clause 34(2)(a) in the R-4 ZONE, as shown below in **bold**, by adding the text “or bedroom in a shared housing use” after the text “each bachelor unit” and before the text “/275 square feet”.

(a) 150 square feet for each bachelor unit **or bedroom in a shared housing use** /275 square feet for each one-bedroom unit/575 square feet for each two-bedroom unit/950 square feet for each three-bedroom unit/1,325 square feet for each four-bedroom unit and over;

23. Amending Subsection 34AAA(1) in the R-4A ZONE, as shown below in **bold**, by adding Clause (da) after Clause (d).

(da) shared housing use; and

24. Amending Subsection 34AAD(1) in the R-4 ZONE, as shown below in **bold**, by adding the text

“, with the exception of shared housing use,” after the text “R-4A uses” and before the text “in an R-4A Zone”.

34AAD(1) Buildings erected, altered or used for R-4A uses, **with the exception of shared housing use**, in an R-4A Zone shall include a mixture of dwelling unit types. A minimum of 30 percent of the dwelling units within a building shall contain two or more bedrooms.

25. Amending Subsection 34AAJ(1) in the R-4 ZONE, as shown below in **bold**, by adding the text “, or 5m² per bedroom in a shared housing use,” after the text “per unit” and before the text “in the form of”.

34AAJ(1) Apartment house buildings shall provide amenity space at a rate of 10 m² per unit, **or 5 m² per bedroom in a shared housing use**, in the form of unit patios, unit balconies or terraces, and interior amenity space. Interior amenity space, shall include one of the following common elements:

26. Amending Section 34B1 in the R-4B ZONE, as shown below in **bold**, by adding Clause “ea.” after Clause (e).

ea. shared housing use;

27. Amending Section 34B20 in the R-4B ZONE, as shown below in **bold**, by adding the text “or shared housing” after the text “apartment house” and before the text “uses in an R-4B”.

34B20 Buildings erected, altered, or used for apartment house **or shared housing** uses in an R-4B Zone shall comply with the following requirements:

28. Amending Section 34B24 in the R-4B ZONE, as shown below in **bold**, by adding the text “and shared housing” after the text “Apartment house” and before the text “uses shall”.

34B24 Apartment house **and shared housing** uses shall comply with the following requirement:

29. Amending Section 34B33 in the R-4B ZONE, as shown below in **bold**, by adding the text “and shared housing uses shall provide amenity space at a rate of 5 square metres per bedroom for shared housing uses,” after the text “per unit,” and before the text “in the form of”

34B33 Apartment house uses shall provide amenity space at a rate of 5 square metres per unit, **and shared housing uses shall provide amenity space at a rate of 5 square metres per bedroom for shared housing uses**, in the form of unit patios, unit balconies or terraces, outdoor amenity space and interior amenity space, as follows:

30. Amending Subsection 38AA(1) in the C-2B ZONE, as shown below in **bold**, by adding Clauses (ea) and (eb) after deleted Clause (e).

- (e) Deleted
- (ea) Short-term rental;**
- (eb) Short-term bedroom rental;**

31. Amending Subsection 38BA(1) in the C-2C ZONE, as shown below in **bold**, by adding Clause (oa) after Clause (o).

- (oa) shared housing use;**

32. Amending Clause 38BG(1)(c) in the C-2C ZONE, as shown below in **bold**, by adding Subclause (iii) after Subclause (ii).

- (c) Notwithstanding subsection 9(a), parking for the following uses shall be provided at the following ratios:
 - (i) 0.5 spaces per bachelor or one-bedroom dwelling unit;
 - (ii) 0.8 spaces per dwelling unit containing two or more bedrooms; and
 - (iii) 0 spaces for a shared housing use.**

33. Amending Subsection 38BM(1) in the C-2C ZONE, as shown below in **bold**, by adding the text “and shared housing uses shall provide amenity space at a rate of 5m² per bedroom in a shared housing use” after the text “per unit,” and before the text “in the form of”.

- 38BM(1) Apartment house buildings shall provide amenity space at a rate of 10 m² per unit, **and shared housing uses shall provide amenity space at a rate of 5m² per bedroom in a shared housing use**, in the form of unit patios, unit balconies or terraces, and interior amenity space. Interior amenity space shall include one of the following common elements:

61. Adding the Heading “Interim Bonus Zoning” and Section 38BQ(1) in the C-2C ZONE, after Section 38BP(2), as shown below in **bold**:

INTERIM BONUS ZONING

38BQ(1) Any lands identified under Schedule A, Table 1 shall be subject to the Interim Bonus Zoning Requirements found in Appendix A.

34. Amending Subsection 38CA(1) in the C-2D ZONE, as shown below in **bold**, by adding Clause (aa) after Clause (a).

(aa) **shared housing use;**

35. Amending Clause 38CJ(1)(b) in the C-2D ZONE, as shown below in **bold**, by adding Subclause (iii) after Subclause (ii).

(iii) **0 spaces for shared housing uses.**

36. Amending Subsection 43(1) in the I-1 ZONE, as shown below in **bold**, by adding Clause (c) after Clause (b).

(c) **cannabis production facilities**

37. Amending the I-1 ZONE, as shown below in **bold**, by adding the heading “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Section 46 after Section 45.

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

46 Where a lot containing a cannabis production facility abuts a lot

- (i) **zoned or used for residential purposes, or**
- (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

38. Amending Subsection 50A(1) in the I-3 ZONE, as shown below in **bold**, by adding Clause (c) after Clause (b); and

(c) **cannabis production facility**

39. Amending the I-3 ZONE, as shown below in **bold**, by adding the heading “OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Section 50A(9) after Section 50A(8).

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

50A(9) Where a lot containing a cannabis production facility abuts a lot

- (i) **zoned or used for residential purposes, or**
- (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

40. Amending Subsection 51(1) in the P ZONE, as shown below in **bold**, by adding Clauses (da) and (db) after Clause (d).

(d) a hospital, public school, university, monastery, church, library, court of law, or other institution of a similar type, either public or private;

(da) a shared housing with special care;

(db) a shared housing use with 10 or fewer bedrooms;

41. Amending Clause 51(1)(f) in the P ZONE, as shown below in **bold**, by adding the text “, (da), (db)” after the text “(d)” and before the text “and (e)”.

(f) uses accessory to any of the uses in (a), (b), (c), (d), **(da), (db)** and (e);

42. Amending Subsection 54 (1) in the T ZONE, as shown below in **bold**, by adding Clause (aa) after Clause (a.3).

(aa) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

43. Amending Clause 54(1)(b) in the T ZONE, as shown below in **bold**, by adding the text “and (aa)” after the text “(a)”.

(b) any use accessory to the uses in (a) **and (aa).**

44. Amending Subsection 61(1) in the H ZONE, as shown below in **bold**, by adding Clause (aa) after Clause (a).

(aa) a shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

45. Amending Clause 61(1)(e) in the H ZONE, as shown below in **bold**, by adding the text “(aa),” after the text “use in (a),” and before the text “(b), (c), and (d).”

(e) any use, other than a privy, accessory to any of the uses in (a), **(aa)**, (b), (c) and (d).

46. Adding ZONES, “US (URBAN SETTLEMENT) ZONE” and “UR (URBAN RESERVE) ZONE” as shown below in **bold**, after the “H ZONE”.

US (URBAN SETTLEMENT) ZONE

61A(1) The following uses shall be permitted in any US Zone:

Single family dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Passive recreation uses

Public parks and playgrounds

Uses accessory to the foregoing uses

61A(2) No person shall in any US Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

61A(3) No person shall in any US Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

61A(4) Buildings erected, altered or used for US uses in a US Zone shall comply with the following requirements:

Minimum Lot Area:	2ha
Minimum Frontage:	110m
Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	15m
Maximum Lot Coverage:	10%
Maximum Height of Main Building:	11m

KEARNEY LAKE - RESIDENTIAL ENVIRONMENTS

61A(5) Notwithstanding Sections 61A(1) through 16A(4), within the area, identified on Schedule ZM-35, existing lots which abut the existing public street network shall be developed subject to the permitted uses and requirements of the R-2 Zone (Two-Family Dwelling Zone).

UR (URBAN RESERVE) ZONE

61AA(1) The following uses shall be permitted in any UR Zone:

(a) Single family dwellings, on existing lots or lots approved pursuant to Section 38 of the Subdivision By-law provided that a private on-site sewage disposal system and well are provided on the lot

(aa) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

(b) Passive recreation uses

(c) Uses accessory to the foregoing uses

61AA(2) No person shall in any UR Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

61AA(3) No person shall in any UR Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

61AA(4) Buildings erected, altered or used for UR uses in a UR Zone shall comply with the following requirements:

Minimum Front or Flankage Yard: 9.1m

Minimum Side Yard: 2.5m

Minimum Rear Yard: 2.5m

**Maximum Lot Coverage:
35%**

Maximum Height of Main Building: 11m

47. Amending the Land Use Bylaw, by adding the “PWS (PROTECTED WATER SUPPLY) ZONE”, as shown below in **bold**, after the “UR (URBAN RESERVE) ZONE”.

PWS (PROTECTED WATER SUPPLY) ZONE

62(1) The following uses shall be permitted in any PWS Zone:

(a) Municipal water distribution or purification facilities

(b) Conservation uses

(c) Uses accessory to the foregoing uses

62(2) No person shall in any PWS Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

62(3) No person shall in any PWS Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

62(4) Buildings erected, altered or used for PWS uses in a PWS Zone shall comply with the following requirements:

Minimum Front or Flankage Yard:	9.1m
Minimum Rear or Side Yard:	4.6m

62(5) OTHER REQUIREMENTS: SETBACKS FROM WATER SUPPLY SOURCES

(a) No development permit shall be issued for any development within 30 metres of any lake or other watercourse within the PWS (Protected Water Supply) Zone, except for the uses permitted under Section 62(1).

(b) Notwithstanding Section 14QA water distribution or purification uses may be built to the lot line where the line corresponds to the shore line.

48. Amending the Subsection 62EA(1) in the ICH ZONE, as shown below in **bold**, by adding Clause 1.5 after Clause 1.

1. Single Unit Dwellings

1.5 Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

49. Adding the Zones, “RPK (REGIONAL PARK) ZONE” and the “PA (PROTECTED AREA) ZONE” as shown below in **bold**, after the ICH ZONE.

RPK (REGIONAL PARK) ZONE

62EC(1) The following uses shall be permitted in any RPK Zone:

(a) Recreation uses

(b) Conservation uses

(c) Uses accessory to the foregoing uses

62EC(2) No person shall in any RPK Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

62EC(3) No person shall in any RPK Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

62EC(4) Buildings erected, altered or used for RPK uses in an RPK Zone shall comply with the following requirements:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area

PA (PROTECTED AREA) ZONE

62ED(1) The following uses shall be permitted in any PA Zone:

- (a) Scientific study and education, involving no buildings**
- (b) Trails, boardwalks or walkways**
- (c) Conservation uses**
- (d) Uses accessory to the foregoing uses**

62ED(2) No person shall in any PA Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

62ED(3) No person shall in any PA Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

62ED(4) Structures erected, altered or used for PA uses in a PA Zone shall comply with the following requirements:

Minimum Lot Area:	930m²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

**62ED(5) OTHER REQUIREMENTS: GRADE ALTERATION AND
VEGETATION REMOVAL**

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

50. Amending Subsection 68(4) in SCHEDULES, as shown below in **bold**, by adding clause (ea) after Clause (e).

(e) attached houses;
(ea) **shared housing uses;**

51. Amending Clause 70(c) in SCHEDULES, as shown below in **bold**, by adding the text “shared housing with special care at a larger scale than would be permitted in the underlying zone” after the text “permit” and before the text “on the former”.

(c) permit **shared housing with special care at a larger scale than would be permitted in the underlying zone** on the former Titus Smith School Site in accordance with Policies 1.7 and 1.7.1

52. Amending Clause 72(a) in SCHEDULES, as shown below in **bold**, by adding the text “shared housing with special care” after the text “complex including” and before the text “on Block F, Kelly Street,”.

Block F, Kelly Street

(a) permit a residential complex including **shared housing with special care** on Block F, Kelly Street, in accordance with Policies 1.2.3 and 1.2.3.1.

53. Amending SCHEDULES, as shown below in **bold**, by adding Section 71(2)(A) “Heritage Property” after deleted Section 71(2).

71(2)(A) Heritage Property

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

54. Amending “SCHEDULES”, as shown below in **bold**, by adding Section “73 CONSERVATION DESIGN DEVELOPMENT – DEVELOPMENT AGREEMENTS” after Section 72(5).

73 CONSERVATION DESIGN DEVELOPMENT – DEVELOPMENT AGREEMENTS

Notwithstanding anything in this by-law, in areas designated Rural Commuter under the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement:

- (a) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

55. Amending SCHEDULES, as shown below in **bold**, by adding Section “75” after Section “74”.

75 Pursuant to Implementation Policies, Policy 3.22, 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.

56. Adding Map “ZM-25 - Wind Energy Zoning” after Map “ZM-24 Northwest Arm” as shown in Schedule C-16A, attached hereto.
57. Adding “Appendix A: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” after the WA (Water Access) Zone as shown in Schedule C-16B, attached hereto.
58. Adding “Schedule A: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after “ZM-35 Kearney Lake Area” as shown in Schedules C-16C and C-16D, respectively, attached hereto.
59. Zoning Maps “ZM-1 Zoning (North Section, Centre Section, South Section)” is amended to rezone the properties to Regional Park (RPK) Zone, Protected Water Supply (PWS) Zone, Protected Area (PA) Zone, Urban Reserve (UR) Zone, and Urban Settlement (US) Zone, as shown in Schedule C-16E attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this _____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-17

Proposed Amendments to the Municipal Planning Strategy for Lawrencetown

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

1. Amending SECTION II under the heading LAWRENCETOWN DESIGNATION, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to,” after the text “small scale” and before the text “bed and breakfasts” in the ninth paragraph.

Lawrencetown's unique coastal environment and proximity to the Halifax-Dartmouth metropolitan area makes it an ideal location for tourist accommodations. The designation supports small scale **short-term bedroom rentals such as, but not limited to**, bed and breakfast establishments, which are considered to be compatible with the overall environment and character of the Lawrencetown area. The Lawrencetown Designation does not, however, provide for motel/hotel complexes.

2. Amending Policy P-2, as shown below in **bold**, by:
 - a. Adding the text “short-term bedroom rentals” after the text “daycare facility and” and before the text “of a limited size”; and
 - b. Adding the text “short-term bedroom rentals” after the text “day care facilities and” and before the text “. The zone will also”.

P-2 Within the Lawrencetown Designation, it shall be the intention of Council to establish a Rural Residential (RR-1) Zone which permits existing uses, single unit dwellings, auxiliary dwelling units of a limited size, mobile homes which are skirted, non-intensive agricultural uses, small scale forestry uses, fishing and fishery related uses, and home business, day care facility and **short-term bedroom rentals** of a limited size and operated by a resident of the dwelling, municipal facility uses, as well as public and private parks. Provisions of the zone will control outdoor storage and display, signage, and parking areas and limit the number of employees associated with home businesses, day care facilities and **short-term bedroom rentals**. The zone will also establish separation distances for agricultural uses. Existing community commercial uses identified in Appendix 'B' of the land use by-law will be permitted to expand, subject to the maximum size requirements of the zone. In addition, special access requirements shall be established for existing service stations. Existing industrial uses identified in Appendix C shall be permitted to expand subject to the requirements of the appropriate zone, as specified in the appendix.

3. Amending the first paragraph before Policy P-7, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care uses at a larger scale than permitted under the land use by-law” after the text “to provide for” and before the text “and will consider”; and
- b. Adding the text “within the Lawrencetown Designation by development agreement” after the text “consider such uses”.

As residential areas and neighbourhoods develop over time, the need for community facilities increases. However, because of the wide range of uses that fall into this category, development concerns associated with community facility uses vary with the type and operational characteristics of a particular use. The Lawrencetown Designation, therefore, while being supportive of such uses, recognizes the diversity of development concerns and will attempt to control, as much as possible, the negative affects of such uses through the development agreement process. However, certain of these uses are owned by the Municipality and shall not be subject to the development agreement process. The expansion and development of such municipally owned uses will be accommodated within the land use by-law. Furthermore, while new multiple unit dwellings are not permitted within the Lawrencetown Plan Area, the Lawrencetown Designation recognizes the need to provide for **shared housing with special care uses at a larger scale than permitted under the land use by-law** and will consider such uses **within the Lawrencetown Designation by development agreement**.

4. Amending SECTION II as shown below in **bold**, by adding Policy P-7A and P-7B after Policy P-7.

P-7A 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. Within the Residential Designation, 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;**
- (m) **the effects of the development on the natural environment as contained in a report from the appropriate Federal or Provincial Authority;**
- (n) **the effects of the development on heritage resources as shown on Map 3; and**
- (o) **the provisions of Policy P-61.**

P-7B **In addition to Policy P-7A, 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.**

5. Amending the first paragraph in SECTION II before Policy P-8, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to,” after the text “lodges, short-term rentals,” and before the text “bed and breakfast operations”.

Given the recreational and aesthetic qualities of Lawrencetown, the abundance of large tracts of vacant land, and the existence of land with frontage on bodies of salt water, certain

tourist related accommodations and certain water-related recreation uses could potentially be integrated within the semi-rural environment supported by the Lawrencetown Designation. The types of tourist related accommodations that would be acceptable would be limited to campgrounds, lodges, **and short-term bedroom rentals such as, but not limited to**, bed and breakfast operations of a larger scale than permitted under the land use by-law provisions. The types of water-related recreational uses that would be acceptable would be limited to facilities located on property with frontage on a body of salt water¹ allowing for activities such as canoeing, kayaking windsurfing, surfing and other non-motorized means of movement on water.

6. Amending Policy P-59, as shown below in **bold**, by:

- a. Adding Clause (ba) after Clause (b); and
- b. Adding the text “short-term rentals” before the text “lodges” in Clause (c).

P-59 The following uses shall only be considered subject to the entering into of a development agreement according to the provisions of Sections 55, 73 and 74 of the Planning Act, within the Lawrencetown Designation:

- (a) home business uses in excess of one thousand (1,000) square feet of gross floor area, according to Policy P-3;
- (b) community facility uses according to Policy P-7;
- (ba) Shared housing with special care at a larger scale than permitted in the underlying zone uses according to Policies P-7A and P-7B;**
- (c) short-term bedroom rentals**, lodges, campgrounds and certain water-related recreational uses according to Policy P-8; and
- (d) local business store uses in excess of one thousand (1,000) square feet of gross floor area, according to Policy P-6.
- (e) change of use of existing commercial and industrial uses according to Policy P-39A.

7. Amending SECTION IV, as shown below in **bold**, by adding Policy P-74, P-75, and P-76 after Policy P-73.

P-74 Where there is enabling policy to consider the development, by development agreement, of a 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.

P-75 Notwithstanding Policies P-7A and P-7B, applications for non-substantive amendments to development agreements that were in effect on the coming in force of Policies P-7A and P-7B 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.

P-76 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-18

Proposed Amendments to the Land Use Bylaw for Lawrencetown

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

1. Amending the “Table of Contents”, by adding the text “4.12A ACCESSORY HEN USE” immediately after the text “4.12 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.13A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.13 ACCESSORY USES AND STRUCTURES”.
3. Amending the “Table of Contents”, by adding the text “4.19 WATERCOURSES” immediately after the text “4.18 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.19A COASTAL AREAS” immediately after the text “4.19 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.31 WIND ENERGY FACILITIES” after the deleted text “4.30 SCHEDULE C – WETLANDS OVER 2000 SQ. METRES”.
6. Amending the “Table of Contents”, by adding the text “4.32 PUBLIC TRANSIT FACILITIES”, “4.33 CANNABIS-RELATED USES” and “4.34 SHORT-TERM RENTALS” immediately after the text “4.31 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 11: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 10: I-2 (LIGHT INDUSTRY) ZONE”.
8. Amending the “Table of Contents”, by adding the text “Schedule A-1 - Wind Energy Zoning” immediately after the text “APPENDIX ‘D’: PROPOSED USES FOR WHICH BUILDING PERMITS HAVE BEEN ISSUED”.
9. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

10. Amending Section 2.10A in PART 2, as shown below in **bold**, by adding the definition “2.10A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) after Section 2.10.

2.10A “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

11. Amending PART 2, as shown below in **bold**, by adding the definitions “2.10B CANNABIS LOUNGE”, “2.10C CANNABIS PRODUCTION FACILITY” and “2.10D CANNABIS RETAIL SALES” after Section 2.10A.

2.10B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.10C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

2.10D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

12. Amending Section 2.12 in PART 2, as shown below in **bold**, by adding the text “, and shared housing with special care,” after the text “homes and cemeteries” and before the text “together with the buildings.”

2.12 COMMUNITY FACILITY USE means a building or lot or part of a building or lot used for educational institutions and uses, denominational institutions and uses, day care facilities, fire and police stations, government office and public works,

hospitals and medical clinics, libraries, art galleries and museums, fraternal centres, community centres and has, recreational uses, funeral homes and cemeteries, **and shared housing with special care**, together with the buildings and structures accessory thereto, but shall not include any such use owned in whole or part by Halifax County Municipality.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.12AA CONSERVATION USE” after Section 2.12A.

2.12AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

14. Amending Subsection 2.18(c) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “completely detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.28A HEN” after Section 2.28.

2.28A HEN means adult female chicken.

16. Amending Section 2.29A in PART 2, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “day care facility,” and before the text “fire station”.

2.29A INSTITUTIONAL USE means any educational or denominational use, day care facility, shared housing with special care, fire station, police station, public works, hospital, public library, post office, museum and gallery, community centre and hall, recreation use or open space use.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.57 RECREATION USE” after Section 2.56.

2.57 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.66A SHARED

HOUSING” , “2.66B SHARED HOUSING WITH SPECIAL CARE”, “2.66C SHORT-TERM BEDROOM RENTAL” and “2.66D SHORT-TERM RENTAL” after Section 2.66.

2.66A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.66B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

2.66C SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.66D SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.71.5 SUITE” after Section 2.71.

2.71.5 SUITE

(a) Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

(b) Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.71B WATER CONTROL STRUCTURE” after Section 2.71A.

2.71B WATER CONTROL STRUCTURE - means any device or infrastructure

designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.72 WATERCOURSE” after Section 2.71B.

2.72 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

22. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone” below the text “Holding Zone”

Infrastructure Zones

ICH Infrastructure Charge
Holding Zone

Special Area Zones

RPK Regional Park Zone

23. Amending Section 3.6 in PART 3, as shown below in **bold**, by:

- a. Adding the text “P-7A, P-7B,” after the text “P-7,” and before the text “P-8”;
- b. Adding the text “and P-74” after the text “P-39A; and before the text “of the”;
- c. Adding the text “and shared housing with special care” after the text “facility uses” and before the text “within the” in Subsection (b);
- d. Adding Subsection (f) after Subsection (e);
- e. Adding Subsection (g) after Subsection (f); and
- f. Adding preamble and Clause (i) after the text “in accordance with the provisions of the Planning Act”.

3.6 USES CONSIDERED BY DEVELOPMENT AGREEMENT

Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with Sections 55, 73 and 74 of the Planning Act. As provided for by Policies P-3, P-6, P-7, **P-7A, P-7B**, P-8 and P-39A **and P-74** of the Municipal Planning Strategy for Lawrencetown, such uses are as follows:

- (a) home business uses in excess of one thousand (1,000) square feet (92.9 m²) of gross floor area within the Lawrencetown Designation;
- (b) community facility uses **and shared housing with special care** (within the Lawrencetown Designation);
- (c) certain tourist related accommodations and certain water-related recreation uses within

the Lawrencetown Designation;

(d) local business store uses in excess of 1,000 square feet (92.9 m²) of gross floor area within the Lawrencetown Designation;

(e) the change of use of existing commercial and industrial uses within the Lawrencetown Designation.

(f) Pursuant to Policy P-75, 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.

(g) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

In addition, the development of certain uses which are permitted within any CDD (Comprehensive Development District) may only be considered in accordance with the provisions of Planning Act.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

(i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

24. Amending PART 3, as shown below in **bold**, by adding Section “3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

25. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B, 4.1C, 4.1D, and 4.1E, after deleted Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning

Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

4.1C An accessory hen use is exempt from the requirement to obtain a development permit.

4.1D A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.

4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

26. Amending Section 4.3 in PART 4, as shown below in **bold** and ~~strikeout~~, by adding Subsection (d) after Subsection (c).

(d) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

27. Amending Section 4.5 in PART 4, as shown below in **bold**, by adding the text “, except where backyard suites are permitted” after the text “dwelling on a lot”.

4.5 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

28. Amending PART 4, as shown below in **bold**, by adding Section “4.12A ACCESSORY HEN USE” after Section 4.12.

4.12A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

(a) The maximum number of hens permitted on a lot shall be:

- i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
- ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
- iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
- iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**

- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 4.12A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

29. Amending PART 4, as shown below in **bold**, by adding Section “4.13A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.13.

4.13A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or a two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;

- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.19 WATERCOURSES” after Section 4.18.

4.19 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the

buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.

(c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.
- (7) Within the required buffer pursuant to subsection (1), and (2), and notwithstanding Section (4) and (5), along the shore of Lawrencetown Lake or any coastal wetland area as shown on Map 2, Coastal Wetlands of the Lawrencetown Municipal Planning Strategy, activity shall be limited to the placement of board walks, walkways and trails, conservation uses and buildings and structures for conservation related uses, wilderness campsites or non-motorized water related recreation uses.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

31. Amending PART 2, as shown below in **bold**, by adding Section “4.19A COASTAL AREAS” after Section 4.19.

4.19A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:
 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or

located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

32. Amending Subsection 4.25 (a) in PART 4, as shown below in **bold**, by adding the text “Shared Housing Use 0 spaces” below the text “Auxiliary Dwelling Unit 1 space per auxiliary apartment unit”.

Auxiliary Dwelling Unit	1 space per auxiliary apartment unit
Shared Housing Use	0 spaces

33. Amending Subsection 4.25 (a) in PART 4, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “Motels, hotels and”.

Motels, hotels and **short-term bedroom rentals**

1 space per sleeping unit plus requirements for restaurants or other facilities contained therein

34. Amending Subsection 4.25(a) in PART 4, as shown below in bold, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as
otherwise specified

where there are fixed seats
the greater of 1 space per 4 seats and 1 space
per 100 square feet (9.3 m²) of gross floor
area;

35. Amending PART 4, as shown below in **bold**, by adding Sections “4.31 WIND ENERGY FACILITIES” after Section 4.30A.

4.31 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion**

- electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
- i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

- (UW-1) Urban Wind Zone**
- (RW-2) Rural Wind Zone**
- (R) Restricted Zone**

- a) **URBAN WIND ZONE (UW-1)**
 - i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
 - ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a

- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent

- v) **Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
- vi) **Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent

property boundary.

c) RESTRICTED ZONE (R)

- i) Wind Energy Facilities shall not be permitted in the Restricted Zone.**

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;**
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,**
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**
 - i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is**

submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

- i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
- i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Lawrencetown Land Use By-law:
- i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.

- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) **Schedule A-1 – Wind Energy Zoning.**

36. Amending PART 4, as shown below in **bold**, by adding Sections “4.32 PUBLIC TRANSIT FACILITIES”, “4.33 CANNABIS-RELATED USES” and “4.34 SHORT-TERM RENTALS” after Section 4.31.

4.32 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.33 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.34 SHORT-TERM RENTALS

- (a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- (b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**

- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

(c) Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met.

37. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a dwelling unit;” below the text “Auxiliary dwelling units;”.

Auxiliary dwelling units;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

38. Amending Section 6.8 in PART 6, as shown below in **bold**, by adding the text “and excluding an accessory hen use,” after the text “Section 6.2,” and before the text “where any barn”.

Notwithstanding the provisions of Section 6.2, **and excluding an accessory hen use**, where any barn, stable or other building intended for the keeping of animals or birds is to be erected in any RR-1 Zone, no structure shall:

39. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Auxiliary dwelling units;”.

Auxiliary dwelling units;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

40. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations (refer to Section 4.28)”.

Composting operations (refer to Section 4.28)
Cannabis production facilities

41. Amending PART 10, as shown below in **bold**, by adding Section “10.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 10.6

10.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot**
(i) zoned or used for residential purposes, or

- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

42. Adding a PART, “PART 11: RPK (REGIONAL PARK) ZONE” as shown below in **bold**, after PART 10.

PART 11: RPK (REGIONAL PARK) ZONE

11.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses, except where the uses would destroy the natural processes of the area

Conservation uses

Uses accessory to the foregoing uses

Other Uses

Existing dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Uses accessory to permitted dwellings and recreational uses, except where the uses would destroy the natural processes of the area.

11.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

Maximum Lot Coverage: 50% for lots less than 4 ha in area, or
5% for lots 4 ha or more in area

Maximum Height of Main Building 10.7 m

43. Amending Section 12D.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” immediately below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Adding “Schedule A-1 - Wind Energy Zoning” as shown in Schedule C-18A, after Appendix D, attached hereto.
45. Zoning Map “Schedule A: Lawrencetown Zoning Map” is amended to rezone the properties to Regional Park (RPK) Zone as shown in Schedule C-18B attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-19

Proposed Amendments to the Municipal Planning Strategy for Musquodoboit Valley /Dutch Settlement

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Musquodoboit Valley/Dutch Settlement is hereby amended as follows:

1. Amending SECTION II, as shown below in **bold**, by adding Policy T-4 after Policy T-1.

T-4 It shall be the policy of Council to carefully assess the issue of upgrading private roads. In carrying out this assessment, Council shall have regard to the administrative and financial implications of increased involvement in private road development. It shall further be the intention of Council that, in seeking an equitable financial arrangement for upgrading such roadways, a burden not be placed on general public expenditure. Furthermore, it shall be the intention of Council to permit the approval of three (3) lots per calendar year for each parcel of land having frontage on an existing private road. Only residential, open space, and resource uses shall be permitted along these roadways.

2. Amending SECTION III under the heading Land Use Intent, as shown below in **bold**, by adding the text “shared housing uses” after the text “unit dwellings and” and before the text “It is felt” in the third paragraph.

Land Use Intent

Given the desire of residents to maintain traditional development rights, the existing character of their communities, and the integrity of the natural environment, it is the intent of the Mixed Use Designation to support and encourage a broad range of uses. However, certain categories of uses that could be potentially harmful to the natural or residential environments are either restricted or not permitted at all within the designation such as salvage yards or industries that produce processed water that cannot be disposed of by means of an on-site sewage disposal system.

Within the Mixed Use designation, residential development is an important component of land use pattern. Currently, the majority of the housing stock is composed of single unit dwellings, with a scattering of mobile homes and two unit dwellings. The continued development of such uses within the designation will be supported.

There is support for multi-unit dwellings and **shared housing uses**. It is felt that current provincial health requirements guarantee sufficient environmental protection and provide for adequate separation of such developments from neighbouring properties.

3. Amending Policy MU-10, as shown below in **bold**, by adding the text “, short-term bedroom rentals,” after the text “ including daycare facilities” and before the text “and the keeping of”.

MU-10 It shall be the intention of Council to establish a rural residential (RR-1) zone which permits single and two unit dwellings, existing mobile dwellings, community facility uses and limited use of residential properties for business purposes, including daycare facilities, **short-term bedroom rentals**, and the keeping of hooved animals. This zone shall also be applied to existing commercial and resources uses intermixed with residential areas.

4. Amending SECTION III under the heading VILLAGE DESIGNATION and the subheading Land Use Intent, as shown below in **bold**, by adding the text “larger scale shared housing uses” after the text “ (more units) and” and before the text “could be developed” in the third paragraph.

Land Use Intent

Like the Mixed Use Designation, residents wish to maintain traditional development rights, the existing character of their communities, and the integrity of the natural environment. Therefore, it is the intent of the Village Designation to support and encourage a broad range of uses. Due to the desire for a mix of land uses, it is felt that land use regulations should be established to minimize the impact of such diversity on the natural and built environments. Consequently, certain types of uses are either restricted or not permitted at all such as new forest processing operations, intensive livestock operations, or commercial recreational uses.

Within the Village designation, residential development is the dominant land use. The majority of the residential development consists of single unit dwellings, with a scattering of mobile homes, two unit dwellings, and multi-unit dwellings. The continued development of such uses within the designation will be supported.

It is, also, recognized that large multi-unit dwellings (four or more units) and **larger scale shared housing uses** could be developed out of context with surrounding uses or place strain on local services or the environment (on-site sewage disposal system). Therefore, both uses shall not be permitted by right.

5. Amending Policy VIL-2, as shown below in **bold**, by adding the text “, shared housing uses, short-term bedroom rentals,” after the text “mobile dwellings” and before the text “the limited use”.

VIL-2 Within the Village Designation, it shall be the intention of Council to create the village (VIL) zone which permits single and two unit dwellings, multiple unit dwellings up to three units, mobile dwellings, **shared housing uses, short-term bedroom rentals**, the limited use of residential properties for home business

uses, community facility uses, and light industrial uses. The village (VIL) zone shall, also, permit a wide range of commercial uses except for adult entertainment uses. In order to address compatibility concerns, provisions within the zone shall establish controls on open storage, parking, outdoor display, and screening. Forestry and agricultural uses, with the exception of intensive agricultural operations, shall be permitted subject to requirements that compatibility concerns with surrounding land uses.

6. Amending SECTION III under the heading VILLAGE DESIGNATION, as shown below in **bold**, by:

- a. Adding the text “Shared Housing with Special Care” to the subheading “Senior Citizen Housing”;
- b. Adding the text “Shared housing with special care” before the text “should be encouraged” to the paragraph below the subheading;
- c. Adding Policy VIL-5A after deleted Policy VIL-5; and
- d. Adding Policy VIL-5B after Policy VIL-5A.

Senior Citizen Housing / **Shared Housing with Special Care**

In 1991, the number of senior citizens within the Plan Area was double the County average which raises concerns relative to the housing needs for senior citizens. Residents are generally supportive of senior citizen housing. These facilities provide an opportunity for older residents, who no longer are able to or wish to live in their own homes, to remain within their respective communities and in close contact with family members. **Shared housing with special care** should be encouraged to locate within the village designation due to the range of goods and services offered.

At the same time, it is also recognized that senior citizen housing, like multi-unit dwellings must be developed in context with surrounding land uses and should not put undue strain on local services or the environment (on-site sewage disposal system). Therefore, such uses shall only be permitted by development agreement.

VIL-5 Deleted

VIL-5A 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 Policy VIL-2, within the Village Designation, 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-10.**

VIL-5B In addition to Policy VIL-5A, 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.**

7. Amending Policy MU-10, as shown below in **bold**, by adding the text “, short-term bedroom rentals, ” after the text “including daycare facilities,” and before the text “and the keeping”.

MU-10 It shall be the intention of Council to establish a rural residential (RR-1) zone

which permits single and two unit dwellings, existing mobile dwellings, community facility uses and limited use of residential properties for business purposes, including daycare facilities, **short-term bedroom rentals**, and the keeping of hooved animals. This zone shall also be applied to existing commercial and resources uses intermixed with residential areas.

8. Amending Subclause (b)(iii) in Policy IM-9, as shown below in **bold**, by:
- Adding the text “Shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to”;
 - Adding the text “ies” to the text “Polic”; and
 - Adding the text “A and VIL-5B” after the text “VIL-5”.

IM-9 The following uses shall only be considered subject to the entering into a development agreement in accordance with the provisions of the Planning Act.

- within the Mixed Use Designation:
 - commercial recreation uses according to Policy MU-5;
 - salvage yards according to Policy MU-6;
 - mobile home parks according to Policy MU-3; and
 - aquaculture uses according to Policy MU-7.
- within the Village Designation:
 - recycling depots according to Policy VIL-3;
 - multi-unit dwellings according to Policy VIL-4;
 - Shared housing with special care at a larger scale than permitted in the underlying zone** according to Policies VIL-5A and VIL-5B;

9. Amending SECTION IV as shown below in **bold**, by adding Policies IM-26, IM-27, and IM-28 after Policy IM-25.

IM-26 Where there is enabling policy to consider the development, by development agreement, of a 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.

IM-27 Notwithstanding Policies VIL-5A and VIL-5B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in effect on the coming in force of Policies VIL-5A and VIL-5B 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.

IM-28 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-20
Proposed Amendments to the Land Use Bylaw for
Musquodoboit Valley & Dutch Settlement

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Musquodoboit Valley & Dutch Settlement is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDING”.
2. Amending the “Table of Contents”, by adding the text “4.12A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.19 WATERCOURSES” immediately after the text “4.18 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.27 USES PERMITTED ON EXISTING PRIVATE ROADS” immediately after the text “4.26 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.31 WIND ENERGY FACILITIES”, “4.32 PUBLIC TRANSIT FACILITIES” , and “4.33 CANNABIS-RELATED USES” immediately after the deleted text “4.30 SCHEDULE G - WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.34 SHORT-TERM RENTALS” immediately after the text “4.33 CANNABIS-RELATED USES”.
7. Amending the “Table of Contents”, by adding the text “PART 10A: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 10: P-4 (PARK) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 11A: PA (PROTECTED AREA) ZONE” immediately after the text “PART 11: EX (EXHIBITION) ZONE”.
9. Amending the “Table of Contents”, by adding the text “Schedule A-1 - Wind Energy Zoning” immediately after the text “APPENDIX “A”: NON CONFORMING USES”.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

11. Amending Section 2.13A in PART 2, as shown below in **bold**, by adding the definition “CANADIAN GEODETIC VERTICAL DATUM (2013)” after Section 2.13.

2.13A “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.13B CANNABIS LOUNGE”, “2.31C CANNABIS PRODUCTION FACILITY”, and “2.13D CANNABIS RETAIL SALES” after Section 2.13A.

2.13B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.13C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

2.13D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.16E CONSERVATION USE” after Section 2.16D.

2.16E CONSERVATION USE means any activity carried out for the purpose of

conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

14. Amending Subsection 2.23(c) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.38A HEN” after Section 2.38.

2.38A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

16. Amending Section 2.39A in PART 2, as shown below in **bold**, by adding the text “, shared housing with special care” after the text “day care facility” and before the text “fire station”.

2.39A INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire station, police station, public works, hospital, public library, post office, museum and gallery, community centre and hall, recreation use or open space use.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.70 RECREATION USE” after Section 2.69 .

2.70 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.79A SHARED HOUSING USE” and “2.79B SHARED HOUSING WITH SPECIAL CARE” after Section 2.79.

2.79A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) **that are rented for remuneration as separate rooms for residential accommodation; or**

- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use, and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.79B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.80A SHORT-TERM BEDROOM RENTAL” and “2.80B SHORT-TERM RENTAL” after Section 2.80.

2.80A SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.80B SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

20. Amending PART 2, as shown below in **bold**, by adding definition “2.84A SUITE” after Section 2.84.

2.84A SUITE

- (a) **Suite, Backyard** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Suite, Secondary** means a self-contained subordinate dwelling unit that is located within a residential main building.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.88A WATER CONTROL STRUCTURE” after Section 2.88.

2.88A WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.89 WATERCOURSE” after Section 2.88A.

2.89 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

23. Amending Subsection 3.3(e) in PART 3, as shown below in **bold**, by adding Clause (iv), (v), and after Clause (iii).

- e) Notwithstanding Subsection 3.3(a), no development permit shall be required for the following:
 - (i) any open space use which does not involve a building or structure;
 - (ii) any sign which is permitted under Section 5.5 of this By-law; and
 - (iii) any accessory building or structure which has less than two hundred and fifteen (215) square feet (20 m²) of gross floor area.
 - (iii) An accessory hen use.**
 - (v) A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
 - (vi) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

24. Amending PART 3, as shown below in **bold**, by adding Section 3.3B after deleted Section 3.3A.

3.3B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

25. Amending Section 3.11 in PART 3, as shown below in **bold**, by adding the text “Regional Parks Zone RPK Regional Park Zone” and “Protected Area Zone PA Protected Area Zone” below the text “Park Zone P-4 Park Zone”.

Park Zone	P-4	Park Zone
Regional Park Zone	RPK	Regional Park Zone
Protected Area Zone	PA	Protected Area Zone

26. Amending Clause 3.16(b)(iv) in PART 3, as shown below in **bold**, by:
- a. Adding the text “shared housing with special care” before the text “according to Policy”; and
 - b. Adding the text “A and VIL-5B” after the text “VIL-5”.

- (iv) **shared housing with special care** according to Policy VIL-5A and VIL-5B.

27. Amending Section 3.16 in PART 3, as shown below in **bold**, by:

- c. Adding Subsection (c) after Subsection (b); and
- d. Adding Preamble and Clauses (i) after Subsection (c).

(c) Within all Designations, pursuant to Policy IM-26, where there is enabling policy to consider, by development agreement, the development 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.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Agricultural:

(i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

28. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.17 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.16; and
- b. Adding Section “3.18 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.17; and

3.17 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.18 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

29. Amending Section 4.2 in PART 4, as shown in **bold** below, by adding Subsection (c) after Clause (b).

(c) Notwithstanding Sections 4.2(a) & 4.2(b), a single unit dwelling and a backyard suite may be located on the same lot.

30. Amending Section 4.6 in PART 4, as shown below in **bold**, by adding Subsection (b) after Subsection (a).

(b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.11A ACCESSORY HEN USE” after Section 4.11.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;**
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;**
 - iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
 - iv. is setback a minimum of 1 metre from any side or rear lot line.**
- (c) The following are not permitted:**
 - i. On-site slaughtering or euthanizing of hens; and**
 - ii. The sale of eggs, meat or hens.**

32. Amending PART 4, as shown below in **bold**, by adding Section “4.12A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12.

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, or a two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 4.23, additional off-street parking shall not be required; and**
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling, or a multiple unit dwelling containing three (3) dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93 square metres);**
- (v) Notwithstanding the parking requirements of Section 4.23, additional off-street parking shall not be required;**
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;**
- (viii) A backyard suite shall have unobstructed access that**
 - (A) connects the backyard suite to a street or private road,**
 - (B) is located on the same lot on which the backyard suite is located,**
 - and**
 - (C) has a minimum width of 1.1 metres, and**
- (ix) a non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 93 square metres.**

33. Amending PART 4, as shown below in **bold**, by adding Section “4.19 WATERCOURSES” after Section 4.18.

4.19 WATERCOURSES
WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

34. Amending Subsection 4.23(a) in PART 4, as shown below in **bold**, by adding the text “Shared Housing Use 0 spaces” below the text “Multiple dwellings 1.5 spaces per dwelling unit”.

Multiple dwellings
Shared Housing Use

1.5 spaces per dwelling unit
0 spaces

35. Amending Subsection 4.23(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “tourist cabins, guest homes”

Motels, hotels, tourist cabins,
guest homes, **and short-term bedroom
rentals**

1 space per sleeping unit plus requirements
for accessory uses such as restaurants,
lounges, retail space, etc.

36. Amending Subsection 4.23(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as
otherwise specified

where there are fixed seats, the
greater of 1 space per 4 seats or

37. Amending PART 4, as shown below in **bold**, by adding Section “4.27 USES PERMITTED ON EXISTING PRIVATE ROADS” after Section 4.26A.

4.27 USES PERMITTED ON EXISTING PRIVATE ROADS

Notwithstanding anything else in this By-law, development on existing private roads shall be restricted to residential, open space, and resource uses.

38. Amending PART 4, as shown below in **bold**, by adding Section “4.31 WIND ENERGY FACILITIES” after repealed section 4.30.

4.31 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**

- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
 - ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) RURAL WIND ZONE (RW-2)**
- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that

- (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:

- i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Musquodoboit Valley & Dutch Settlement Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) **Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.**
- b) **The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.**
- c) **The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law**

IX SCHEDULES

- a) **Schedule A-1 – Wind Energy Zoning.**

39. Amending PART 4, as shown below in **bold**, by adding Sections “4.32 PUBLIC TRANSIT FACILITIES” and “4.33 CANNABIS-RELATED USES” after Section 4.31.

4.32 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.33 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

40. Amending PART 4, as shown below in **bold**, by adding “4.34 SHORT-TERM RENTALS” after Section 4.33.

4.34 SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms may be rented as a short-term bedroom rental at the same time except in the RR-1 and VIL zones up to six (6) bedrooms may be rented;**

- iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**
- c) **Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met.**

41. Amending Section 6.1 in PART 6, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “Shared housing use” below the text “Auxiliary dwelling units”; and
- b. Deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Daycare facilities for not more than fourteen (14) children and in conjunction with permitted single unit dwellings”.

Residential Uses

Single unit dwellings

Two unit dwellings

Auxiliary dwelling units

Shared housing use

Home occupations and keeping of certain hooved animals in conjunction with permitted dwellings

Daycare facilities for not more than fourteen (14) children and in conjunction with permitted single unit dwellings

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

42. Amending Subsection 6.2(a) in PART 6, as shown below in **bold**, by:

- a. adding the text “dwellings” after the text “Single unit” and before the text “Mobile dwellings”; and
- b. adding the text “and shared housing use” after the text “Mobile dwellings”.

(a) Minimum lot area:

Single unit **dwellings**,

Mobile dwellings, **and**

shared housing use

6,000 sq.ft. (557.4 m²)

20,000 sq.ft. (1,858 m²)⁵

43. Amending Section 7.1 in PART 7, as shown below in **bold** and ~~strikeout~~, by adding the text “Shared housing use” below the text “Multi-unit dwellings containing 3 or 4 dwelling units within the Urban Service Area under Schedule B of the Regional Subdivision By-law”; and

Residential Uses

Single unit dwellings

Two unit dwellings

Auxiliary dwelling units

Multi-unit dwellings up to three units

Multi-unit dwellings containing 3 or 4 dwelling units within the Urban Service Area under Schedule B of the Regional Subdivision By-law

Shared housing use

Daycare facilities for not more than fourteen (14) children and in conjunction with permitted single unit dwellings

44. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Automotive repair outlets”.

Automotive repair outlets

Cannabis production facilities

45. Amending Subsection 7.2(a) in PART 7, as shown below in **bold**, by:
- Adding the text “dwellings,” after the text “Single unit” and before the text “mobile dwellings;” and
 - Adding the text “and shared housing use” after the text “mobile dwellings;”.

- Minimum lot area:

Single unit **dwellings**,
mobile dwellings, **and**
shared housing use

6,000 sq.ft. (557.4 m²)

20,000 sq.ft. (1,858 m²)

46. Amending PART 7, as shown below in **bold**, by adding Section “7.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 7.14.

7.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) Where a lot containing a cannabis production facility abuts a lot

- zoned or used for residential purposes, or**
- that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

47. Amending PART 8, as shown below in **bold**, by adding Section 8.1.

8.1 MU USES PERMITTED

No development permit shall be issued in any MU (Mixed Use) Zone except for the following:

Residential Uses

Single unit dwellings

Two unit dwellings

Multi-unit dwellings

Shared housing use

Bed and breakfast establishments

Institutional Uses

Day care facilities

Community centres and halls

Open space uses

Public parks, trails, picnic areas and campsites

Commercial uses accessory to a public park use

Museums, interpretive centres, and buildings associated with park development and maintenance

Historic sites and monuments

Commercial Uses

Convenience stores

Service and personal service shops

Craft shops

Entertainment uses

Commercial schools and gyms

Funeral establishments

Office uses

Kennels

Veterinary clinics

Recycling depots

Restaurants

Outdoor display courts for up to 10 units

Commercial accommodation uses

Short-term rentals

Short-term bedroom rentals

Industrial Uses

Automotive repair outlets

Autobody shops

Service industries

Food processing and packaging uses

Trucking, excavation, landscaping and paving services
Welding, plumbing and heating, electrical, carpentry and other trade contracting services and shops
Light manufacturing and processing operations
Warehouses
General contracting, storage yards and services
Cannabis production facilities

Resource Uses

Agricultural uses
Intensive livestock operations
Greenhouses and nurseries
Forestry uses
Extractive facilities
Existing extractive facilities
Composting operations
Uses accessory to the foregoing uses

48. Amending Subsection 8.2 (a) in PART 8, as shown below in **bold**, by:
- a. Adding the text “dwellings,” after the text “Single unit” and before the text “mobile dwellings;” and
 - b. Adding the text “and shared housing use” after the text “mobile dwellings;”.
- (a) Minimum lot area:
- | | | |
|-------------------------------|--------------------------------------|---------------------------------------|
| Single unit dwellings, | | |
| mobile dwellings, and | | |
| shared housing use | 6,000 sq.ft. (557.4 m ²) | 20,000 sq.ft. (1,858 m ²) |

49. Amending PART 8, as shown below in **bold**, by adding Section “8.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 8.14.

8.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) **zoned or used for residential purposes, or**
 - (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

50. Amending PART 9, as shown below in **bold**, by addition Section “9.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES”.

9.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

51. Adding a PART “PART 10A: RPK (REGIONAL PARK) ZONE, as shown below in **bold**, after PART 10.

PART 10A: RPK (REGIONAL PARK) ZONE

10A.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

10A.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building	10.7 m

52. Adding a PART, “PART 11A: PA (PROTECTED AREA) ZONE, as shown below in **bold**, after PART 11.

PART 11A: PA (PROTECTED AREA) ZONE

11A.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

11A.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

11A.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

53. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

54. Adding “Schedule A-1 - Wind Energy Zoning” after “APPENDIX ‘A’: NON CONFORMING USES” as shown in Schedule C-20A attached hereto.
55. Zoning Maps “Schedule A: Zoning (“Schedule B - Dutch Settlement”, “Schedule C: Zoning Map for Middle Musquodoboit”, “Schedule D: Zoning Map for Musquodoboit” and “Schedule E: Zoning Map for Meaghers Grant”) are amended to rezone the properties to Regional Park (RPK) Zone and Protected Area (PA) Zone as shown in C-20B attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-21

Proposed Amendments to the Municipal Planning Strategy for North Preston/Lake Major/Lake Loon/Cherry Brook/East Preston

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for North Preston/Lake Major /Lake Loon /Cherry Brook /East Preston is hereby amended as follows:

1. Amending SECTION III in the paragraph under the heading MIXED USE DESIGNATION after Policy MU-3, as shown below in bold, by adding the text “and shared housing uses at a larger scale than permitted in the underlying zone” after the text “four units” and before the text “will be considered.

In order to provide for a range of housing options, the Mixed Use Designation permits a variety of housing forms up to and including multiple unit dwellings containing up to four dwelling units. In order to provide high quality multiple unit accommodation, while avoiding significant impacts on existing land uses and services, multiple unit dwellings in excess of four units **and shared housing uses at a larger scale than permitted in the underlying zone** will be considered by development agreement. This will provide site-specific controls necessary to ensure that community concerns related to such matters as appropriate density and scale of development, landscaping, site design and separation from low density residential development are adequately addressed.

2. Amending Policy RES-2, as shown below in **bold**, by adding the text “shared housing uses,” after the text “four (4) units,” and before the text “recreational and community”.

RES-2 Within the Residential Designation, it shall be the intention of Council to establish a residential zone which permits single and two unit dwellings, existing mobile dwellings, multiple unit dwellings containing up to four (4) units, **shared housing uses**, recreational and community facility uses, and limited home business uses which are wholly contained within dwellings or their accessory buildings.

3. Amending SECTION IV, as shown below in **bold**, by adding Policy IM-21 after Policy IM-20.

IM-21 Where there is enabling policy to consider the development, by development agreement, of a 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.

This is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-22

Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon / Cherry Brook/ East Preston Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.1A ACCESSORY HEN USE” immediately after the text “4.1 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.2B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.2AB SHIPPING CONTAINERS”.
3. Amending the “Table of Contents”, by adding the text “4.21 WATERCOURSES” immediately after the text “4.20 YARD EXCEPTION”.
4. Amending the “Table of Contents”, by adding the text “4.29 WIND ENERGY FACILITIES” immediately after the deleted text “4.28 SCHEDULE C – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.30 PUBLIC TRANSIT FACILITIES” and “4.31 CANNABIS-RELATED USES” immediately after the text “4.29 WIND ENERGY FACILITIES”.
6. Amending the “Table of Contents”, by adding the text “4.32 SHORT-TERM RENTALS”, immediately after the text “4.31 CANNABIS-RELATED USES”.
7. Amending the “Table of Contents”, by adding the text “PART 13: PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “PART 12: P-2 (COMMUNITY FACILITY) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 20: PA (PROTECTED AREA) ZONE” immediately after the text “PART 19: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “APPENDIX ‘F’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” and “Schedule A-1 - Wind Energy Zoning” immediately after the text “APPENDIX ‘E’: SPECIAL PROVISIONS FOR EXISTING INTENSIVE LIVESTOCK OPERATIONS”.
10. Amending the “Table of Contents”, by adding the text “Schedule D: Lands Subject to Interim Bonus Zoning Requirements” immediately after the deleted text “Schedule C: Wetlands Over 2000 Sq. Metres”.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

12. Amending Section 2.10A in PART 2, as shown below in **bold**, by adding the definition “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.10.

2.10A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

13. Amending PART 2, as shown below in **bold**, by adding the definitions “2.10B CANNABIS LOUNGE”, “2.10C CANNABIS PRODUCTION FACILITY”, and “2.10D CANNABIS RETAIL SALES” after Section 2.10A.

2.10B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.10C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

2.10D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.12AA CONSERVATION USE” after Section 2.12A.

2.12AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

15. Amending Subsection 2.17(c) in PART 2, as shown below in **bold**, by adding the text “and includes a mobile dwelling” after the text “detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.25(aa) HEN” after Section 2.25.

2.25 (aa) HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

17. Amending Section 2.26 in PART 2, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “hospital,” and before the text “community centre”.

2.26 INSTITUTIONAL USE means any educational or denominational use, museum and cultural centre, public library, fire and police station, public works, hospital, **shared housing with special care**, community centre and hall, recreational or open space use.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.52 RECREATION USE” after Section 2.51.

2.52 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.63A SHARED HOUSING USE” and “2.63B SHARED HOUSING WITH SPECIAL CARE” after Section 2.63.

- 2.63A SHARED HOUSING USE** means a use that contains 4 or more bedrooms, that meets one or more of the following:
- (i) that are rented for remuneration as separate rooms for residential accommodation; or
 - (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.
- 2.63B SHARED HOUSING WITH SPECIAL CARE** means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

20. Amending PART 2, as shown below in **bold**, by adding the definitions “2.63D SHORT-TERM BEDROOM RENTAL” and “2.63E SHORT-TERM RENTAL” after Section 2.63C.

- 2.63D SHORT-TERM BEDROOM RENTAL** means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.
- 2.63E SHORT-TERM RENTAL** means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.67.5 SUITE” after Section 2.67.

2.67.5 SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.67B WATER CONTROL STRUCTURE” after Section 2.67A.

2.67B WATER CONTROL STRUCTURE - means any device or infrastructure

designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

23. Amending PART 2, as shown below in **bold**, adding the definition “2.68 WATERCOURSE” after Section 2.67B.

2.68 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

24. Amending Subsection 3.3(e) PART 3, as shown below in **bold**, by adding Clauses (iii), (iv), and (v) after Clause (ii).

(e) Notwithstanding Subsection 3.3(a), no development permit shall be required for the following:

- (i) any open space use which does not involve a building or structure; and
- (ii) any sign which is permitted under Section 5.5 of this By-law.
- (iii) An accessory hen use.**
- (iv) A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
- (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

25. Amending PART 3, as shown below in **bold**, by adding Section 3.3B after Section 3.3A.

3.3B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

26. Amending Section 3.12 in PART 3, as shown below in **bold**, by:

- a. Adding the text “PA Protected Area Zone” below the text “P-2 Community Facility Zone”; and
- b. Adding the text “PWS Protected Water Supply Zone” below the text “PA Protected Area Zone”.

	P-2 PA	Community Facility Zone Protected Area Zone
Conservation and Resource Zones	PWS	Protected Water Supply Zone

27. Amending Section 3.17 in PART 3, as shown below in **bold**, by:

- a. Adding Subsection (d) after Subsection (c);
- b. Adding preamble after Subsection (d); and
- c. Adding Clause (i) after the preamble.

(d) Within all Designations, pursuant to Policy 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.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

28. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.18 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.17; and
- b. Adding Section “3.19 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.18”.

3.18 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.19 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

29. Amending PART 4, as shown below in **bold**, by adding Section “4.1A ACCESSORY HEN

USE” after Section 4.1.

4.1A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;
 - iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.2B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.2A.

4.2B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, or a row/townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.22, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, or a row/townhouse dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.1 and 4.2;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.22, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.

31. Amending Section 4.11 in PART 4, as shown below in **bold**, by adding Subsection (d) after Subsection (c);

- (c) Notwithstanding the area requirements of this By-law, the minimum lot area requirement for an existing serviced area of land with less than an area of 12,000 square feet shall be (5,000) square feet (464.5 m²).
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

32. Amending PART 4, as shown below in **bold**, by adding Section “4.21 WATERCOURSES” after Section 4.20.

4.21 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a), in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer shall not be less than 100 m from the ordinary highwater mark of Lake Major and 76.2 metres from Long Lake.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

33. Amending Subsection 4.22(a) in PART 4, as shown below in **bold**, by adding the text “Shared Housing Use 0 spaces” below the text “Multiple unit dwellings 1.5 spaces per dwelling unit”.

Multiple unit dwellings	1.5 spaces per dwelling unit
Shared Housing Use	0 spaces

34. Amending Subsection 4.22(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels,”.

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained
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therein

35. Amending Subsection 4.22(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as
otherwise specified
space

the greater of 1 space per 4
seats, where there are fixed seats and 1
per 100 square feet (9.3 m²) of gross floor
area; where there are no fixed seats, or 1
space per 4 persons which can be
accommodated at any one time

36. Amending PART 4, as shown below in **bold**, by adding Section “4.29 WIND ENERGY FACILITIES” after Section 4.28A.

4.29 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**

- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
- i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule A-1 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**
- i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
 - ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
 - iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
 - iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**

- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;**
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,**
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**
 - i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**
 - i) Micro 140 metres (460 ft)**

- ii) **Small 360 metres (1180 ft)**
- iii) **Medium 500 metres (1640 ft)**
- iv) **Large 2000 metres (6560 ft)**
- c) **The notice pursuant to section b) shall include the following information:**
 - i) **a site plan that includes property boundaries and the location of the proposed wind energy facility;**
 - ii) **a description of the type of wind energy facility; and**
 - iii) **the applicant's contact information which shall include a mailing address.**

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) **Wind Energy Facilities shall not be permitted in the following zones of the North Preston, Cherry Brook and East Preston Land Use By-law:**
 - i) **PA (Protected Area) Zone.**

VII INSTALLATION AND DESIGN

- a) **The installation and design of a Wind Energy Facility shall conform to applicable industry standards.**
- b) **All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.**
- c) **All electrical wires shall, to the maximum extent possible, be placed underground.**
- d) **The visual appearance of the Wind Energy Facility shall at a minimum:**
 - i) **be a non-obtrusive colour such as white, off-white or gray;**
 - ii) **not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,**
 - iii) **not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.**

VIII MISCELLANEOUS

- a) **Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.**
- b) **The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.**
- c) **The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law**

IX SCHEDULES

a) Schedule A-1 – Wind Energy Zoning

37. Amending PART 4, as shown below in **bold**, by adding Sections “4.30 PUBLIC TRANSIT FACILITIES”, “4.31 CANNABIS-RELATED USES”, and “4.32 SHORT-TERM RENTALS” after Section 4.29.

4.30 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.31 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.32 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) Not more than three (3) bedrooms, may be rented as a short-term bedroom rental at the same time except in the RS zone up to six (6) bedrooms may be rented;**
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

38. Amending Subsection 6.1(a) in PART 6, as shown below in **bold**, by adding the text “Shared Housing Uses” below the text “Two unit dwellings”.

Two unit dwellings
Shared Housing Uses

39. Amending Subsection 6.2(a) in PART 6, as shown below in **bold**, by:
- adding the text “dwellings,” after the text “Single unit” and before the text “mobile dwellings”; and
 - adding the text “, and shared housing” after the text “mobile dwellings”.

Single unit dwellings , mobile dwellings, and shared housing use	6,000 square feet (557.4 m ²) where central services are available; 20,000 square feet (1858.1 m ²) where central services are not available
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40. Amending Subsection 7.1(a) in PART 7, as shown below in **bold**, by adding the text “Shared Housing Use” below the text “Two unit dwellings.”

Two unit dwellings
Shared Housing Uses

41. Amending Subsection 7.2(a) in PART 7, as shown below in **bold**, by adding the text “and shared housing use” after the text “Single unit dwellings”.

- | | |
|---|---|
| (a) Minimum Lot Area
Single unit dwellings and shared housing use | 6,000 square feet (557.4 m ²) where central services are available;
20,000 square feet (1858.1 m ²) where central services are not available |
|---|---|

42. Amending Subsection 9.1(b) in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

43. Amending Subsection 10.1(a) in PART 10, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Service stations”.

Service stations
Short-term rentals
Short-term bedroom rentals

44. Amending Subsection 12.1(a) in PART 12, as shown below in **bold**, by:
- a. Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Educational institutions and uses”; and
 - b. Adding the text “Shared housing with special care” below the text “Public libraries, museums and galleries”.

Educational institutions and uses

Shared housing use with 10 or fewer bedrooms

Fire and police stations

Government offices and public works

Hospitals and medical clinics

Public libraries, museums and galleries

Shared housing with special care

45. Adding a PART, “PART 13: PWS (PROTECTED WATER SUPPLY) ZONE” as shown below in **bold**, after PART 12.

PART 13: PWS (PROTECTED WATER SUPPLY) ZONE

13.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

Municipal water distribution or purification facilities

Conservation uses

Public and private parks involving no buildings

Crop farming, grazing and pasturage if in existence at the time of the coming into effect of this by-law

Uses accessory to the foregoing uses

13.2 PWS ZONE REQUIREMENTS

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 9.1m

Minimum Rear or Side Yard: 4.6m

13.3 SPECIAL PROVISIONS: EXISTING RESIDENTIAL USES

Notwithstanding Section 13.1, existing residential uses in a PWS Zone shall

be permitted to be expanded, altered, repaired and rebuilt and, in addition, certain properties within a PWS Zone shall be permitted to be used for residential use, such existing uses and certain properties identified by Appendix “D”.

46. Amending Section 14.1 in PART 14, as shown below in **bold**, by:

- a. Adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”;
- b. Adding the heading “Other uses” below the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit”; and
- c. Adding the text “Cannabis production facilities” below the heading “Other uses”.

Residential Uses

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Other Uses

Cannabis production facilities

47. Amending PART 14, as shown below in **bold**, by adding Section “14.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 14.4.

14.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **A cannabis production facility shall comply with the requirements of Section 14.2.**
- (b) **A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.**
- (c) **Where a lot containing a cannabis production facility abuts a lot**
 - (i) **zoned or used for residential purposes, or**
 - (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

48. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted

dwelling unit

49. Adding a PART, “PART 20: PA (PROTECTED AREA) ZONE” as shown below in **bold** after PART 19.

PART 20: PA (PROTECTED AREA) ZONE

20.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings

Trails, boardwalks or walkways

Conservation uses

Uses accessory to the foregoing uses

20.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area: 930m²

Minimum Frontage: 30.5m

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

20.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

50. Adding “APPENDIX ‘F’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” and “Schedule A-1 - Wind Energy Zoning” after “APPENDIX ‘E’: SPECIAL PROVISIONS FOR EXISTING INTENSIVE LIVESTOCK OPERATIONS” as shown in Schedules C-22A, and C-22B, attached hereto.
51. Adding “Schedule D: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after “Schedule C: Wetlands Over 2000 Sq Metres” as shown in Schedules C-22C and C-22D, attached hereto.

52. Zoning Map “Schedule A – Zoning” is amended to rezone properties to Protected Water Supply (PWS) Zone and Protected Area (PA) Zone as shown in Schedule C-22E, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-23

Proposed Amendments to the Municipal Planning Strategy for Planning District 4 (Prospect)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 4 (Prospect) is hereby amended as follows:

1. Amending SECTION III under the heading LAND USE INTENT, as shown below in **bold**, by adding the text “shared housing with special care” after the text “facility uses and” in the sixth paragraph.

The Rural Residential C Designation generally applies to the community of Blind Bay. This designation is intended to support the low density residential environment and will provide for the gradual integration of community facility uses and **shared housing with special care**.

2. Amending SECTION III under the heading RESIDENTIAL A DESIGNATION and the subheading “Land Use Policies”, as shown below in **bold**, by:
 - a. Adding the text “shared housing with special care” after the text “Area except for” and before the text “. The residents feel” in the first paragraph below Policy RA-4;
 - b. Adding the text “Shared housing with special care” before the text “is a form of accommodation” in the second paragraph below Policy RA-4;
 - c. Adding Policy RA-5A after deleted Policy RA-5; and
 - d. Adding Policy RA-5B after Policy RA-5A.

Due to the concern with on-site sewage disposal and the desire for a low density environment, new multiple unit developments shall not be permitted throughout the Plan Area except for **shared housing with special care**. The residents feel that this type of development is more appropriately located within urban areas which are intended to accommodate more intensive developments.

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Residential A Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

RA-5 Deleted

RA-5A 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 Policy RA-2, within the Residential A Designation, 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-11.**

RA-5B In addition to Policy RA-5A, 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.**

3. Amending SECTION III under the heading RESIDENTIAL B DESIGNATION and the subheading Land Use Policies, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited,” after the text “craft shops and” and before the text “bed and breakfast” in the eighth paragraph.

These communities also have great potential for the development of tourism related industries, given the number of persons who are attracted to the natural beauty of ocean views. The most common types of tourist industries developed today are craft shops and **short-term bedroom rentals such as, but not limited to**, bed and breakfast establishments. These tourism facilities are either operated in conjunction with residential dwellings or independently. In both cases, however, these uses contribute to a valued tradition of providing service to the travelling public and will, therefore, be encouraged to develop within the Residential B Designation.

4. Amending Policy RB-2, as shown below in **bold**, by adding the text “short-term bedroom rentals,” after the text “craft shops,” and before the text “home businesses,”.

RB-2 Within the Residential B Designation, it shall be the intention of Council to create a residential B-1 zone which generally applies to Goodwood, Hatchet Lake, Shad Bay and to the Highway No. 333 road frontage lands within the McGraths Cove and East Dover communities. This zone shall permit the development of single unit dwellings, open space uses, craft shops, **short-term bedroom rentals**, home businesses, limited fishery support and aquaculture support uses, limited agricultural uses and all existing business uses and all existing dwellings. In order to address compatibility concerns, provisions of this zone will place controls on the location and size of non-residential uses, as well as on signage, open storage and the use of mechanical equipment and parking for home business activities. The zone will also specify that outdoor display shall be prohibited for home business activities and that the businesses must be operated by a resident of the dwelling.

5. Amending SECTION III under the heading RESIDENTIAL B DESIGNATION and under the subheading Land Use Policies, as shown below in **bold**, by adding the text “Shared housing with special care” before the text “is a form of accommodation” in the in the first paragraph below Policy RB-5

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Residential B Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These

facilities will, therefore, be considered by development agreement, to address these special requirements.

6. Amending SECTION III, as shown below in **bold**, by adding Policy RB-6A and RB-6B after deleted Policy RB-6.

RB-6A 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 Policy RB-2, within the Residential B Designation, 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-11.

RB-6B In addition to Policy RB-6A, 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.

7. Amending SECTION III under the heading RURAL RESIDENTIAL A DESIGNATION and subheading Land Use Policies, as shown below in **bold**, by adding the text “shared housing with special care” after the text “institutional uses,” and before the text “and larger scale” in the first paragraph.

Land Use Policies

The primary intent of the Rural Residential A Designation is to support the low density residential environment with its associated home business activities, small scale fishery support uses and open space uses. The Rural Residential A Designation shall also provide support for the gradual integration of small scale convenience commercial and tourist-related commercial uses as well as institutional uses, **shared housing with special care** and larger scale fishery support uses.

8. Amending Policy RRA-4, as shown below in **bold**, by adding the text “, short-term bedroom rentals” after the text “craft shops” and before the text “and day care facilities”.

RRA-4 Notwithstanding Policy RRA-2, within the Rural Residential A Designation, it shall be the intention of Council to establish a rural residential A commercial zone which permits the development of all uses permitted within the rural residential A-1 zone, convenience stores, craft shops, **short-term bedroom rentals** and day care facilities which are too extensive to be considered as a home business. In order to address compatibility concerns, provisions will be established to place controls on size, open storage and outdoor display, parking and signage of all commercial uses. All uses permitted as rural residential A-1 uses, shall be regulated in accordance with the provisions established within that zone. In considering amendments to the schedules of the land use by-law to a rural residential A commercial zone, Council shall have regard to the following:

9. Amending SECTION III under the RURAL RESIDENTIAL A DESIGNATION and the subheading Land Use Policies, as shown below in **bold**, by:

- a. Adding the text “Shared housing with special care” before the text “is a form of accommodation” in the first paragraph below Policy RRA-4;
- b. Adding Policy RRA-5A after deleted policy RRA-5; and
- c. Adding Policy RRA-5B after policy RRA-5A.

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Rural Residential A Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

RRA-5 Deleted

RRA-5A 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 Policy RRA-2, within the Rural Residential A Designation 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-11.**

RRA-5B In addition to Policy RRA-5A, 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.**

10. Amending SECTION III under the heading RURAL RESIDENTIAL B DESIGNATION and subheading Land Use Policies, as shown below in **bold**, by;

- a. Adding the text “short-term bedroom rentals such as, but not limited to” after the text “uses and” and before the text “bed and breakfast” in the first paragraph;
- b. Adding the text “short-term bedroom rentals” after the text “open space uses and” in Policy RRB-1;
- c. Adding the text “, short-term bedroom rentals,” after the text “agricultural uses” and before the text “open space uses” in Policy RRB-2; and
- d. Adding the text “short-term bedroom rentals” after the text “business uses and” and before the text “must be operated” in Policy RRB-2.

Land Use Policies

The primary intent of the Rural Residential B Designation is to support the low density residential environment with its associated home business, small scale resource, open space uses and **short-term bedroom rentals such as, but not limited to**, bed and breakfast outlets. Within this designation, provision will also be made for the gradual integration of a wider variety of housing types, commercial activities intended to service the surrounding area, community facility uses and resource uses which are compatible with this coastal environment.

- RRB-1 It shall be the intention of Council to establish the Rural Residential B Designation as shown on Map 1 - Generalized Future Land Use. Within this designation, it shall be the intention of Council to support the growth of the low density residential environment, with its associated home businesses, limited resource uses, open space uses and **short-term bedroom rentals**.
- RRB-2 Within the Rural Residential B Designation, it shall be the intention of Council to establish a rural residential B-1 zone which permits the development of single unit dwellings, home businesses, limited fishery support and aquaculture uses, limited agricultural uses, **short-term bedroom rentals**, open space uses and all existing businesses including the existing kennel of William and Donna Giles (LIMS No. 40309932) and all existing dwellings. In order to address compatibility concerns, provisions within the zone will place controls on the size and location of fishery support, aquaculture support and limited agricultural uses and on the size, location, parking, signage, outdoor display, the use of mechanical equipment and the open storage aspects of home business uses. Provisions within the zone will also stipulate that home business uses and **short-term bedroom rentals** must be operated by a resident of the dwelling.

11. Amending SECTION III under the heading RURAL RESIDENTIAL B DESIGNATION and subheading Land Use Policies, as shown below in **bold**, by:

- a. Adding the text “Shared housing with Special Care” before the text “is a form of accommodation” in the first paragraph below Policy RRB-7”;
- b. Adding Policy RRB-8A after deleted Policy RRB-8; and
- c. Adding Policy RRB-8B after Policy RRB-8A.

Shared housing with Special Care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Rural Residential B Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

RRB-8 Deleted

RRB-8A 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 Policy RRB-2, within the Rural Residential B Designation, 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-11.**

RRB-8B In addition to Policy RRB-8A, 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.**

12. Amending SECTION III under the heading RURAL RESIDENTIAL C DESIGNATION and the subheading Land Use Policies, as shown below in **bold**, by adding the text “shared housing with special care” after the text “development of” and before the text “and institutional uses” in the first paragraph.

Land Use Policies

The Rural Residential C Designation is intended to support the predominantly low density residential environment along with its associated home business and open space uses. This designation shall also support the development of **shared housing with special care** and institutional uses but only under controlled conditions and with public input.

13. Amending SECTION III under the heading RURAL RESIDENTIAL C DESIGNATION and the subheading Land Use Policies, as shown below in **bold**, by:
- Adding the text “Shared housing with special care” before the text “is a form of” in the first paragraph below Policy RRC-3;
 - Adding the Policy RRC-4A below deleted policy RRC-4; and
 - Adding Policy RRC-4B below policy RRC-4A.

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Rural Residential C Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

RRC-4 Deleted

RRC-4A 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 Policy RRC-1, within the Rural Residential C Designation, 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-11.

RRC-4B In addition to Policy RRC-4A, 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.

14. Amending SECTION III under the heading RURAL RESIDENTIAL D DESIGNATION, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited

to,” after the text “blacksmithing operation,” and before the text “bed and breakfast outlets” in the second paragraph.

West Dover has not been influenced by the metropolitan area to the same degree as have other communities throughout the Plan Area. Development within West Dover is comprised of a more extensive mix of low density residential uses together with small scale masonry companies, a trucking and excavation company, a blacksmithing operation, **short-term bedroom rentals such as, but not limited to**, bed and breakfast outlets, a convenience store and takeout, a church and the numerous fish stages and wharves which line the shores. This mixed development pattern contributes to the charm and natural beauty of this fishing village which is located on Nova Scotia's acclaimed Lighthouse Route.

15. Amending Policy RRD-2, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care uses,” after the text “open space uses,” and before the text “community centres,”; and
- b. Adding the text “short-term bedroom rentals” after the text “day camps,” and before the text “and all existing”.

RRD-2 Within the RRD Designation, it shall be the intention of Council to create a rural residential D-1 zone which permits single unit dwellings, mobile dwellings, auxiliary dwelling units, two unit dwellings, businesses operated by the owner of the dwelling, craft shops, convenience stores, limited day care facilities, open space uses, **shared housing with special care uses**, community centres, limited fishing and aquaculture support uses, limited agricultural uses, day camps, **short-term bedroom rentals** and all existing uses including the small scale fish processing plant of Cecil Herritt (LIMS No. 40522583) and the existing kennel of Lloyd Corney (LIMS No. 40067811). In order to address compatibility concerns, controls will be placed on the size and location of fishery and aquaculture support uses and on the size of buildings and numbers of animals for agricultural uses. Controls will also be placed on size, open storage and outdoor display, signage and parking for home business uses and craft shops. With respect to the existing business of Cecil Herritt, this fish processing plant shall be limited to the size restrictions of a fishery support use.

16. Amending SECTION III under the heading RURAL RESIDENTIAL E DESIGNATION and subheading Land Use Policies, as shown below in **bold**, by:

- a. Adding the text “Shared housing with special care” before the text “is a form of” in the first paragraph below Policy RRE-6;
- b. Adding Policy RRE-7A after deleted Policy RRE-7; and
- c. Adding Policy RRE-7B after Policy RRE-7A.

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within the Residential A Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within all the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

RRE-7 Deleted

RRE-7A 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 Policy RRE-2, within the Rural Residential E Designation, 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-11.**

RRE-7BIn addition to Policy RRE-7A, 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.**

17. Amending Policy MU-2, as shown below in **bold**, by:

- a. Adding the text “, short-term rentals,” after the text “craft shops,” and before the text “convenience stores”; and
- b. Adding the text “short-term bedroom rentals” after the text “businesses and” and before the text “be operated”.

MU-2 Within the Mixed Use Designation, it shall be the intention of Council to create the mixed use 1 zone which permits the development of single unit dwellings, two unit dwellings, craft shops, bed and breakfast outlets, convenience stores, limited fishery support uses, limited agricultural uses, home business uses and all existing businesses and all existing dwellings. In order to address compatibility concerns, provisions within the zone will establish controls on the size and location of fishery support, agricultural support and existing aquaculture support uses and existing fish processing plants and on the size, location, open storage and outdoor display, signage and parking for craft shops, **short-term bedroom rentals**, convenience stores and home business uses. In addition, provisions within the zone will place controls on the use of mechanical equipment for home business uses and require that homes businesses and **short-term bedroom rentals** be operated by a resident of the dwelling.

18. Amending SECTION III under the heading “MIXED USE DESIGNATIONS” and subheading “Land Use Policies”, as shown below in **bold**, by adding the text “Shared housing with special care” before the text “is a form of” in the first paragraph below Policy MU-6.

Shared housing with special care is a form of accommodation which is valued throughout the Plan Area. These facilities provide an opportunity for aging members of society to remain within their respective communities. While these facilities are encouraged to develop within

the Mixed Use Designation, locational and environmental concerns must be addressed to ensure that they are properly integrated within the communities. These facilities will, therefore, be considered by development agreement, to address these special requirements.

19. Amending SECTION III as shown below in **bold**, by adding Policy MU-7A and MU-7B after deleted Policy MU-7.

MU-7A 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 Policy MU-2, within the Mixed Use Designation, 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-11.**

MU-7B In addition to Policy MU-7A, 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.**

20. Amending Subclause (c)(i) in Policy IM-8, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “craft shops,” and before the text “and day care”.

- (c) within the Rural Residential A Designation:
 - (i) convenience stores, craft shops, **short-term bedroom rentals** and day care facilities according to Policy RRA-4.

21. Amending Subclause (b)(i) in Policy IM-9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to”; and
- b. Adding the text “Policies RB-6A and RB-6B after the text “according to”.

- (b) within the Residential B Designation:
 - (i) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies RB 6A and RB-6B;**

22. Amending Subclause (c)(i) in Policy IM-9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underly zone” before the text “according to”; and
- b. Adding the text “Policies RRA-5A and RRA-5B” after the text “according to”.

- (c) within the Rural Residential A Designation;
 - (i) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies RRA-5A and RRA-5B;**

23. Amending Subclause (d)(iii) in Policy IM-9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to”; and
- b. Adding the text “Policies RRB-8A and RRB-8B” after the text “according to”.

(d) within the Rural Residential B Designation:

- (i) craft shops according to Policy RRB-6;
- (ii) a restaurant and lounge and light industrial uses on the lands of Leo Miles (LIMS No. 40039265) according to Policy RRB-7;
- (iii) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies RRB-8A and RRB-8B**;

24. Amending Subclause (g)(iii) in Policy IM-9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to”; and
- b. Adding the text “Policies RRE-7A and RRE-7B” after the text “according to” and before the text “and”.

(g) within the Rural Residential E Designation:

- (i) motels and restaurants according to Policy RRE-5;
- (ii) commercial recreation uses according to Policy RRE-6;
- (iii) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies RRE-7A and RRE-7B**; and
- (iv) larger scale fishery support and aquaculture support uses according to Policy RRE-8.

25. Amending Clause (h) in Policy IM-9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to” in subclause (iv); and
- b. Adding the text “Policies MU-7A and MU-7B” in subclause (iv) after the text “according to”; and

(h) within the Mixed Use Designation:

- (i) mobile home parks according to Policy MU-4;
- (ii) small scale commercial, service industrial and light industrial uses according to Policy MU-5;
- (iii) fish processing plants, larger scale fishery support uses and aquaculture support uses according to Policy MU-6;
- (iv) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies MU-7A and MU-7B**;

26. Amending SECTION IV, as shown below in **bold**, by adding Policy IM-29, IM-30, and IM-31, as shown below in **bold** after Policy IM-28.

- IM-29** Where there is enabling policy to consider, by development agreement, the development of a 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.
- IM-30** Notwithstanding Policies RA-5A, RA-5B, RB-6A, RB-6B, RRA-5A, RRA-5B, RRB-8A, RRB-8B, RRC-4A, RRC-4B, RRE-7A, RRE-7B, MU-7A and MU-7B 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.
- IM-31** In addition to Policy IM-30, 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-24

Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.12B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12AB SHIPPING CONTAINERS”.
3. Amending the “Table of Contents”, by adding the text “4.19 WATERCOURSES” immediately after the text “4.18 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.19A COASTAL AREAS” immediately after the text “4.19 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.33 WIND ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE G – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 CANNABIS-RELATED USES”, and “4.36 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding “PART 32: PA (PROTECTED AREA) ZONE” immediately after the text “PART 31: P-3 (CONSERVATION) ZONE”
8. Amending the “Table of Contents”, by adding the text “PART 34: RPK (REGIONAL PARK) ZONE” after the text “PART 32: PA (PROTECTED AREA) ZONE”.
9. Amending the “Table of Contents”, by deleting the text “Schedule F: Areas of Elevated Archaeological Potential” and “Schedule G: Wetlands” immediately after the text “APPENDIX A: NON-CONFORMING USES”.
10. Amending the “Table of Contents”, by adding the text “Schedule H - Wind Energy Zoning” immediately after the deleted text “Schedule G: Wetlands”.
11. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food

supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

12. Amending Section 2.14a in PART 2, as shown below in **bold**, by adding the definition “CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.14.

2.14a CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

13. Amending PART 2, as shown below in **bold**, by adding the definitions “2.14B CANNABIS LOUNGE”, “2.14C CANNABIS PRODUCTION FACILITY” and “2.14D CANNABIS RETAIL SALES” after Section 2.14a.

2.14B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.14C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

2.14D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.18AA CONSERVATION USE” after Section 2.18A.

2.18AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

15. Amending Subsection 2.25(c) in PART 2, as shown below in **bold**, by adding the text “includes a mobile dwelling” after the text “dwelling unit, and”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, and **includes a mobile dwelling.**

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.41A HEN” after Section 2.41.

2.41A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.73 RECREATION USE” after Section 2.72.

2.73 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.83A SHARED HOUSING USE” and “2.83B SHARED HOUSING WITH SPECIAL CARE” after Section 2.83.

2.83A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
 - (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

2.83B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with

cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.83D SHORT-TERM BEDROOM RENTAL” and “2.83E SHORT-TERM RENTAL” after Section 2.83C.

2.83D SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.83E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.87A SUITE” after Section 2.87.

2.87A SUITE

- (a) Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.90A WATER CONTROL STRUCTURE” after Section 2.90.

2.90A WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

22. Amending PART 2, as shown below in **bold**, adding the definition “2.91 WATERCOURSE” after Section 2.90A.

2.91 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

23. Amending Subsection 3.3(e) in PART 3, as below in **bold**, by adding Clauses (iii), (iv), and (v),

after Clause (ii).

- (e) Notwithstanding Subsection 3.3(a), no development permit shall be required for the following:
 - (i) any open space use which does not involve a building or structure; and
 - (ii) any sign which is permitted under Section 5.5 of this By-law.
 - (iii) An accessory hen use.**
 - (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
 - (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

24. Amending PART 3, as shown below in **bold**, by adding Section 3.3B after deleted Section 3.3A.

3.3B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

25. Amending Section 3.11 in PART 3, as shown below in **bold**, by:

- a. Adding the text "PA Protected Area Zone" below the text "P-3 Conservation Zone"; and
- b. Adding the text "RPK Regional Park Zone" after the text "P-5 Special Facility Zone".

Zones	P-3	Conservation Zone
	PA	Protected Area Zone
	P-5	Special Facility Zone
	RPK	Regional Park Zone

26. Amending Subsection 3.16(a) in PART 3, as shown below in **bold**, by adding Clause (i) below Subsection (a).

- (a) Within the Residential A Designation
 - (i) **shared housing with special care**

27. Amending Subsection 3.16(b) in PART3, as shown below in **bold**, by adding Clause (i) below Subsection (b).

- (b) Within the Residential B Designation
 - (i) **shared housing with special care**

28. Amending Subsection 3.16(c) in PART 3, as shown below in **bold**, by adding Clause (i) below Subsection (c).

- (c) Within the Rural Residential A Designation
 - (i) **shared housing with special care**

29. Amending Subsection 3.16 (d) in PART 3, as shown below in **bold**, by adding Clause (iv) below Clause (iii).

- (iii) light industrial uses on the lands of Leo Miles (LIMS No. 40039265);
- (iv) **shared housing with special care**

30. Amending Subsection 3.16 (e) in PART 3, as shown below in **bold**, by adding Clause (i) below Subsection (e).

- (e) Within the Rural Residential C Designation
 - (i) **shared housing with special care**

31. Amending Subsection 3.16(g) in PART 3, as shown below in **bold**, by adding Clause (iii) below Clause (ii).

- (g) Within the Rural Residential E Designation
 - (i) motels and restaurants;
 - (ii) commercial recreation uses;
 - (iii) **shared housing with special care**

32. Amending Subsection 3.16(h) in PART 3, as shown below in **bold**, by:

- a. Adding Clause (iv) after Clause (iii); and
- b. Adding the text “and” after the text “recreation uses;” in Clause (vi).

- (h) Within the Mixed Use Designation
 - (i) mobile home parks;
 - (ii) small scale commercial, service industrial and light industrial uses;
 - (iii) fish processing plants, larger scale fishery support uses and aquaculture support uses;
 - (iv) **shared housing with special care;**
 - (v) institutional uses;
 - (vi) commercial recreation uses; **and**
 - (vii) commercial, community and resource related uses which are supportive of the tourist industry and the surrounding community on the lands of Coastal Communities Economic Development Co-operative Limited (PID Nos. 00384834 and 40501124).

33. Amending Subsection 3.16 in PART 3, as shown below in **bold**, by:

- a. Adding Subsection (k) after Subsection (j);
- b. Adding Subsection (l) after Subsection (k); and

- c. Adding Preamble and Clause (i) after Subsection (l).

(k) Within all Designations

- (i) Pursuant to Policy IM-29, where there is enabling policy to consider the development 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.
- (l) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

34. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.17 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.16; and
- b. Adding Section “3.18 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.17.

3.17 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.18 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy

35. Amending Section 4.2 in PART 4, as shown below in **bold**, by adding the text “, except where backyard suites are permitted” after the text “dwelling on a lot”.

4.2 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

36. Amending Section 4.5 in PART 4, as shown below in **bold**, by adding Subsection (d) after Subsection (c).

- (c) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on November 15, 2003 may be subdivided and a development permit issued provided that:
 - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
 - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
 - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
 - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.12 of the this By-law;
 - (v) the remaining lands meet the requirements of the applicable zone.
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

37. Amending PART 4, as shown below in **bold**, by adding Section “4.11A ACCESSORY HEN USE” after Section 4.11.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
 - i. **a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. **a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. **a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. **a maximum of 25 hens on lots 10,000 square metres or greater in size;**

- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

38. Amending PART 4, as shown below in **bold**, by adding Section “4.12B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12A.

4.12B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or a two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;

- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

39. Amending PART 4, as shown below in **bold**, by adding Section “4.19 WATERCOURSES” after Section 4.18.

4.19 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer from any watercourse within the WC Zone shall be 91.4m.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the

first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.

(c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

- (7) Notwithstanding subsections (4) and (5), activity shall be limited to the placement of board walks, walkways and trails, conservation uses and buildings and structures for conservation related uses, wilderness campsites or non-motorized water related recreation uses within the WC Zone.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

40. Amending PART 4, as shown below in **bold**, by adding Section “4.19A COASTAL AREAS” after Section 4.18.

4.19A COASTAL AREAS **COASTAL ELEVATION**

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:
- (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION – RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further

reduce the existing elevation of the main building or the backyard suite use.

- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

41. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “(except for senior citizen apartments) 1.5 spaces per dwelling unit”.

(except for senior citizen apartments)
Shared housing use

1.5 spaces per dwelling unit
0 spaces

42. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “hotels, tourist cabins, guest homes”;

Motels, hotels, tourist cabins,
guest homes, **and short-term bedroom
rentals**

1 space per sleeping unit plus
requirements for accessory uses such
as restaurants, lounges, retail space, etc.

43. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified below”.

Institutional uses except as
otherwise specified below

where there are fixed seats, the
greater of 1 space per 4 seats or 1
space per 100 square feet (0.9 m²)
of gross floor area

44. Amending PART 4, as shown below in **bold**, by adding Section “4.33 WIND ENERGY FACILITIES” after repealed Section 4.32.

4.33 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building”** means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) **“Nacelle”** means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) **“Nameplate Capacity”** means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) **“Total Rated Capacity”** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.

- iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
- iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule H - Wind Energy Zoning. Such zones are:

- (UW-1) Urban Wind Zone**
- (RW-2) Rural Wind Zone**
- (R) Restricted Zone**

a) URBAN WIND ZONE (UW-1)

- i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
- iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**
- v) **Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
- vi) **Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) RURAL WIND ZONE (RW-2)

- i) **All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).**
- ii) **All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) **Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) **A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;**

- 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location

of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;

- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Planning District 4 Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone
 - iii) P-3 (Conservation) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule H – Wind Energy Zoning

45. Amending PART 4, as shown below in **bold**, by adding Sections “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 CANNABIS-RELATED USES”, and “4.36 SHORT-TERM RENTALS” after Section 4.33.

4.34 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform

to any zone requirements.

4.35 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.36 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;
 - ii) Not more than three (3) bedrooms, may be rented as a short-term bedroom rental at the same time except in the RB-1, RB-2, RB-3, RB-4, RRB-1, RRB-2, RRD-1, RRA-C, RRB-C, MU-1, MU-2, and C-2 zones, up to six (6) bedrooms maybe rented;
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and
 - v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.

46. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

47. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit”.

Auxiliary dwelling unit

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted

dwelling unit

48. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

49. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit”.

Auxiliary dwelling unit

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

50. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

51. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit within single unit dwellings” under the heading “Residential Uses”.

Auxiliary dwelling unit within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

52. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit within single unit dwellings” under the heading “Residential Uses”.

Auxiliary dwelling unit within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

53. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared

housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling units within single unit dwellings”.

Auxiliary dwelling units within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

54. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

55. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling units within single unit dwellings” under the heading “Residential Uses”.

Auxiliary dwelling units within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

56. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling units within single unit dwellings”.

Auxiliary dwelling units within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

57. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings” under the heading “Residential Uses”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

58. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Shared housing with special care” under the heading “Community Uses”.

Community Uses

Shared housing with special care

59. Amending Section 18.9 in PART 18, as shown below in **bold**, by:

- a. Adding the text “SHARED HOUSING WITH SPECIAL CARE” in the heading after the text “COMMUNITY CENTRES AND”; and
- b. Adding the text “shared housing with special care” after the text “community centres and” and before the text “are permitted in any”;

18.9 **OTHER REQUIREMENTS: COMMUNITY CENTRES AND SHARED HOUSING WITH SPECIAL CARE**

Notwithstanding Section 18.2, where community centres and **shared housing with special care** are permitted in any RRD-1 Zone, the following shall apply:

60. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” after the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

61. Amending Section 20.1 in PART 20, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit within single unit dwellings” under the heading “Residential Uses”.

Auxiliary dwelling unit within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

62. Amending Section 21.1 in PART 21, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit within single unit dwellings” under the heading “Residential Uses”

Auxiliary dwelling unit within single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

63. Amending Section 26.1 in PART 26, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Residential dwellings containing up to two dwelling units” under the heading “Residential Uses”.

Residential dwellings containing up to two dwelling units

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

64. Amending Section 27.1 in PART 27, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Mobiles and offices accessory to any permitted use”.

Mobiles and offices accessory to any permitted use

Cannabis production facilities

65. Amending PART 27, as shown below in **bold**, by adding Section “27.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 27.5.

27.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) **Where a lot containing a cannabis production facility abuts a lot**

(i) **zoned or used for residential purposes, or**

(ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

66. Amending Section 28.1 in PART 28, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “All existing dwelling units” under the Heading “Residential Uses”.

All existing dwelling units

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

67. Amending Section 29.1 in PART 29, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

68. Amending Section 29.1 in PART 29, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations”.

Composting operations

Cannabis production facilities

69. Amending PART 29, as shown below in **bold**, by adding Section “29.8 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 29.7.

29.8 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.**
- (b) **Where a lot containing a cannabis production facility abuts a lot**
 - (i) **zoned or used for residential purposes, or**
 - (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

70. Amending Section 30.1 in PART 30, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational institutions”.

Denominational institutions

Shared housing use with 10 or fewer bedrooms

71. Adding a PART, “PART 32: PA (PROTECTED AREA) ZONE”, as shown below in **bold**, after PART 31.

PART 32: PA (PROTECTED AREA) ZONE

32.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings

Trails, boardwalks or walkways

Conservation uses

Uses accessory to the foregoing uses

32.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

32.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

72. Adding a PART, "PART 34: RPK (REGIONAL PARK) ZONE", as shown below in **bold**, after PART 33.

PART 34: RPK (REGIONAL PARK) ZONE

34.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Museums, interpretive centres, and buildings associated with park development and maintenance

Uses accessory to the foregoing uses

34.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building:	10.7 m

73. Amending Section 37.1 in PART 37, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

74. Amending Section 42.1 in PART 42, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

75. Adding “Schedule H - Wind Energy Zoning” as shown in Schedule C-24A, after repealed “Schedule G: Wetlands”, attached hereto.

76. Zoning Map “Schedule A – Zoning” is amended to rezone properties to Regional Park (RPK) Zone and Protected Area (PA) Zone as shown in Schedule C-24B attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-25

Proposed Amendments to the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

1. Amending Policy E-26, as shown below in **bold**, by adding the text “TR-9A,” after the text “TR-9” and before the text “, and except for”

E-26 Central sewer and water services shall be required for all new development in the service district, except for lots with no road frontage which are created pursuant to Policies TR-9 **and TR-9A**, and except for lots subdivided with frontage on existing public streets prior to the installation of central sewer and water service by the municipality.

2. Amending Policy TR-19, as shown below in **bold**, by adding the text “the number of lots do not exceed 10” after the text “permitted, provided that”.

TR-19 Further subdivision on existing private roads within the Herring Cove community may be permitted, provided that **the number of lots do not exceed 10**.

3. Amending SECTION III under the heading RESIDENTIAL DESIGNATION, as shown below in **bold**, by adding the text “Short-term bedroom rentals” in the first sentence of the 11th paragraph.

Short-term bedroom rentals such as, but not limited to, bed and breakfast outlets may also be accommodated within a residential environment without visual and traffic impact on neighbouring properties. These outlets provide desired business opportunities which are considered complementary to the residential use of the property. In order to ensure that undesired effects are not realized, however, the land use by-law will limit the maximum rental of bedrooms to three (3) rooms and establish restrictions on the use of signage, as provided for larger home occupations.

4. Amending Policy RES-4, as shown below in **bold**, by:
 - a. Adding the text “, short-term bedroom rentals” after the text “fishery support uses” and before the text “and the limited”; and
 - b. Adding the text “short-term bedroom rentals” after the text “signage for” and before the text “. This zone”.

RES-4 Within the Residential Designation, it shall be the intention of Council to establish a residential home occupation zone in the land use by-law which permits single and two unit dwellings, existing mobile dwellings, open space uses, fishery support uses, **short-term bedroom rentals** and the limited use of residential properties for home occupations and daycare facilities provided that controls are established on signage, open storage, and the size and nature of these uses. In order to address compatibility concerns, this zone shall also place limitations on size and the use of signage for **short-term bedroom rentals**. This zone shall be applied in areas where larger home business capabilities are desired. In considering amendments to the schedules of the land use by-law to a residential home occupation zone to permit larger home businesses, Council shall have regard to the following:

5. Amending SECTION III under the heading RESIDENTIAL DESIGNATION and the subheading Community Facility Development, as shown below in **bold**, by:
 - a. Adding the text “shared housing with special care” after the text “fire halls and” and before the text “increases.” in the first paragraph; and
 - b. Adding the text “, shared housing with special care” after the text “commercial uses” and before the text “and open space” in Policy RES-7.

Community Facility Development

As residential areas and communities develop over time, the need for community facilities including schools, day care centres, fire halls and **shared housing with special care** increases. While being supportive of such uses, the plan recognizes that a review mechanism is required for the future location of community uses in order to ensure compatibility with adjacent land uses. Thus, community and institutional land uses are supported within the Residential Designation by amendment to the land use by-law.

RES-7 Notwithstanding Policy RES-1, Council shall establish a community facility zone in the land use by-law which permits a range of community facility uses such as public and private institutional uses, service oriented commercial uses, **shared housing with special care** and open space uses, provided that controls are established on parking areas. This zone shall be applied to existing community facility uses. In considering amendments to the schedules of the land use by-law to a community facility zone within the Residential Designation, Council shall have regard to the following:

6. Amending SECTION III under the heading VILLAGE CENTRE DESIGNATION and the subheading Herring Cove, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “public facilities,” in the sixth paragraph.

While the older sections of the village act as a focal point for the surrounding community, it is felt that the physical Character of the Cove would suffer if this area was to be considered as the principle service centre for adjacent residential developments. As a result, major commercial development will not be encouraged in Herring Cove. Only those land uses which are felt to complement and enhance the physical character of Herring Cove's village centre will be considered. These uses include fishery support uses, medical and dental services, public facilities, **short-term bedroom rentals** such as, but not limited to, bed and breakfasts, and uses related to art and crafts shops.

7. Amending SECTION III under the heading VILLAGE CENTRE DESIGNATION and subheading Ketch Harbour, as shown below in **bold**, by adding the text “short-term rentals” after the text “studios and” in the third paragraph.

Concerns have been expressed by many Ketch Harbour residents about the need to preserve the character and village-like qualities of the community, while retaining the village's focus as a service centre. This is supported in the Plan by accommodating home businesses, local convenience stores, and local tourism related uses such as arts and crafts studios and **short-term bedroom rentals** such as, but not limited to, bed and breakfasts. General industrial services will be limited to those presently existing.

8. Amending Policy RA-2, as shown below in **bold**, by adding the text “short-term bedroom rentals,” after the text “existing mobile homes,” and before the text “the limited use of”.

RA-2 Within the Rural "A" Designation, it shall be the intention of Council to establish a Rural Residential Zone which permits single and two unit dwellings, existing mobile homes, **short-term bedroom rentals**, the limited use of residential properties for home business purposes including day care facilities, recreation and open space uses, fishery uses (which do not require a development permit) and small-scale resource uses.

9. Amending Policy IM-8, as shown below in **bold**, by:
 - a. Adding the text “, including shared housing with special care,” after the text “community facility uses” and before the text “according to” in Clause (a)(ii);
 - b. Adding the text “, short-term bedroom rentals,” after the text “facility uses” and before the text “arts and crafts” in Clause (b)(i).

IM-8 The following uses shall only be considered by amendment to the Land Use by-law:

- (a) Within the Residential Designation:

- (i) larger scale home occupations in dwellings or in accessory buildings according to Policy RES-4;
- (ii) community facility uses, **including shared housing with special care**, according to Policy RES-7;
- (iii) local convenience commercial uses, between Davidsons Brook and the Halifax City limits, according to Policy RES-14; and
- (iv) the keeping of up to two horses for personal use in conjunction with permitted dwellings according to Policies RES-18 and RES-19.
- (v) general commercial uses at 90 Club Road, Harrietsfield, according to Policy RES-9A.
- (b) Within the Village Centre Designation in Herring Cove:
 - (i) community facility uses, **short-term bedroom**, arts and crafts studios, or home occupations according to Policy VCC-3.

10. Amending SECTION IV, as shown below in **bold**, by adding Policy IM-24 after Policy IM-23.

IM-24 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-26

Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12A ACCESSORY HEN USE” immediately after the text “4.12 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.13B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.13AB SHIPPING CONTAINERS”.
3. Amending the “Table of Contents”, by adding the text “4.20 WATERCOURSES” immediately after the text “4.19 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.20A COASTAL AREAS” immediately after the text “4.20 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.28A BICYCLE PARKING FACILITIES”, “4.28B LOCATION OF BICYCLE PARKING”, and “4.28C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “4.28 STANDARDS FOR PARKING LOTS”.
6. Amending the “Table of Contents”, by adding the text “4.33 WIND ENERGY FACILITIES”, immediately after the deleted text “4.32 SCHEDULE C – WETLANDS MAP”.
7. Amending the “Table of Contents”, by adding the text “4.34 PUBLIC TRANSIT FACILITIES” “4.35 CANNABIS-RELATED USES”, and “4.36 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
8. Amending the “Table of Contents”, by adding the text “PART 21A: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 21: P-3 (PARK) ZONE”.
9. Amending the “Table of Contents”, by adding the text “PART 22A: PA (PROTECTED AREA ZONE)” immediately after the text “PART 22: P-4 (CONSERVATION) ZONE”.
10. Amending the “Table of Contents”, by adding the text “PART 25: UR (URBAN RESERVE) ZONE” immediately after the text “PART 24: D-1 (DND) ZONE”.
11. Amending the “Table of Contents”, by adding the text “APPENDIX D: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” immediately after the text “APPENDIX ‘C’”.

12. Amending the “Table of Contents”, by adding the text “Schedule D - Wind Energy Zoning” and “Schedule E: Areas Subject to Reduced Road Frontage Requirements” immediately after the deleted text “Schedule C: Wetlands over 2,000 Sq Metres”.
13. Amending the “Table of Contents”, by adding the text “Schedule G: Lands Subject to Interim Bonus Zoning Requirements” immediately after the text “Schedule F: Shared Private Driveway Design Standards”.
14. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.8A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.8.

2.8A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

16. Amending PART 2, as shown below in **bold**, by adding the definitions “2.8B CANNABIS LOUNGE”, “2.8C CANNABIS PRODUCTION FACILITY”, and “2.8D CANNABIS RETAIL SALES” after Section 2.8A.

2.8B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.8C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

- (a) including**
 - (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**

- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and
- (b) **excluding**
 - (i) industrial hemp, and
 - (ii) premises used for personal production permitted by federal legislation.

2.8D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AA CONSERVATION USE” after Section 2.11A.

2.11AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

18. Amending Subsection 2.18(c) in PART 2, as shown below in **bold**, by adding the text “includes a mobile dwelling” after the text “detached dwelling unit, and”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, and **includes a mobile dwelling**.

19. Amending Section 2.18 in PART 2, as shown below in **bold**, by adding Subsection (ha) after repealed Subsection (h).

(ha)Dwelling, Mobile means a prefabricated detached dwelling, designed for transportation on its own chassis and wheels to a site where it is to be occupied as a dwelling, complete and ready for occupancy (except for minor and incidental unpacking or assembly operations). A mobile home shall be considered to be a mobile home whether or not the chassis or wheels are removed. This definition excludes the modular type of a prefabricated dwelling where separate units are joined together on site to form the complete dwelling unit. For further clarity, a mobile home use does not include a recreational vehicle.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.29A HEN” after Section 2.29.

2.29A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.54 RECREATION

USE” after Section 2.53.

- 2.54 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.**

22. Amending PART 2, as shown below in **bold**, by adding the definitions “2.66A SHARED HOUSING USE” and “2.66B SHARED HOUSING WITH SPECIAL CARE” after Section 2.66.

- 2.66A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:**
- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
 - (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use, and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

- 2.66B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.**

23. Amending PART 2, as shown below in **bold**, by adding the definitions “2.66D SHORT-TERM BEDROOM RENTAL” and “2.66E SHORT-TERM RENTAL” after Section 2.66C.

- 2.66D SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.**

- 2.66E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.**

24. Amending PART 2, as shown below in **bold**, by adding the definition “2.70.5 SUITE” after Section 2.70.

2.70.5 SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

25. Amending PART 2, as shown below in **bold**, by adding the definition “2.70B WATER CONTROL STRUCTURE” after Section 2.70A.

2.70B WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

26. Amending PART 2, as shown below in **bold**, by adding the definition “2.71 WATERCOURSE” after Section 2.70B.

2.71 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

27. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “Village” after the text “Fishing” and before the text “Zone.”

F-1	Fishing Village Zone
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28. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone” below the text “P-3 Park Zone”.

P-3	Park Zone
RPK	Regional Park Zone

29. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “PA Protected Area Zone” below the text “P-4 Conservation Zone”

P-4	Conservation Zone
PA	Protected Area Zone

30. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “UR Urban Reserve Zone” below the text “D-1 DND Zone”

31. Amending Subsection 3.6(k), as shown below in **bold**, by adding the text “the subdivision and development of lots on new public streets within the HCR” before the text “(Herring Cove Residential)”.

(k) the subdivision and development of lots on new public streets within the *HCR* (Herring Cove Residential) Zone and the F-1 (Fishing Village) Zone.

32. Amending Section 3.6, as shown below in **bold**, by:

- a. Adding Subsection (l) after Subsection (k);
- b. Adding Subsection (m) after Subsection (l);
- c. Adding preamble after Subsection (m);
- d. Adding clause (i) after the preamble;
- e. Adding preamble after clause (i); and
- f. Adding clause (i) after the preamble.

(l) Pursuant to Policy IM-24, where there is enabling policy to consider, by development agreement, the development 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.

(m) Alternative approaches to development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable; and**

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands with the Halifax Harbour Sub-designation outside of the Urban Service Area:

- (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

33. Amending PART 3, as shown below in **bold**, by adding Sections “3.7 LARGER CANNABIS PRODUCTION FACILITY BY DEVELOPMENT AGREEMENT” and “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6

3.7 LARGER CANNABIS PRODUCTION FACILITY BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

34. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B, 4.1C, 4.1D, and 4.1E deleted Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

4.1C An accessory hen use is exempt from the requirement to obtain a development permit.

4.1D A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.

4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

35. Amending Section 4.3 in PART 4, as shown below in **bold**, by adding the text “, except where backyard suites are permitted” after the text “dwelling on a lot,”.

No person shall erect more than one (1) dwelling on a lot, except where backyard suites are permitted.

36. Amending Subsection 4.7(b) in PART 4, as shown below in **bold**, by adding the text “or the Municipal Design Guidelines, as applicable” after the text “Department of Transportation”.

- (b) Notwithstanding the lot frontage provisions contained in this By-law, a portion of a lot identified as a road entrance reserve shall meet the requirements of the Department of Transportation **or the Municipal Design Guidelines, as applicable.**

37. Amending Section 4.7 in PART 4, as shown below in **bold**, by adding Subsection (d), Subsection (e) after deleted Subsection (c).

- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**
- (e) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses, excluding daycares facilities, are permitted on lots that do not meet lot frontage requirements provided the following conditions are satisfied:**
 - i. **the lot existed on April 1, 2016 and is located within the area shown in Schedule E;**
 - ii. **at the time of permitting, the applicant shall provide evidence satisfactory to the Development Officer establishing a registered easement in favour of the property that allows vehicular access to a street or road;**
 - iii. **where the vehicular access required by subclause ii is a shared private driveway serving four or more dwellings, it has been constructed, as certified by a professional engineer, to the design standards contained in Schedule F; and**
 - iv. **all other requirements of this By-law are met.**

38. Amending PART 4, as shown below in **bold**, by adding Section “4.12A ACCESSORY HEN USE” after Section 4.12.

4.12A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
 - i. **a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. **a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. **a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. **a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) **Hens shall be contained within an accessory building or a fenced area that:**

- i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;
 - iii. subject to 4.12A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
- i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens

39. Amending PART 4, as shown below in **bold**, by adding Section “4.13B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.13A.

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, or a rowhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) Notwithstanding Section 4.14, a secondary suite is permitted within a two unit dwelling;
- (iv) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, a multiple unit dwelling containing only 3 units, or a rowhouse dwelling subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure

- for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street, private road, or shared private driveway,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.

40. Amending PART 2, as shown below in **bold**, by adding Section “4.20 WATERCOURSES” after Section 4.19.

4.20 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) Within the Herring Cove Community and notwithstanding Subsection (1), where the configuration of any lot in existence on May 5, 2001, is such that no main building could be located on the lot, the buffer distance may be reduced to 15.24 m.
- (c) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (d) Lots approved as a result of a tentative or final subdivision pursuant to a

completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be

erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

41. Amending PART 4, as shown below in **bold**, by adding “4.20A COASTAL AREAS” after Section 4.19.

4.20C COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:
 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including

confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

(5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

42. Amending Subsection 4.27(a), as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “Multiple unit dwellings 1.5 spaces per dwelling unit”.

Multiple unit dwellings	0.33 spaces per dwelling unit
Shared housing use	0 spaces

43. Amending Subsection 4.27(a), as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “motels, hotels”;

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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44. Amending Subsection 4.27(a), as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as otherwise specified	where there are fixed seats, the greater of 1 space per 4 seats and 1 space per 100 square feet (10 m ²) of
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45. Amending PART 4, as shown below in **bold**, by adding Sections “4.28A BICYCLE PARKING FACILITIES”, “4.28B LOCATION OF BICYCLE PARKING”, and “4.28C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” after Section 4.28.

4.28A BICYCLE PARKING FACILITIES

- (1) Within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Urban Settlement, the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;
- (b) have a minimum overhead clearance of 2.0m;
- (c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

4.28B LOCATION OF BICYCLE PARKING

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

4.28C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

(1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

(2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle

parking.

(3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

46. Amending PART 4, as shown below in **bold**, by adding Section “4.33 WIND ENERGY FACILITIES” after repealed Section 4.32.

4.33 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**
- g) **“Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;**
 - i) **“Micro Facility” means a wind energy facility consisting of a single**

- turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
- ii) “Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) “Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) “Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule D - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.

- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;**
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,**
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.****
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)**
 - ii) Small 360 metres (1180 ft)****

- iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Planning District 5 Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions

for buildings under this By-law

IX SCHEDULES

a) Schedule D – Wind Energy Zoning

47. Amending PART 4, as shown below in **bold**, by adding Sections “4.34 PUBLIC TRANSIT FACILITIES” and “4.35 CANNABIS-RELATED USES” after Section 4.33.

4.34 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.35 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

48. Amending PART 4, as shown below in **bold**, by adding Section “4.36 SHORT-TERM RENTALS” after Section 4.35.

4.36 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) Not more than three (3) bedrooms, may be rented as a short-term bedroom rental at the same time except in the R-6, R-6a, V-1, V-3, C-1, and C-2 Zones, up to six (6) bedrooms may be rented;**
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**

- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

49. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings;”

Single unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

50. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Two unit dwellings;”

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

51. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Two unit dwellings;”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

52. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Private hunting and fishing camps;”; and

Single unit dwellings;
Two unit dwellings;
Private hunting and fishing camps;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

53. Amending Section 9.4 in PART 9, as shown below in **bold**, by adding the text “R-6” after the text “in any” and before the text “Zone,”.

Where day care facilities are permitted in any **R-6** Zone, the following shall apply:

54. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared

housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Private hunting and fishing camps;”.

Single unit dwellings;
Two unit dwellings;
Private hunting and fishing camps;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

55. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Herring Cove” after the text “any HCR (” and before the text “Residential) Zone.”

No development permit shall be issued in any HCR (**Herring Cove** Residential) Zone except in conformity with the following:

56. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Multiple unit dwellings containing 3 or 4 dwelling units;”

Multiple unit dwellings containing 3 or 4 dwelling units;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

57. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Two unit dwellings;” under the heading “Residential Uses”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

58. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Two unit dwellings;” under the heading “Residential Uses”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

59. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing with special care;” below the text “Day care facilities;” under the heading “Community Uses”.

Day care facilities;
Shared housing with special care;

60. Amending PART 15, as shown below in **bold**, by adding Section “15.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITY” after Section 15.4.

15.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITY

- (a) **A cannabis production facility shall comply with the requirements of Section 15.3.**
(b) **Where a lot containing a cannabis production facility abuts a lot**
 (i) **zoned or used for residential purposes, or**
 (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a Cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.**

61. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Two unit dwellings;” under the Heading “Residential Uses”.

Two unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

62. Amending the Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single and two unit dwellings including a dwelling unit for maintenance or security personnel”.

Single and two unit dwellings including a dwelling unit for maintenance or security personnel.
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;
Home occupations;

63. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “or cannabis production facility” after the text “manufacturing operation” and before the text “which is conducted”.

Any industrial, assembly, manufacturing operation **or cannabis production facility** which is conducted and wholly contained within a building and which does not involve process water treatment;

64. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms which is accessory to any permitted use;” below the text “Single unit dwellings which are accessory to any permitted use;”.

Single unit dwellings which are accessory to any permitted use;

Shared housing use with 10 or fewer bedrooms which is accessory to any permitted use;

65. Amending Section 18.1 in PART 18, as shown below in **bold**, by:

- a. Adding the text “Short-term Rentals” below the text “Composting operations”; and
- b. Adding the text “Short-term bedroom rentals” below the text “Short-term rentals”.

Composting operations (see section 4.29)

Short-term rentals

Short-term bedroom rentals

66. Amending Section 18.3 in PART 18, as shown below in **bold**, by:

- a. Adding the text “or any shared housing use” after the text “or two unit dwellings” and before the text “unless such a dwelling”;
- b. Adding the text “or shared housing use” after the text “such a dwelling” and before the text “is located”; and
- c. Adding the text “or a shared housing use” after the text “two unit dwelling” and before the text “is accessory to”.

Notwithstanding Section 18.1, no person shall erect any single or two unit dwelling **or any shared housing use** unless such a dwelling **or shared housing use** is located on a lot in existence on the effective date of this By-law, except where a single or two unit dwelling **or a shared housing use** is accessory to any permitted use.

67. Amending PART 18, as shown below in **bold**, by adding Section “18.11 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITY” after Section 18.10.

18.11 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITY

- (a) **Where a lot containing a cannabis production facility abuts a lot**
 - (i) **zoned or used for residential purposes, or**
 - (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a Cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

68. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Village” after

the text “(Fishing” and before the text “) Zone”.

No use shall be permitted in any F-1 (Fishing **Village**) Zone except for the following:

69. Amending Section 19.1 in PART 19, as shown below in **bold**, by:
- Adding the text “HCR” after the text “permitted in the” and before the text “(“; and
 - Adding the text “Herring Cove” after the text “(“ and before the text “Residential)”.

Residential Uses

Residential uses permitted in the **HCR (Herring Cove Residential)** Zone.

70. Amending Section 19.2 in PART 19, as shown below in **bold**, by adding the text “Village” after the text “Fishing” and before the text “) Zone”.

No uses in any F-1 (Fishing **Village**) Zone shall be permitted except in conformity with the following:

71. Amending Section 20.1 in PART 20, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms;” below the text “Denominational institutions and uses”.

Denominational institutions and uses;
Shared housing use with 10 or fewer bedrooms;

72. Amending Section 20.1 in PART 20, as shown below in **bold**, by adding the text “Shared housing with special care;” below the text “Hospitals, medical and veterinary clinics”.

Hospitals, medical and veterinary clinics;
Shared housing with special care;

73. Adding a PART, “PART 21A: RPK (REIGONAL PARK) ZONE” as shown below in **bold**, after PART 21.

PART 21A: RPK (REGIONAL PARK) ZONE

21A.1 RPK USES PERMITTED

No development permit shall be issued in any **RPK (Regional Park) Zone** except for the following:

Park Uses

Recreation uses

Conservation uses

Museums, interpretive centres, and buildings associated with park maintenance

Marine related navigational aids
Uses accessory to the foregoing uses

21A.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building	10.7 m

74. Adding a PART, "PART 22A: PA (PROTECTED AREA) ZONE", as shown below in **bold**, after PART 22.

PART 22A: PA (PROTECTED AREA) ZONE

22A.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

22A.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

22A.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of

vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

75. Adding a PART, “PART 25: UR (URBAN RESERVE) ZONE, as shown below in **bold**, after PART 24.

PART 25: UR (URBAN RESERVE) ZONE

25.1 UR USES PERMITTED

No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Passive recreation uses

Uses accessory to the foregoing uses

25.2 UR ZONE REQUIREMENTS

In any UR Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

76. Amending Section 25D.1 in PART 25D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

77. Adding “APPENDIX D: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”, as shown in Schedule C-26A, after “APPENDIX ‘C’”, attached hereto.

78. Adding “Schedule D - Wind Energy Zoning”, “Schedule E: Areas Subject to Reduced Frontage Requirements”, “Schedule F: Shared Private Driveway Design Standards”, “Schedule G: Lands Subject to Interim Bonus Zoning Requirements”, and “Schedule G, Table 1: Lands Subject to Interim Bonus Zoning Requirements” as shown in Schedules C-26B, C-26C, C-26D, C-26E, and C-26F, respectively, after repealed Schedule C, attached hereto.
79. Zoning Map “Schedule A – Zoning” is amended to rezone properties to Regional Park (RPK) Zone, Protected Area (PA) Zone, and Urban Reserve (UR) Zone as shown on Schedule C-26G attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-27

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay) is hereby amended as follows:

1. Amending SECTION II under the heading “LAND USE POLICY”, as shown below in **bold**, by:
 - a. Adding the text “short-term bedroom rentals such as, but not limited to,” after the text “of the area, ” and before the text “bed and breakfasts” in the fifth paragraph; and
 - b. Adding the text “short-term bedroom rental” after the text “associated with a” and before the text “to three,” in the fifth paragraph.

Given the location attributes of the area, **short-term bedroom rentals such as, but not limited to**, bed and breakfasts can be a particularly attractive home business opportunity. By limiting the number of bedrooms associated with a **short-term bedroom rental** to three, these establishments are accepted and supported within the Residential Designation.

2. Amending Policy RD-2, as shown below in **bold**, by adding the text “short-term bedroom rentals,” after the text “day care facilities,” and before the text “and home businesses”.

RD-2 Within the Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which permits single unit dwellings, open space uses as well as day care facilities, **short-term bedroom rentals**, and home businesses of a limited size in conjunction with a permitted dwelling and existing uses. Provisions of the land use by-law shall ensure that no aspect of the accessory use will detract from the residential nature of the designation.

3. Amending SECTION II under the heading LAND USE POLICY, as shown below in **bold**, by:
 - a. Adding the text “shared housing with special care” after the text “development of” and before the text “within the” in the first paragraph below Policy RD-9;
 - b. Adding Policy RD-10A after deleted Policy RD-10; and
 - c. Adding Policy RD-10B after Policy RD-10A.

The development of **shared housing with special care** within the various communities of the Residential Designation is supported and there is no doubt that there will be continued demand for this form of housing.

However, because of the scale of such projects there is a need to ensure that the design, layout and maintenance of such facilities are compatible with the surrounding neighbourhood.

RD-10 Deleted

RD-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 RD-2 and RD-3, within the Residential Designation, 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-9.**

RD-10B In addition to RD-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.**

4. Amending SECTION II under the heading HUBLEY MILL LAKE DESIGNATION and the subheading Intent, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care” after the text “development of” and before the text “within the designation” in the first paragraph below Policy HM-4;
- b. Adding Policy HM-5A after deleted Policy HM-5; and
- c. Adding Policy HM-5B after Policy HM-5A.

The development of **shared housing with special care** within the designation is supported and there is no doubt that there will be continued demand for this form of housing.

However, because of the scale of such projects relative to the low density environment, there is a need to ensure that the design, layout and maintenance of senior citizen facilities are compatible with the surrounding neighbourhood.

HM-5 Deleted

HM-5A 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 Policy HM-1, within the Hubley Mill Lake Designation, 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-9.**

HM-5B In addition to Policy HM-5A, 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.**

5. Amending Clause (d) in Policy CV-14, as shown below in **bold**, by adding the text “short-term bedroom rentals” before the text “within a limited number”.

CV-14 Within the Village Residential Sub-Designation, it shall be the intention of Council to establish and apply a Village Residential Zone, to allow:

- (a) single unit dwellings, auxiliary dwelling units, semi-detached dwellings and, on large lots, townhouse-style multiple unit dwellings up to a limited number of units;
- (b) home businesses;

- (c) day care facilities of limited size, in conjunction with a permitted dwelling;
- (d) **short-term bedroom rentals** with a limited number of rooms to be let, in conjunction with a permitted dwelling;
- (e) commercial uses existing at the time of adoption of this Policy;
- (f) limited community and institutional uses; and
- (g) small-scale tourism, fishery, forestry and agricultural activities.

6. Amending SECTION II under the heading MIXED RURAL RESIDENTIAL DESIGNATION, as shown below in **bold**, by adding the text “short-term bedroom rentals such as, but not limited to,” after the text “tourism include” and before the text “bed and breakfasts” in the fourth paragraph.

An important component of commercial activity within the designation relates to tourism. The St. Margarets Bay area has long attracted tourist and this activity still plays a very important role in the economy. The tourism business is generally accepted as it is clean and considered to be compatible with the overall environment of the Bay area. Therefore, support is offered for certain activities that are related to this industry. Businesses now operating in the designation which are dependent on tourism include **short-term bedroom rentals such as, but not limited to**, bed and breakfasts and craft and antique shops.

7. Amending Policy MRR-2, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “industry such as” and before the text “and craft and antique”.

MRR-2 Within the Mixed Rural Residential Designation it shall be the intention of Council to establish a Mixed Rural Residential zone which permits all existing uses, single unit dwellings, two unit dwellings, mobile homes which are skirted, small scale medical clinics, boat houses, homes businesses, local commercial activities, operations related to the tourist industry such as **short-term bedroom rentals** and craft and antique shops, smaller-scale resource-related uses and open space and institutional uses which provide services to the community. Provisions of the zone will provide for controls on outdoor storage and display, parking and loading areas, buffering and setbacks for the permitted non-residential uses.

8. Amending SECTION II under the heading MIXED RURAL RESIDENTIAL DESIGNATION and subheading Land Use Intent, as shown below in **bold**, by adding the paragraph “In considering whether to permit shared housing uses by development agreement, proximity of the site to commercial, community facility and public transit or consideration of the provision of such services on the site of the development shall not be a requirement for Council’s approval.” after the second paragraph after Policy MRR-3 and before Policy MRR-4.

However, although these uses have many positive aspects, they can be of such a scale, relative to neighbouring uses, that the development agreement approach will be used when considering such uses within the designation. Development agreements will ensure that the scale of the overall structure will remain compatible with surrounding land uses and that matters such as setbacks, layout and access to collector roads addressed. Concerns related to sewage disposal, water supply and environmental protection can be considered.

In considering whether to permit shared housing uses by development agreement, proximity of the site to commercial, community facility and public transit or consideration of the provision of such services on the site of the development shall not be a requirement for Council's approval.

9. Amending Policy MRR-4, as shown below in **bold** and ~~strikeout~~, by:
- Adding the text “and shared housing at a larger scale than considered in the underlying zone” after the text “unit dwellings” and before the text “in accordance with”;
 - Adding the text “shared housing with special care,” after the text “in the case of” and before the text “Council shall” in the first paragraph below Clause (g);
 - Adding Clauses (h) through (p) after the first paragraph below Clause (g);
 - Adding the text “In addition, where shared housing with special care is to be provided in multiple buildings on one lot:” after Clause (p); and
 - Adding Clauses (q) and (r) after the paragraph after Clause (p).

MRR-4 Notwithstanding Policy MRR-2, within the Mixed Rural Residential Designation, Council shall only consider permitting multiple unit dwellings **and shared housing at a larger scale than considered in the underlying zone** in accordance with the development agreement provisions of the Planning Act. In considering such development agreements, Council shall have regard to the following:

- that the architectural design and scale of any building(s) are compatible with nearby land uses;
- that adequate separation distances are maintained from low density residential Planning Districts 1 and 3 Municipal Planning Strategy Page 50 developments and that landscaping measures are carried out to reduce the visual effects of the proposed use;
- the general maintenance of the development;
- that open space and parking areas are adequate to meet the needs of residents and that they are substantially landscaped;
- the means by which solid and liquid wastes will be treated;
- the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sighting distance and entrance to an exit from the site; and
- the provisions of Policy IM-9.

In addition, in the case of **shared housing with special care**, Council shall have regard to the following:

- (h) **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;**
- (i) **grading, sedimentation and erosion control, and stormwater management;**
- (j) **that open space, outdoor amenities and parking areas incorporate design features providing accessibility for all abilities such as wide walkways or the use of non-slip surfaces;**
- (k) **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;**
- (l) **proximity of the site to public transit, where the service is provided;**
- (m) **that there is sufficient indoor and outdoor common amenity space for residents;**
- (n) **the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;**
- (o) **the housing needs of the local community; and**
- (p) **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.**

In addition, where a shared housing with special care use is to be provided in multiple buildings on one lot:

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

10. Amending SECTION II under the heading MIXED USE DESIGNATIONS and subheading Land Use Intent: Mixed Use “A” and “B” Designations, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care” after the text “need for” and before the text “in the area” in the fifth paragraph;
- b. Adding the text “shared housing with special care” after the text “building” and before the text “in the local” in the sixth paragraph;
- c. Adding the text “shared housing with special care” after the text “recognized that” and before the text “could be out” in the seventh paragraph; and

- d. Adding the text “bedrooms” after the text “twenty” and before the text “. Beyond this” in the seventh paragraph.

There is a need for **shared housing with special care** in the area to provide for older residents who no longer are able to or wish to maintain their own homes. There is a clear desire on the part of residents of the designation to allow such facilities to establish within their communities.

Building **shared housing with special care** in the local community has a number of advantages, not the least of which is that family ties can be more easily maintained.

At the same time, it is recognized that **shared housing with special care** could be out of scale with the surrounding area or place strain on local services or the environment. Therefore, such uses will be permitted by right only up to twenty **bedrooms**. Beyond this size, they will only be permitted by development agreement.

11. Amending Policy MU-2, as shown below in **bold** by,
 - a. Adding the text “shared housing with special care” after the text “multi-dwellings,” and before the text “containing”; and
 - b. Adding the text “bedrooms,” after the text “twenty (20)” and before the text “commercial”.

MU-2 Within the Mixed Use "A" and "B" Designation, it shall be the intention of Council to establish a Mixed Use 1 and Mixed Use 2 Zone respectively which permits all uses with the exception of mobile home parks, multi-dwellings, **shared housing with special care** containing over twenty (20) **bedrooms**, commercial entertainment uses, video arcades, campgrounds, marinas, intensive agricultural uses, extractive uses, sawmills and industrial mills related to forestry over three thousand (3,000) square feet, penal institutions, industrial uses excepting traditional uses, including telecommunication towers, hazardous waste disposal or storage sites, sanitary land fill sites, C & D Material Operations (RC-Sep 10/02;E-Nov 9/02), commercial and industrial developments greater than 697 square metres (7,500 square feet) of GFA on any one lot, and salvage yards. The Mixed Use 1 Zone shall permit fish processing plants and the Mixed Use 2 Zone shall not. Standards shall be contained in the land use by-law for non-residential uses, including controls on outdoor storage and display, parking, buffering and setbacks.

12. Amending SECTION II under the heading MIXED USE DESIGNATIONS and subheading Land Use Intent: Mixed Use “A” and “B” Designations, as shown below in **bold**, by adding the text “shared housing with special care” after the text “larger size” and before the text “and mobile home” in the first paragraph below Policy MU-3.

There is a need to provide for some higher-density uses within the designations such as multi-unit dwellings, larger size **shared housing with special care** and mobile home parks. However, because of the scale of such uses, concern over the operation of septic or sewage treatment facilities and the effects that a large influx of people permanently living in an area could have on community services, development agreements will be required. These agreements will offer the opportunity to evaluate each proposal on an individual basis against community concerns.

13. Amending Policy MU-4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “shared housing with a number of bedrooms permitted in the underlying zone” after the text “only consider” and before the text “and multiple unit dwellings”;
- b. Adding the text “In addition, in the case of shared housing with special care, Council shall have regard to the following:” after Clause (g);
- c. Adding Clauses (h) through (p);
- d. Adding the text “In addition where a shared housing with special care use is to be provided in multiple dwellings on one lot:” after Clause (p) and before Clause (q); and
- e. Adding Clauses (q) and (r).

MU-4 Notwithstanding Policy MU-2, within the Mixed Use "A" and "B" Designations Council shall only consider **shared housing with a number of bedrooms permitted in the underlying zone** and multiple unit dwellings within the Mixed Use Designations according to the development agreement provisions of the Planning Act. In considering such development agreements, Council shall have regard to the following:

- (a) that the architectural design and scale of any building(s) are compatible with nearby land uses;
- (b) that adequate separation distances are maintained from low density residential developments and that landscaping measures are carried out to reduce the visual effects of the proposal;
- (c) the general maintenance of the development;
- (d) that open space and parking areas are adequate to meet the needs of residents and that they are suitably landscaped;
- (e) the means by which solid and liquid waste will be treated;
- (f) the effect of the proposed use on traffic volume and the local road networks, as well as traffic circulation in general, sighting distances and entrance to and exit from the site; and
- (g) the provisions of Policy IM-9.

In addition, in the case of shared housing with special care, Council shall have regard to the following:

- (h) 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;**
- (i) grading, sedimentation and erosion control, and stormwater management;**
- (j) that open space, outdoor amenities and parking areas incorporate design features providing accessibility for all abilities such as wide walkways or the use of non-slip surfaces;**
- (k) 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;**
- (l) proximity of the site to public transit, where the service is provided;**
- (m) that there is sufficient indoor and outdoor common amenity space for residents;**
- (n) the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;**
- (o) the housing needs of the local community; and**
- (p) 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.**

In addition where a shared housing with special care use is to be provided in multiple buildings on one lot:

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

14. Amending Policy IM-8, as shown below in **bold**, by:

- a. Adding the text “shared housing uses at a larger scale than permitted in the underlying zone” before the text “according to Policy MU-4” in Subclause (a)(i);
- b. Adding the text “shared housing uses at a larger scale than permitted in the underlying zone” after the text “dwellings and” and before the text “according to Policy” in Subclause (c)(i);
- c. Adding the text “shared housing with special are at a larger scale than permitted in the underlying zone” before the text “according to” in Subclause (d)(i);
- d. Adding the text “Policies HM-5A and HM-5B” after the text “according to” in Subclause (d))(i);

- e. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according” in Subclause (e)(ii); and
- f. Adding the text “Policies RD-10A and RD-19B” after the text “according to” in Subclause (e)(ii).

IM-8 The following uses shall only be considered subject to the entering into a development agreement:

- (a) Within the Mixed use "A" and "B" Designations:
 - (i) **shared housing uses at a larger scale than permitted in the underlying zone** according to Policy MU-4;
 - (ii) multiple unit dwellings according to Policy MU-4;
 - (iii) new mobile home parks and expansion to existing mobile home parks, according to Policy MU-5;
 - (iv) commercial entertainment uses according to Policy MU-6;
 - (v) video arcades according to Policy MU-8;
 - (vi) campgrounds and marinas according to Policy MU-9;
 - (vii) crematoriums according to Policy MU-11;
 - (viii) extractive facilities according to Policy MU-15;
 - (ix) intensive agricultural uses according to Policy MU-16; and
 - (x) commercial and industrial developments or expansions exceeding a combined total of more than 697 square metres (7,500 square feet) of gross floor area on any one lot according to policy MU-17.
- (b) Within the Mixed Use "B" Designation:
 - (i) fish processing plants according to Policy MU-18.
- (c) Within the Mixed Rural Residential Designation:
 - (i) multiple unit dwellings and **shared housing uses at a larger scale than permitted in the underlying zone** according to Policy MRR-4;
 - (ii) campgrounds and marinas according to Policy MRR-7; and
 - (iii) crematoriums according to Policy MU-11.
- (d) Within the Hubley Mill Lake Designation:
 - (i) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies HM-5A and HM-5B**;
 - (ii) any expansion of the Kreft Mushroom Farm Ltd. (LIMS Index Number 40055766), formerly Ocean Mist Mushroom Farm, according to Policy HM-6; and
 - (iii) crematoriums according to Policy MU-11.
- (e) Within the Residential Designation:
 - (i) home business over three hundred (300) square feet according to Policy RD-5;
 - (ii) **shared housing with special care at a larger scale than permitted in the underlying zone** according to **Policies RD-10A and RD-10B**;
 - (iii) institutional uses according to Policy RD-11; and

(iv) crematoriums according to Policy MU-11.

15. Amending SECTION IV, as shown below in **bold**, by adding Policies IM-18, IM-19, and IM-20 after Policy IM-17.

IM-18 Where there is enabling policy to consider the development, by development agreement, of a 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.

IM-19 Notwithstanding Policies HM-5A, HM-5B, RD-10A, RD-10B, MMR-4 and MU-4, applications for non-substantive amendments to development agreements that were in effect on the coming in force of Policies HM-5A, HM-5B, RD-10A, and RD-10B 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.

IM-20 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-28

Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margarets Bay)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 1 and 3 (St. Margarets Bay) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12A ACCESSORY HEN USE” immediately after the text “4.12 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.13B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.13AB SHIPPING CONTAINERS”.
3. Amending the “Table of Contents”, by adding the text “4.19 WATERCOURSES” immediately after the text “4.18 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.19A COASTAL AREAS” immediately after the text “4.19 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.33 WIND ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE J – WETLANDS MAP”.
6. Amending the “Table of Contents”, by adding the text “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 CANNABIS-RELATED USES”, and “4.36 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 22: RPK (REGIONAL PARK) ZONE” and “PART 23: PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “PART 21: I-3 (MIXED INDUSTRIAL) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 23E: PA (PROTECTED AREA) ZONE” and “PART 23F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE” immediately after the text “PART 23D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “Schedule K - Wind Energy Zoning” immediately after the deleted text “Schedule J: Wetlands”.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory

hen use is not an agricultural use

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.11A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD 2013)” after Section 2.11.

2.11A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.11B CANNABIS LOUNGE”, “2.11C CANNABIS PRODUCTION FACILITY”, and “2.11D CANNBIS RETAIL SALES” after Section 2.11A.

2.11B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.11C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

2.11D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.15AA CONSERVATION USE” after Section 2.15A.

2.15AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

14. Amending Subsection 2.22(c) in PART 2, as shown below in **bold**, by adding the text “and includes a mobile dwelling” after the text “detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit **and includes a mobile dwelling**

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.33A HEN” after Section 2.33.

2.33A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

16. Amending Section 2.35 in PART 2, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “day care facility,” and before the text “fire, police”.

2.35 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire, police station, public works, hospital, public library, museum and gallery, community centre and hall, recreational use or open space use.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.61 RECREATION USE” after Section 2.60.

2.61 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.72B SHARED HOUSING USE” and “2.72C SHARED HOUSING WITH SPECIAL CARE” after Section 2.72A.

2.72B SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:
(i) **that are rented for remuneration as separate rooms for residential accommodation; or**

- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.72C SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.72E SHORT-TERM BEDROOM RENTAL” and “2.72F SHORT-TERM RENTAL” after Section 2.72D.

2.72E SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.72F SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.76.5 SUITE” after Section 2.76.

2.76.5 SUITE

- (a) **Suite, Backyard** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Suite, Secondary** means a self-contained subordinate dwelling unit that is located within a residential main building.

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.79A WATER CONTROL STRUCTURE” after Section 2.79.

2.79A WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.80 WATERCOURSE” after Section 2.79A.

2.80 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

23. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “CDD Comprehensive District Zone” below the text “MU-2 Mixed Use 2 Zone”.

<u>Mixed Use Zones</u>	MU-1	Mixed Use 1 Zone
	MU-2	Mixed Use 2 Zone
	CDD	Comprehensive District Zone

24. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “RPK Regional Park Zone”, “PWS Protected Water Supply Zone”, and “PA Protected Area Zone” below the text “ICH Infrastructure Charge Holding Zone”.

<u>Infrastructure Charge Zone</u>	ICH	Infrastructure Charge Holding Zone
<u>Community Uses Zones</u>	RPK	Regional Park Zone
	PWS	Protected Water Supply Zone
	PA	Protected Area Zone

25. Amending Subsection 3.6(c) in PART 3, as shown below in **bold**, by:
- adding the text “Shared housing with special care” before the text “in the Residential Designation”;
 - adding the text “Shared Housing in the” after the text “Mill Lake Designation,” and before the text “Mixed Rural Designation”.
 - adding the text “shared housing or shared housing with special care” after the text “Residential Designation and” and before the text “containing over”; and
 - adding the text “bedrooms” after the text “twenty (20)” and before the text “in the Mixed Use A”.

(c) **Shared housing with special care** in the Residential Designation, Hubley Mill Lake Designation, **Shared Housing in the** Mixed Rural Residential Designation and **shared housing or shared housing with special care** containing over twenty (20) **bedrooms** in the Mixed Use A and B Designations;

26. Amending Section 3.6 in PART 3, as shown below in **bold**, by:
- Adding Subsection (pa) after Subsection (o);
 - Adding Subsection (p), Clause (i), and Clause (ii) after Subsection (pa).

- (pa) Alternative approaches to development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.
- (p) As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:
 - (i) Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable; and
 - (ii) a mix of residential, commercial and institutional uses under the CDD (Comprehensive Development District) Zone, as per policy IM-22 of the Regional Municipal Planning Strategy.

27. Amending PART 3, as shown below in **bold**, by adding Sections “3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” and “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

28. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B, 4.1C, 4.1D, and 4.1E, after deleted Section 4.1A.

- 4.1B** Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

- 4.1C An accessory hen use is exempt from the requirement to obtain a development permit
- 4.1D A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- 4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

29. Amending Section 4.3 in PART 4, as shown below in **bold**, by adding Subsection (c) after Subsection (b).

- (c) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

30. Amending Section 4.4 in PART 4, as shown below in **bold**, by adding the text “, except where backyard suites are permitted” after the text “dwelling on a lot”.

4.4 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.12A ACCESSORY HEN USE” after Section 4.12.

4.12A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) **Hens shall be contained within an accessory building or a fenced area that:**
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;

- iii. subject to 4.12A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
- i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.13B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.13A.

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling, a townhouse dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;
- (iv) The floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;

- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

33. Amending PART 4, as shown below in **bold**, by adding Section “4.19 WATERCOURSES” after Section 4.18.

4.19 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer shall not be less than 100 m from the ordinary highwater mark of Pockwock Lake.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) Notwithstanding subsection (1), where the configuration of a lot that existed on July 14, 2015 on the East River, within the Tantallon Crossroads Coastal Village Designation as shown on Schedule Q, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide

the greatest possible separation from a watercourse having regard to the other yards.

(b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.

(c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.
- (7) Notwithstanding subsection (4) and (5), within the MR-2 (Mixed Resource 2) Zone north of Highway 103, Wright Lake, or Coon Lake within the MU-1 (Mixed Use 1) Zone, activity shall be limited to the placement of board walks, walkways and trails, conservation uses and buildings and structures for conservation related uses, wilderness campsites or non-motorized water related recreation uses.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

34. Amending PART 4, as shown below in **bold**, by adding “4.19A COASTAL AREAS” after Section 4.19.

4.19A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity area, or a storage space permitted in this By-law that is:
 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

35. Amending Subsection 4.27(a) in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “except for senior citizen apartments”.

Multiple unit dwellings (except for senior citizen apartments)	1.5 spaces per dwelling unit
Shared housing use	0 spaces

36. Amending Subsection 4.27(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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37. Amending Subsection 4.27(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as otherwise specified	where there are fixed seats, the greater of 1 space per 4 seats or 1 space per 100 square feet (9.3 m ²) of gross floor area
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67. Amending PART 4, as shown below in **bold**, by adding Section “4.33 WIND ENERGY FACILITIES” after repealed Section 4.32

4.33 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion**

- electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
- i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule K - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**
- i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
 - ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
 - iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
 - iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building**

- on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
 - i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)

- ii) Small 360 metres (1180 ft)
- iii) Medium 500 metres (1640 ft)
- iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Planning Districts 1 and 3 Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.

- c) **The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law**

IX SCHEDULES

- a) **Schedule K - Wind Energy Zoning**

68. Amending PART 4, as shown below in **bold**, by adding Sections “4.34 PUBLIC TRANSIT FACILITIES” and “4.35 CANNABIS-RELATED USES” after Section 4.33.

4.34 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.35 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

69. Amending PART 4, as shown below in **bold**, by adding Section “4.36 SHORT-TERM RENTALS” after Section 4.35.

4.36 SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms may be rented as a short-term bedroom rental at the same time except in the MRR-1 zone up to six (6) bedrooms may be rented;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

70. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

71. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “One auxiliary dwelling unit”.

One auxiliary dwelling unit

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

72. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “One auxiliary dwelling unit”.

One auxiliary dwelling unit

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

73. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwelling”.

Single unit dwelling

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

74. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two Unit Dwellings”.

Two Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

75. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

76. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Institutional uses”.

Institutional uses

Shared housing use with 10 or fewer bedrooms

77. Amending Section 11A.1 in PART 11A, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Townhouse dwelling or townhouse-style dwelling with a maximum of four (4) units”.

Townhouse dwelling or townhouse-style dwelling with a maximum of four (4) units

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

78. Amending Section 11B.1 in PART 11B, as shown below in **bold**, by adding the text “Shared housing use with 20 or fewer bedrooms” below the text “A maximum of twelve (12) dwelling units in a commercial or institutional building”.

A maximum of twelve (12) dwelling units in a commercial or institutional building

Shared housing use with 20 or fewer bedrooms

79. Amending Section 11B.1 in PART 11B, as shown below in **bold**, adding the text “Short term rentals” and “Short-term bedroom rentals” below the text “Greenhouses located no less than 45.7m (150 feet) from any well situated on another lot, and from any watercourse”.

Greenhouses located no less than 45.7 m (150 feet) from any well situated on another lot, and from any watercourse

Short-term rentals

Short-term bedroom rentals

80. Amending Section 11C.1 in PART 11C, as shown below in **bold**, by adding the text “Shared housing with 20 or fewer bedrooms” below the text “Multiple unit dwellings with a maximum of twelve (12) units.”

Multiple unit dwellings with a maximum of twelve (12) units

Shared housing use with 20 or fewer bedrooms

81. Amending Section 11C.1 in PART 11C, as shown below in **bold**, by adding the text “Short-term

rentals” and “Short-term bedroom rentals” below the text “Veterinary Clinics and the associated boarding of animals”.

Veterinary Clinics and the associated boarding of animals

Short-term rentals

Short-term bedroom rentals

82. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with greater than 20 bedrooms” below the text “Multi-unit dwellings”.

Multi-unit dwellings

Shared housing use with greater than 20 bedrooms

83. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “and cannabis production facilities” after the text “service industries”.

Industrial uses but excepting traditional uses and service industries **and cannabis production facilities**

84. Amending PART 12, as shown below in **bold**, by adding Section “12.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES”.

12.15 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

85. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with greater than 20 bedrooms” below the text “Multi-unit dwellings”.

Multi-unit dwellings

Shared housing use with greater than 20 bedrooms

86. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “and cannabis production facilities” after the text “service industries”.

Industrial uses but excepting traditional uses and service industries **and cannabis production**

facilities

87. Amending PART 13, as shown below in **bold**, by adding the text “13.14 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 13.13.

13.14 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) **zoned or used for residential purposes, or**
 - (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

88. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

89. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

90. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Resort”.

Resort

Short-term rentals

Short-term bedroom rentals

91. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

92. Amending Section 17.1 in PART 17, as shown below in **bold**, by:

- a. Adding the heading “Other Uses” below the text “Open space uses”;
- b. Adding the text “Cannabis production facilities” below the heading “Other Uses”; and

OTHER USES

Cannabis production facilities

93. Amending PART 17, as shown below in **bold**, by adding the Section “17.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 17.8.

17.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

94. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

95. Amending Section 18.1 in PART 18, as shown below in **bold**, by:

- a. Adding the heading “OTHER USES” below the text “Open space uses”;
- b. Adding the text “Cannabis production facilities” below the heading “OTHER USES”; and

OTHER USES

Cannabis production facilities

96. Amending PART 18, as shown below in **bold**, by adding Section “18.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 18.8.

18.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.
- (b) Where a lot containing a cannabis production facility abuts a lot
 - (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

97. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Office or retail use accessory to any permitted use”.

Office or retail use accessory to any permitted use
Cannabis production facilities

98. Amending PART 19, as shown below in **bold**, by adding Section “19.8 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 19.7

19.8 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
 - (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

99. Amending Section 21.1 in PART 21, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations”.

Composting operations (see section 4.29)
Cannabis production facilities

100. Amending PART 21, as shown below in **bold**, by adding Section “21.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITY” after Section 21.5.

21.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

101. Adding PARTs, “PART 22: RPK (REGIONAL PARK) ZONE” and “PART 23: PWS (PROTECTED WATER SUPPLY) ZONE”, as shown below in **bold**, after PART 21.

PART 22: RPK (REGIONAL PARK) ZONE

22.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

Public Parks

Commercial uses accessory to public park use

22.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building	10.7 m

PART 23: PWS (PROTECTED WATER SUPPLY) ZONE

23.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

**Municipal water distribution or purification facilities
Conservation uses
Uses accessory to the foregoing uses**

23.2 PWS ZONE REQUIREMENTS

In any PWS Zone, no development permit shall be issued except in conformity with the following:

**Minimum Front or Flankage Yard: 9.1m
Minimum Rear or Side Yard: 4.6m**

102. Amending Section 23D.1 in PART 23D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

103. Adding PARTs, as shown below in **bold**, “PART 23E: PA (PROTECTED AREA) ZONE” and “PART 23F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE”, after PART 23D.

PART 23E: PA (PROTECTED AREA) ZONE

23E.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

**Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses**

23E.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity

with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

23E.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

PART 23F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

23F.1 CDD USES PERMITTED

No development permit shall be issued in any CDD (Comprehensive Development District) Zone except for the following:

Residential uses
Commercial uses
Institutional uses
Recreation uses
Parking facilities and transit stations or transit stops
Existing uses
Uses accessory to the foregoing uses

23F.2 CDD REQUIREMENTS

(1) In any CDD (Comprehensive Development District) Zone no development permit shall be issued except in conformity with the development agreement provisions of the *Halifax Regional Municipality Charter*.

(2) Notwithstanding subsection (1), existing uses within any CDD zone shall be considered as fully conforming uses and as such are permitted to expand, resume operation if discontinued, or be readopted, or rebuilt if destroyed on the lot which they occupied on the effective date of this by-law, subject to the following requirements:

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m

Minimum Rear Yard: 2.5m
Maximum Lot Coverage: 35%
Maximum Height of Main Building: 11m

104. Adding “Schedule K - Wind Energy Zoning” after repealed Schedule J as shown in Schedule C-28A, attached hereto.
105. Zoning Map “Schedule A – Zoning” is amended to rezone the properties to Regional Park (RPK) Zone, Protected Area (PA) Zone, Comprehensive Development District (CDD) Zone, and Protected Water Supply Area (PWS) Zone as shown in Schedule C-28B attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-29

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 14/17 (Shubenacadie Lakes)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14/17 (Shubenacadie Lakes) is hereby amended as follows:

1. Amending Policy P-53, as shown below in **bold**, by adding the text “shared housing uses with 10 or fewer bedrooms,” after the text “fourteen children, and” and before the text “within any residential zone”.

P-53 In recognition of the range of individual needs in all communities, it shall be the intention of Council to permit, day care facilities for up to fourteen children, and **shared housing uses with 10 or fewer bedrooms**, within any residential zone. Furthermore, it shall be the intention of Council to seek the cooperation of the province in reviewing existing social programs in order to:

2. Amending Policy P-66, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “and small scale” and before the text “within a dwelling”.

P-66 Within the Residential Designation, it shall be the intention of Council to establish a suburban residential zone which permits single unit dwellings, two unit dwellings, community uses, and limited office and day care facilities and small scale **short-term bedroom rentals** within a dwelling.

3. Amending SECTION III under the heading RESIDENTIAL DESIGNATION, as shown below in **bold**, by:
 - a. Adding the text “shared housing” after the text “Municipality for” and before the text “. The federal” in the first paragraph below Policy P-68;
 - b. Adding the text “shared housing” after the text “provisions of” and before the text “within the Plan Area” in the first paragraph below Policy P-68;
 - c. Adding Policy P-69A after deleted Policy P-69; and
 - d. Adding Policy P-69B after Policy P-69A.

Although additional higher density housing will not be encouraged, there is a growing need throughout the Municipality for **shared housing**. The federal, provincial, and municipal governments, in cooperation with local housing authorities and voluntary non-profit societies, have been actively involved in trying to meet the specialized needs of residents throughout Halifax County. While the Municipality supports the provisions of **shared**

housing within the Plan Area, it also recognizes that there are certain locational, design, and environmental concerns which must be addressed if this housing is to be properly integrated within the community.

P-69 Deleted

P-69A Council supports the development of complete communities with housing resources that are appropriate and adequate for current and future residents. Developing shared housing projects will support diversity and inclusion, aging in place and housing choice. Notwithstanding Policy P-66 and with reference to Policy P-53, within the Residential, Mixed Residential and Community Centre Designations, it shall be the intention of Council to consider, by development agreement, permitting shared housing with special care uses 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 facility uses, 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 P-155.**

P-69B In addition to Policy P-69A, 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.**

4. Amending Policy P-73, as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “and small scale” and before the text “within a dwelling”.

P-73 Notwithstanding Policy P-66, within the Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which would permit single unit dwellings, limited office and day care facilities and small scale **short-term bedroom rentals** within a dwelling, and limited community uses. In considering the application of this zone by amendment to the land use by-law, Council shall have regard to the following:

5. Amending SECTION III under the heading RESIDENTIAL DESIGNATION as shown below in **bold**, by:
 - a. Adding the text “short-term bedroom rentals” after the text “Larger scale” and before the text “at appropriate locations” in the first paragraph below Policy P-74; and
 - b. Adding the text “short-term bedroom rentals” after the text “consider permitting” and before the text “with four or more” in Policy P-74A.

The plan area is located at the main entry point to the urban areas and has many areas of great natural beauty and historical significance which make it particularly attractive to tourists. It is the desire of area residents to build upon these assets in an effort to develop its potential for tourism. Larger scale **short-term bedroom rentals** at appropriate locations are considered beneficial in this regard. While being generally supportive of such uses, the potential negative effects such as increased traffic, noise, and visual intrusions are recognized. Therefore, such uses will be considered by development agreement.

P-74A Notwithstanding Policy P-65, within the Residential Designation it shall be the intention of Council to consider permitting **short-term bedroom rentals** with

four or more rooms for rent in accordance with the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such a development agreement, Council shall have regard for the following:

6. Amending Policy RL-3(a), as shown below in **bold**, by adding the text “short-term bedroom rental,” after the text “home business,” and before the text “open space uses”.

RL-3 Within the River-lakes Village Centre Designation, the Canal Court Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to support the transition of the area to a small-scale, mixed-use, walkable centre around the historic Shubenacadie Canal as a focal point for development. This Zone is also intended to maintain the traditional small lot pattern in this area by keeping the scale of buildings small to ensure that all features of development can be situated on the existing lot fabric without triggering the need for lot consolidations. Provisions will be established under the Land Use By-law to:

- (a) allow the development of small-scale commercial, single and two unit dwellings, an existing multiple-unit dwelling and its limited expansion, home business, **short-term bedroom rental**, open space uses and museums as an educational institution;

7. Amending Policy RL-5, as shown below in **bold**, by adding the text “shared housing uses” after the text “residential uses, and” and before the text “The intent of”.

RL-5 Within the River-lakes Village Centre Designation, the Village Core Comprehensive Development District Zone shall be created under the schedules of Land Use By-law to permit the development of large commercial, medium density residential uses, and **shared housing uses**. The intent of this Zone is to facilitate the concentration of the higher-intensity commercial activity in this location to act as a focal point for community gathering, shopping, entertainment and transit provision. To ensure that future redevelopment of this site is in keeping with the community desire to maintain the rural village character of the area and to prevent adverse impact on the Shubenacadie Lakes, any new buildings, major alterations of a building façade or any redevelopments of the site not contemplated by the existing agreement, shall only be considered through the provisions of a development agreement pursuant to this Policy. In considering such an agreement, Council shall have regard to the following:

8. Amending Policy RL-7(a), as shown below in **bold**, by adding the text “short-term bedroom rentals” after the text “commercial, residential,” and before the text “and home business uses”.

RL-7 Within the River-lakes Village Centre Designation, the Village Mainstreet Zone shall be created under the schedules of Land Use By-law. The intent of this Zone

is to facilitate the creation of a well designed pedestrian-oriented village mainstreet throughout the River-lakes Village Centre Designation that maintains a positive relationship between the buildings, the street and the receiving environment. Provisions will be established under the Land Use By-law to:

- (a) permit small -scale commercial, residential, **short-term bedroom rentals** and home business uses, institutional uses and open space uses;

- 9. Amending SECTION III under the heading RIVER-LAKES SECONDARY PLANNING STRATEGY and the subheading Residential Policies, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “Conservation” after the text “premises of” and before the text “Design.” in the fourth paragraph.
 - b. Adding the text “, including subdivisions to the north of Fall River Road for St. Andrews Village and Kinlock Estates,” after the text after the text scale subdivisions” and before the text “that”;
 - c. Deleting the text “that” and replacing it with the text “which” after the text “Kinlock Estates” and before the text “were under”;
 - d. Adding the text “2006” after the text “adoption of the” and before the text “Regional Plan”;
 - e. Adding the text “, with some restrictions.” after the text “to proceed”; and
 - f. Deleting the text “the development of a maximum of 25 lots per year (Regional Plan Policy S-28. This included the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.” after the text “with some restrictions.”

New residential policies were introduced in 2006 with the adoption of the Regional Plan to work in concert with the residential polices. The Regional Plan was concerned mainly with the impact of residential growth in rural areas and introduced polices to manage the rate of residential development and to encourage new subdivision designs aimed at the retention of open space. Thus the Rural Commuter Designation was created as an area wherein growth management controls would be put in place and all new large scale subdivisions would only be considered under the premises of **Conservation** Design. Large scale subdivisions, **including subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates, that which** were under conceptual plan of subdivision approval at the time of the adoption of the **2006** Regional Plan, were allowed to proceed, **with some restrictions.** ~~the development of a maximum of 25 lots per year (Regional Plan Policy S-28. This included the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.~~

- 10. Amending SECTION III in the fourth paragraph under the heading RIVER-LAKES SECONDARY PLANNING and the subheading Residential Developments in the River-Lakes Secondary Planning Strategy Area, as shown below in **bold**, by adding the text “Conservation” after the text “Classic” and before the text “Design” in the fourth paragraph.

In order to determine if it is feasible to develop these sites, studies shall be required before a development agreement is approved by Council to determine if the development can proceed without exceeding the limits for phosphorus export, pursuant to Policy RL-22, or transportation system, pursuant to Policy RL- 25. Multiple-unit housing developments shall be limited to three stories in height and shall have to generally conform to the architectural and site design requirements set out under the Land Use By-law. The developments shall also be designed as Classic **Conservation** Design developments to minimize impacts on the environment and surrounding community and preserve the rural character of the area.

11. Amending Policy RL-14, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “Conservation” after the text “Classic” and before the text “Development pursuant”;
- b. Deleting the text “S-16A and S-17A” replacing it with the text “IM-14 and IM-15”;
- c. Deleting the text “S-16A and S-17A” and replacing it with the text “IM-14 and IM-15”;
- and
- d. Adding Clause (aa) after Clause (a) under the subheading “Built Form, Architecture and Use”.

RL-14 A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a Classic **Conservation** Development pursuant to Policy ~~S-16A and S-17A~~ **IM-14 and IM-15** of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policies ~~S-16A and S-17A~~ **IM-14 and IM-15** of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (aa) that a minimum of 60% of the site is retained as open space;**

12. Amending SECTION III under the heading RIVER-LAKES SECONDARY PLANNING and subheading Site-D Charleswood Residential Opportunity Site, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “Conservation” after the text “Classic” and before the text “Design Subdivision” in the first paragraph;
- b. Adding the text “Conservation” after the text “provisions of the” and before the text “Design Policies” in the first paragraph;
- c. Deleting the text “S-16A and S-17A” and replacing it with the text “IM-14 and IM-15” in the first paragraph;
- d. Deleting the text “S-16” and replacing it with the text “S-17” after the text “Policy” and before the text “under the” in Policy RL-15”;
- e. Adding the text “Conservation” after the text “Classic” and before the text “Design Subdivision” in Policy RL-15;
- f. Deleting the text “S-16A and S-17A” and replacing it with the text “IM-14 and IM-15” after the text “provisions of Policies” and before the text “of the Regional Plan” in Policy RL-15; and
- g. Adding Clause (aa) after Clause (a) in Policy RL

Site D is a 42 acre piece of land in a 153 acre parcel which Miller Developments is proposing to develop a Classic **Conservation** Design Subdivision. This development is an extension of the Charleswood Subdivision and Site D forms Phase 4 of this proposed development. The subdivision is proposed to be developed with a mix of single unit dwellings and townhouses with the townhouse component proposed for Site D. This Secondary Planning Strategy will allow consideration of the development of townhouses on a maximum of 42 acres on Site D at a maximum density of 2 units per acre through the provisions of the **Conservation** Design Policies ~~S-16A and S-17A~~ **IM-14 and IM-15** and the provisions of Policy RL-16 below.

RL-15 In addition to the uses that may be considered pursuant to Policy ~~S-16~~ **IM-14** under the Regional Plan, HRM shall consider permitting townhouses on Site D as a component of a proposed Classic **Conservation** Design Subdivision for the Charleswood Subdivision through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the provisions of Policies ~~S-16A and S-17A~~ **IM-14 and IM-15** of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that a maximum of 42 acres of the site maybe developed for townhouses in the general vicinity of the area shown on Map RL-3 at a maximum density of two units per acre;
- (aa) **that a minimum of 60% of the site is retained as open space;**

13. Amending Policy RL-22, as shown below in **bold** and ~~strikeout~~, by deleting the text “S-14A and S-15A” and replacing it with the text “I-13 and I-15” after the text “pursuant to policies” and before the text “of the Regional”.

RL-22 The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of policy RL-13 and development agreement policies RL-4, RL-5, RL-11, RL-12, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies ~~S-14A and S-15A~~ **IM-10 and IM-12** of the Regional Municipal Planning Strategy.

14. Amending Policy RL-25, as shown below in **bold** and ~~strikeout~~, by deleting the text “S-14A and S-15A” and replacing it with the text “I-13 and I-15” after the text “and policies” and before the text “of the Regional”.

RL-25 As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and polices ~~S-14A and S-15A~~ **IM-10 and IM-12** of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.

15. Amending Policy P-154, as shown below in **bold**, by:

- a. Adding the text “shared housing at a larger scale than permitted in the underlying zone” before the text “according to Policy” Subclause (b)(i);
- b. Adding the text “A and P-69B” after the text “P-69” in Subclause (b)(vi);
- c. Adding the text “Short-term bedroom rentals” before the text “in accordance” in Subclause (b)(viii);
- d. Adding the text “shared housing at a larger scale than permitted in the underlying zone” before the text “according to” in Subclause (c)(i);
- e. Adding the text “A and P-69B” after the text “P-69” in Subclause (c)(i);
- f. Adding the text “shared housing at a larger scale than permitted in the underlying zone” before the text “P-69” in Subclause (d)(i); and

g. Adding the text “A and P-69B” after the text “P-69” in Subclause (d)(i).

P-154 The following uses shall only be considered subject to the entering into of a development agreement according to the Provisions of Section 55, 66 and 67 of the Planning Act.

- (a) within any Designation:
 - (i) development within the flood danger area shown on the Environmental Features Map (Map 4) according to Policy P-50;
 - (ii) multiple unit residential uses on existing oversize septic systems or existing private sewage treatment plants according to Policy P-68;
 - (iii) expansion of existing salvage operations according to Policy P-120; and
 - (iv) kennels according to Policy P-98.
- (b) within the Residential Designation:
 - (i) **shared housing at a larger scale than permitted in the underlying zone** according to Policy P-69A and P-69B;
 - (ii) the expansion of existing mobile home parks according to Policy P-71;
 - (iii) the expansion or change of use of existing industrial and commercial uses according to Policy P-75;
 - (iv) a construction yard on the lands of Mr. F. Webbink LRIS #507848 according to Policy P-77;
 - (v) the expansion of existing dwelling units within the waterfront residential zone according to Policy P-82;
 - (vi) commercial recreation uses according to Policy P-91;
 - (vii) highway commercial uses on the lands of Gordon and Shirley Taylor, LRIS #526699, and Irving Oil Company Ltd., LRIS #40461865, according to Policy P-78.
 - (viii) **Short-term bedroom rentals** in accordance with Policy P-74A.
 - (ix) Deleted
 - (x) Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14.
 - (xi) Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.
- (c) within the Mixed Residential Designation:
 - (i) **shared housing at a larger scale than permitted in the underlying zone** according to Policy P-69A and P-69B;
 - (ii) commercial recreation uses according to Policy P-91; and
 - (iii) the expansion of existing home business uses according to Policy P-93.
- (d) within the Community Centre Designation:

- (i) **shared housing at a larger scale than permitted in the underlying zone according to Policy P-69A and P-69B;**

16. Amending SECTION IV, as shown below in **bold**, by adding Policies P-167, P-168, and P-169 after Policy P-166.

P-167 Where there is enabling policy to consider the development, by development agreement, of a 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.

P-168 Notwithstanding Policies P-69A and P-69B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in force on the coming in force of Policies P-69A and P-69B 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.

P-169 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-30

Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14/17 (Shubenacadie Lakes) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.10A ACCESSORY HEN USE” and immediately after the text “4.10 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.11A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.11 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.17 WATERCOURSES” immediately after the text “4.16 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.34 WIND ENERGY FACILITIES” immediately after the deleted text “4.33 SCHEDULE D – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.35 PUBLIC TRANSIT FACILITIES”, “4.36 CANNABIS-RELATED USES”, and “4.37 SHORT-TERM RENTALS” immediately after the text “4.34 WIND ENERGY FACILITIES”.
6. Amending the “Table of Contents”, by adding the text “PART 23A: RPK (REGIONAL PARK) ZONE” and “PART 24: PWS (PROTECTED WATER SUPPLY) ZONE” immediately after the text “PART 23: P-3 (PARK) ZONE”.
7. Amending the “Table of Contents”, by adding the text “PART 25E: PA (PROTECTED AREA) ZONE” and “PART 25F: UR (URBAN RESERVE) ZONE” immediately after the text “PART 25D ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
8. Amending the “Table of Contents”, by adding the text “SCHEDULE E - WIND ENERGY ZONING” immediately after the deleted text “SCHEDULE D: WETLANDS”.
9. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.9A BOATHOUSE” after Section 2.9.

2.9A BOATHOUSE means a building located on a waterfront lot used for the storage of boats and associated marine equipment for private non-commercial use, and specifically excludes human habitation.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.10B CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD 2013)” after Section 2.10A.

2.10B CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

12. Amending PART 2, as shown below in **bold**, by adding definitions “2.10C CANNABIS LOUNGE”, “2.10D CANNABIS PRODUCTION FACILITY”, and “2.10E CANNABIS RETAIL SALES” after Section 2.10B.

2.10C CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.10D CANNABIS PRODUCTION FACILITY - means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

2.10E CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.13A CONSERVATION USE” after Section 2.13.

2.13A CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

14. Amending Section 2.24 in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “detached dwelling unit”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.36AA HEN” after Section 2.36.

2.36AA HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.61 RECREATION USE” after Section 2.60.

2.61 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

17. Amending PART 2, as shown below in **bold**, by adding the definitions “2.73A SHARED HOUSING USE”, “2.73B SHARED HOUSING WITH SPECIAL CARE”, “2.73C SHORT-TERM BEDROOM RENTAL”, AND “2.73D SHORT-TERM RENTAL” after Section 2.73.

2.73A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use, and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

2.73B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with

cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

- 2.73C** **SHORT-TERM BEDROOM RENTAL** means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.
- 2.73D** **SHORT-TERM RENTAL** means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

18. Amending PART 2, as shown below in **bold**, by adding definitions “2.77A SUITE” after Section 2.77.

2.77A SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.78A” after Section 2.78.

- 2.78A** **WATER CONTROL STRUCTURE** - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.79 WATERCOURSE” after Section 2.78A.

- 2.79** **WATERCOURSE** means a lake, river, stream, ocean or other natural body of water.

21. Amending Subsection 2A(11) in PART 2A, as shown below in **bold**, by adding Clause (i).

- (11) **INDUSTRIAL USE** means the use of land or buildings for:

i. **cannabis production facilities;**

22. Amending Section 3.1 in PART 3, as shown below in **bold**, by:

- a. Adding the text “RPK Regional Park Zone” below the text “P-3 PARK ZONE”;
- b. Adding the text “PWS Protected Water Supply Zone” below the text “RPK Regional Park Zone”; and
- c. Adding the text “PA Protected Area Zone” below the text “PWS Protected Water Supply Zone”.

P-3	Park Zone
RPK	Regional Park Zone
PWS	Protected Water Supply Zone
PA	Protected Area Zone

23. Amending Section 3.6, as shown below in **bold**, by:

- a. Adding subsection (cc) after repealed Subsection (cb);
- b. Adding the text “Shared housing with special care” before the text “within the Residential” in Subsection (d); and
- c. Adding the text “A and P-69B” after the text “P-69” in Subsection (d).

(cb) Repealed

(cc) Conservation Design Developments may be considered by development agreement on lands designated Rural Commuter, except within the NEF30 Contour (Map 3) of the Planning Districts 14 & 17 MPS, in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.

(d) Shared housing with special care within the Residential, Mixed Residential, and Community Centre Designations according to Policy P-69A and P-69B.

24. Amending Section 3.6, as shown below in **bold**, by adding the text “Short-term bedroom rentals” to Subsection (t) before the text “in accordance”.

(t) **Short-term bedroom rentals** in accordance with Policy P-74A.

25. Amending Section 3.6 as shown below in **bold**, by adding Subsection (bc) after Subsection (bb).

(bb) Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.

(bc) Pursuant to Policy P-167, 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.

26. Amending PART 3, as shown below in **bold**, by adding Section “3.6A DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES”, after Section 3.6.

3.6A DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

27. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B, 4.1C, 4.1D, and 4.1E after deleted Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

4.1C An accessory hen use is exempt from the requirement to obtain a development permit.

4.1D A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.

4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

28. Amending Section 4.6A in PART 4, as shown below in **bold** and ~~strikeout~~, by adding Subsection (b) after Subsection (a).

(b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

29. Amending PART 4, as shown below in **bold**, by adding Sections “4.10 ACCESSORY HEN USE” after Section 4.10.

4.10A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;
 - iii. subject to 4.10A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.11A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.11.

4.11A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.25 additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a townhouse dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;

- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory building requirements as set out in Sections 4.10 and 4.11;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.25 additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

31. Amending PART 4, as shown below in **bold**, by adding Section “4.17 WATERCOURSES” after Section 4.16.

4.17 WATERCOURSES

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer shall not be less than 100 m from the ordinary highwater mark of Lake Major or Bennery Lake.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

32. Amending Subsection 4.25 in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “Multiple unit dwellings 1.5 spaces per dwelling unit”.

Multiple unit dwellings	1.5 spaces per dwelling unit
Shared housing use	0 spaces

33. Amending Section 4.25 in PART 4, as shown below in **bold**, by adding the text “, and short term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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34. Amending Subsection 4.25 in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Theatres	1 space per 5 seats
Institutional uses except as otherwise specified	the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3 m ²) of gross floor area where there are no fixed seats, or 1 space per 4 persons which can be accommodated at any one time

35. Amending Subsection 4.25(c) in PART 4, as shown below in **bold**, by adding the text “(b)” after the text “Notwithstanding subsection” and before the text “above”.

Notwithstanding subsection (b) above, reserved parking spaces for the mobility disabled shall be provided as an addition to the required spaces in conformity with the following schedule:

36. Amending PART 4, as shown below in **bold**, by adding Section “4.34 WIND ENERGY FACILITIES” after repealed Section 4.33.

4.34 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.**
- b) **“Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.**
- c) **“Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;**
- d) **“Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**
- e) **“Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**
- f) **“Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**
- g) **“Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;**
 - i) **“Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to**

existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.

- ii) “Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
- iii) “Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
- iv) “Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule E - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**
 - i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).
 - ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,
 - iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.
 - v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.
 - vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.
- b) **RURAL WIND ZONE (RW-2)**

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
- iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;

- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

i) Micro	140 metres (460 ft)
ii) Small	360 metres (1180 ft)
iii) Medium	500 metres (1640 ft)
iv) Large	2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Planning Districts 14/17 Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back buildings under this By-law.

IX SCHEDULES

- a) Schedule E – Wind Energy Zoning

37. Amending PART 4, as shown below in **bold**, by adding Sections “4.35 PUBLIC TRANSIT FACILITIES” and “4.36 CANNABIS-RELATED USES” after Section “4.34 WIND ENERGY

FACILITIES”.

4.35 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.36 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

38. Amending PART 4, as shown below in **bold**, by adding Section “4.37 SHORT-TERM RENTALS” after Section 4.36.

4.37 SHORT-TERM RENTALS

- a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
 - i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - ii) **Not more than three (3) bedrooms, may be rented as a short-term bedroom rental at the same time except in the CC and VMS zones up to four (4) bedrooms may be rented;**
 - iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
 - iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
 - v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

39. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings.”

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

40. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational institutions”.

Denominational institutions

Shared housing use with 10 or fewer bedrooms

41. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings” under the heading “Residential Uses”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

42. Amending Section 7.1 in PART 7, as shown below in **bold**, by:
- Adding the text “Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay” below the text “Educational institutions and uses” under the heading “Community Uses”; and
 - Adding the text “Shared housing with special care,” before the text “except where located” under the heading “Community Uses”.

Educational institutions and uses

Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay

Shared housing with special care, except where located within Schedule N, Airport Noise Contour Overlay

43. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling unit” under the heading “Residential Uses”.

Auxiliary dwelling unit

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 9.1 in PART 9, as shown below in **bold**, by:
- Adding the text “Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay” below the text “Educational institutions and uses” under the heading “Community Uses”; and
 - Adding the text “Shared housing with special care,” before the text “except where located” under the heading “Community Uses”.

Educational institutions and uses

Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay

Shared housing with special care, except where located within Schedule N, Airport Noise Contour Overlay

45. Amending Section 9.1A in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with permitted a dwelling” below the text “Two unit dwellings” under the heading “Residential Uses”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

46. Amending Section 9.1A in PART 9, as shown below in **bold**, by:
- Adding the text “Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay” below the text “Educational institutions and uses” under the heading “Community Uses”; and
 - Adding the text “Shared housing with special care,” before the text “except where located” under the heading “Community Uses”.

Educational institutions and uses

Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay

Shared housing with special care, except where located within Schedule N, Airport Noise Contour Overlay

47. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “CSA approved mobile dwellings except where located within Schedule N, Airport Noise Contour Overlay” under the heading “Residential Uses”.

CSA approved mobile dwellings except where located within Schedule N, Airport Noise Contour Overlay

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

48. Amending Section 10.1 in PART 10, as shown below in **bold**, by:
- Adding the text “Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay” below the text “Educational institutions and uses” under the heading “Community Uses”; and
 - Adding the text “Shared housing with special care,” before the text “except where located” under the heading “Community Uses”.

Educational institutions and uses

Shared housing use with 10 or fewer bedrooms, except where located within Schedule N, Airport Noise Contour Overlay

Shared housing with special care, except where located within Schedule N, Airport Noise Contour Overlay

49. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “CSA approved mobile dwellings except where located within Schedule N, Airport Noise Contour Overlay” under the heading “Residential Uses”.

CSA approved mobile dwellings except where located within Schedule N, Airport Noise Contour Overlay

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

50. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing with special care,” before the text “except where located” under the heading “Community Uses”.

Fraternal halls

Shared housing with special care, except where located within Schedule N, Airport Noise Contour Overlay

51. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

52. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwelling”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

53. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Craft shops”.

Craft shops

Short-term rentals
Short-term bedroom rentals

54. Amending Section 14A.1 in PART 14A, as shown below in **bold** and ~~strikeout~~, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”; and

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

55. Amending Section 14B.2 in PART 14B, as shown below in **bold**, by adding the text “Shared housing” below the text “Multiple Unit Dwellings no greater than 3 units per gross acre”.

Multiple Unit Dwellings no greater than 3 units per gross acre

Shared housing

56. Amending Section 14C.1 in PART 14C, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Home Businesses

57. Amending Section 14D.1 in PART 14D, as shown below in **bold**, by:
- Adding the text “Short-term rentals” below the text “Craft Shops”;
 - Adding the text “Short-term bedroom rentals” below the text “Short-term rentals”; and
 - Adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Craft Shops

Short-term rentals

Short-term bedroom rentals

Residential Uses

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

58. Amending Section 14E.1 in PART 14, as shown below in **bold**, by:
- Adding the text “Short-term rentals” below the text “Warehousing and wholesaling” under

- the heading “Commercial Uses”;
- b. Adding the text “Short-term bedroom rentals” below the text “Short-term rentals” under the heading “Commercial Uses”;
- c. Adding the text “Shared housing use with 10 or fewer bedrooms accessory to any permitted use” below the text “Single unit dwellings accessory to any permitted use” under the heading “Residential Uses”; and

Warehousing and wholesaling

Short-term rentals

Short-term bedroom rentals

Residential Uses

Single unit dwellings accessory to any permitted use

Shared housing use with 10 or fewer bedrooms accessory to any permitted use

59. Amending PART 14E as shown below in **bold**, by adding Section “14E.7 OTHER REQUIRREMENTS: CANNABIS PRODUCTION FACILITIES”.

14E.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) **Where a lot containing a cannabis production facility abuts a lot**

(i) **zoned or used for residential purposes, or**

(ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

60. Amending Section 14F.2 in PART 14F, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

61. Amending Subsection 14G.1(2) in PART 14G, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Multiple Unit Dwellings”.

Multiple Unit Dwellings

Shared housing with special care

62. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “(including cannabis production facilities)” after the text “Light manufacturing assembly or processing operations” and before the text “which are not obnoxious”.

Light manufacturing assembly or processing operations (**including cannabis production facilities**) which are not obnoxious and which are conducted and wholly contained within a building

63. Amending PART 15, as shown below in **bold**, by adding Section “15.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES”.

15.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) Where a lot containing a cannabis production facility abuts a lot

- (i) zoned or used for residential purposes, or
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

64. Amending Subsection 15A.1(n) in PART 15, as shown below in **bold**, by adding the text “(including cannabis production facilities)” after the text “processing operations” and before the text “which are not obnoxious”.

(n) Light manufacturing assembly or processing operations (**including cannabis production facilities**) which are not obnoxious and which are conducted and wholly contained within a building;

65. Amending PART 15A, as shown below in **bold**, by adding Section “15A.4 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 15A.3.

15A.4 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

Cannabis production facilities in the CI Zone shall meet the following requirements:

(a) Where a lot containing a cannabis production facility abuts a lot

- i. zoned or used for residential purposes, or
- ii. that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any

building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

66. Amending PART 15B, as shown below in **bold**, by adding Section “15B.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 15B.5.

15B.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot:
- i. zoned or used for residential purposes, or
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 ft. (70 m) from the abutting lot line.

67. Amending Section 18.1 in PART 18, as shown below in **bold**, by:

- a. Adding the text “Short-term rentals” below the text “Dwelling units for management and security personnel” under the heading “Accommodation Uses”; and
- b. Adding the text “Short-term bedroom rentals” below the text “Short-term rentals” under the heading “Accommodation Uses”.

Dwelling units for management and security personnel

Short-term rentals

Short-term bedroom rentals

68. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Personal Service Uses” under the heading “Business Uses”; and

Personal Service Uses

Cannabis production facilities

69. Amending PART 18, as shown below in **bold**, by adding Section “18.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 18.6.

18.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

70. Amending Section 19.1 in PART 19, as shown below in **bold**, by:

- a. Adding the text “Short-term rentals” below the text “Harness racing tracks”; and
- b. Adding the text “Short-term bedroom rentals” below the text “Short-term rentals”.

Harness racing tracks

Short-term rentals

Short-term bedroom rentals

71. Amending Section 22.1 in PART 22, as shown below in **bold**, by:

- a. Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Recreation uses”; and
- b. Adding the text “Shared housing use with special care” below the text “Shared housing use with 10 or fewer bedrooms”.

Recreation uses

Shared housing use with 10 or fewer bedrooms

Shared housing with special care

72. Adding the PART, as shown below in **bold**, “PART 23A: RPK (REGIONAL PARK) ZONE” and after PART 23.

PART 23A: RPK (REGIONAL PARK) ZONE

23A.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Campgrounds

Conservation uses

Commercial Uses

Restaurants

Guest homes

Inns

Retail outlets

Lodges

Craft shops

Resource Uses

Agricultural uses

Forestry uses

23A.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	3716m ²
Minimum Front or Flankage Yard:	9.14m
Minimum Side or Rear Yard:	6.1m
Maximum Lot Coverage:	35%
Maximum Height of Main Building	10.7 m
Maximum Building Size	278.7m ²

23A.3 OTHER REQUIREMENTS: COMMERCIAL USES

In any RPK Zone where commercial uses are permitted, no open storage or outdoor display of goods shall be permitted.

73. Adding the PART, as shown below in **bold**, “PART 24: PWS (PROTECTED WATER SUPPLY) ZONE” after PART 23.

PART 24: PWS (PROTECTED WATER SUPPLY) ZONE

24.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

Municipal water distribution or purification facilities

Conservation uses

Public Parks

Uses accessory to the foregoing uses

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

24.2 PWS ZONE REQUIREMENTS

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	7432 m²
Minimum Frontage:	61 m
Minimum Front or Flankage Yard:	6.1 m
Minimum Side or Rear Yard:	2.4 m
Maximum Lot Coverage:	35%
Maximum Height of Main Building	10.7 m

24.3 OTHER REQUIREMENTS: SETBACKS FROM WATER SUPPLY SOURCES

- (a) **No development permit shall be issued for any dwelling or accessory structure within 30.5 metres of any lake or other watercourse within the PWS (Protected Water Supply) Zone.**
- (b) **Notwithstanding Section 4.17, water distribution or purification uses may be built to the lot line where the line corresponds to the shore line.**

74. Amending Section 25.1 in PART 25, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

75. Amending Section 25D.1 in PART 25D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

76. Adding the PARTS, “PART 25E: PA (PROTECTED AREA) ZONE” and “PART 25F: UR (URBAN RESERVE) ZONE”, as shown below in **bold**, after PART 25D.

PART 25E:PA (PROTECTED AREA) ZONE

25E.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone

except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

25E.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

**25E.3 OTHER REQUIREMENTS: GRADE ALTERATION AND
VEGETATION REMOVAL**

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

PART 25F: UR (URBAN RESERVE) ZONE

25F.1 UR USES PERMITTED

No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit
Passive recreation uses
Uses accessory to the foregoing uses

25F.2 UR ZONE REQUIREMENTS

In any UR Zone, no development permit shall be issued except in conformity

with the following:

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

77. Adding “SCHEDULE E - WIND ENERGY ZONING” after repealed Schedule D as shown in Schedule C-30A, attached hereto.
78. Zoning Maps “Zoning Schedule A and B” are amended to rezone properties to Regional Park (RPK) Zone, Protected Area (PA) Zone, Protected Water Supply (PWS) Zone, Urban Reserve (UR) Zone, and Urban Reserve (UR) Zone as shown in Schedules C-30B, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-31

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo / Porters Lake)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo / Porters Lake) is hereby amended as follows:

1. Amending SECTION III in the eighth paragraph under the heading MIXED USE DESIGNATION and subheading Settled Area, as shown below in **bold**, by adding the text “shared housing with special care” after the text “also given to” and before the text “serviced by either”.

There is support however, for new multi-unit dwellings serviced by on-site sewage disposal systems. It is felt that current provincial health requirements guarantee sufficient environmental protection and provide for adequate separation of such developments from neighbouring properties. In addition, it is felt that the low financial return on such dwellings will preclude their development on a large scale. Support is also given to **shared housing with special care** serviced by either central or on-site sewage systems.

2. Amending SECTION III in the fifth paragraph under the heading MIXED USE DESIGNATION and the subheading Residential Development before Policy P-51, as shown below in **bold**, by adding the text “shared housing with special care” after the text “facilities including” and before the text “is also recognized”.

The need to provide an appropriate degree of protection for both types of residential areas are accepted by most residents. However, residential zoning applied to dispersed individual lots is perceived to inhibit the potential development of the rural economy by controlling to some degree non-residential uses on abutting property. Support is therefore given to restrictive residential zoning only where such residential development is relatively concentrated. In addition, the need for community facilities including **shared housing with special care** is also recognized.

3. Amending Policy P-52, as shown below in **bold** and ~~strikeout~~, by adding the text “shared housing with special care uses” after the text “dwellings,” and before the text “and open space uses”;

P-52 Within the Mixed Use Designation, in order to protect existing and developing residential areas, it shall also be the intention of Council to create a Residential B Zone which permits single unit dwellings, **shared housing with special care uses** and open space uses and the use of dwellings for day care and for business uses, except kennels, which are limited in size to not more than twenty-five (25)

percent of the gross floor area for the combined dwelling any accessory buildings and which do not involve obnoxious uses.

4. Amending SECTION III under the heading LAKE ECHO COMMUNITY DESIGNATION and the subheading Residential Development, as shown below in **bold** by:
 - a. Adding the text “shared housing with special care” after the text “however for to” and before the text “in conventional” in the eighth paragraph; and
 - b. Adding the text “or other individuals/households in need of some care but” after the text “those senior citizens” and before the text “capable of living” in the eighth paragraph; and
 - c. Adding the text “shared housing with special care” after the text “exception is made, however, for” and before the text “which is” in the tenth paragraph.

For these reasons, high density residential development including new mobile home parks and multiple unit dwellings is not supported within the Designation. There is support however for to **shared housing with special care** in conventional row or apartment housing. Although the population is a young population, there is recognition of the long term need to provide for those senior citizens **or other individuals/households in need of some care but** capable of living on their own in housing specifically designed for their needs. There is widespread support for such developments provided that their size and number is in proportion with the scale of the neighbourhood.

A vital aspect of the rural lifestyle is the freedom to make maximum use of property for both residential and business purposes. Most Lake Echo residents, although commuting to the nearby cities, subscribe nevertheless to the regional values of self reliance and self-sufficiency. Many supplement their income by operating businesses from their homes on an annual or seasonal basis. The range of business activity is wide; professional offices are often located next to service or cottage industries. In general, residents are willing to accept activities on a neighbouring property which do not create a nuisance.

The development of open space uses and community facilities is considered essential for the healthy growth of the community. A number of facilities, mainly churches, have already located along the highways. The designation supports this general location for such uses as it minimizes potential intrusive effects such as increased traffic and late night and weekend operation. An exception is made, however, for **shared housing with special care** which is acceptable in any location as it is felt that it does not create such problems.

5. Amending Policy P-57, as shown below in **bold** by adding the text “shared housing with special care,” after the text “single unit dwellings,” and before the text “open space uses”.

P-57 Within the Lake Echo Community Designation, it shall be the intention of Council to create a Single Unit Dwelling Zone which permits single unit

dwelling, **shared housing with special care uses**, open space uses and provides for the use of a dwelling for day care and for business uses, except kennels, which are limited in size and which do not involve obnoxious uses. In addition, the zone shall control parking and the number and size of signs and prohibit permanent open storage and outdoor display.

6. Amending Policy P-58, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “two unit dwellings,” and before the text “and open space”.

P-58 Within the Lake Echo Community Designation, it shall also be the intention of Council to create a Rural Residential Zone which permits the continuation and development of agricultural uses, fishery uses except fish and fish waste processing plants, and smaller-scale forestry operations, and the use of dwellings for the purposes of providing accommodation or day care and for business uses, except kennels, in conjunction with a dwelling which are limited in size to not more than fifty (50) per cent of the gross floor area for the combined dwelling and any accessory buildings and which do not involve obnoxious uses. The zone shall also reflect the intent of the designation in support of low density residential development and permit single unit and two unit dwellings, **shared housing with special care uses** and open space uses. In addition, the zone shall control parking and the number and size of signs, and provide for the adequate separation of non-residential uses from certain residential uses.

7. Amending Policy P-102, as shown below in **bold**, by adding the text “A” to Policy P-102.

P-102A 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this _____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-32

Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 8 & 9 (Lake Echo/Porters Lake) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.12A SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.12 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.18 WATERCOURSES” immediately after the text “4.17 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.18A COASTAL AREAS” immediately after the text “4.18 WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.29 WIND ENERGY FACILITIES” immediately after the deleted text “4.28 SCHEDULE C – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.30 PUBLIC TRANSIT FACILITIES”, “4.31 CANNABIS-RELATED USES”, and “4.32 SHORT-TERM RENTALS” immediately after the text “4.29 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 20: RPK (REGIONAL PARK) ZONE” and “PART 21: PWS (PROTECTED WATER SUPPLY) ZONE” immediately below the text “PART 19: I-3 (GENERAL INDUSTRY) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 22E: PA (PROTECTED AREA) ZONE” and “PART 22F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE” immediately below the text “PART 22D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “Schedule A-1 - Wind Energy Zoning” immediately below the text “APPENDIX ‘A’”.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an

accessory hen use is not an agricultural use

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.9A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD 2013)” after Section 2.9.

2.9A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.9B CANNABIS LOUNGE”, “2.9C CANNABIS PRODUCTION FACILITY” and “2.9D CANNABIS RETAIL SALES” after Section 2.9A.

2.9B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.9C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

2.9D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

13. Amending Subsection 2.15(d) in PART 2, as shown below in **bold**, by adding the text “, and includes a mobile dwelling” after the text “detached dwelling unit”.

- (d) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling.**

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.18 CONSERVATION USE” after Section 2.18.

2.18A CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.26A HEN” after Section 2.26.

2.26A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock

16. Amending Section 2.27 in PART 2, as shown below in **bold**, by adding the text “shared housing with special care,” after the text “day care facility,” and before the text “fire or police”.

2.27 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care**, fire or police station, government office or public works, hospital or medical clinic, public library, museum or gallery, fraternal centre or hall and community centre or hall, but does not mean a penal institution or detention facilities within a hospital.

17. Amending Section 2.50 in PART 2, as shown below in **bold**, by adding the definition “2.50 RECREATION USE” after Section 2.49.

2.50 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

18. Amending PART 2, as shown below in **bold**, by adding the definitions “2.58A SHARED HOUSING USE”, “2.58B SHARED HOUSING WITH SPECIAL CARE”, “2.58C SHORT-TERM BEDROOM RENTAL”, and “2.59D SHORT-TERM RENTAL” after Section 2.58.

2.58A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) **that are rented for remuneration as separate rooms for residential**

- accommodation; or
- (ii) **that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

- 2.58B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.**
- 2.58C SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.**
- 2.58D SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.**

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.62.5 SUITE” after Section 2.62.

2.62.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

20. Amending PART 2, as shown below in **bold**, by adding the definition “2.63A WATER CONTROL STRUCTURE” after Section 2.63.

- 2.63A WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.**

21. Amending PART 2, as shown below in **bold**, by adding the definition “2.64 WATERCOURSE” after Section 2.63A.

2.64 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

22. Amending Section 3.1 in PART 3, as shown below in **bold**, by adding the text “CDD Comprehensive Development District Zone” below the text “RE Rural Enterprise Zone”

<u>Mixed Use Zones</u>	RE CDD	Rural Enterprise Zone Comprehensive Development District Zone
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23. Amending Section 3.1 in PART 3, as shown below in **bold**, by:
- Adding the text “RPK Regional Park Zone” below the text “MR Mixed Resource Zone”;
 - Adding the text “PWS Protected Water Supply Zone” below the text “RPK Regional Park Zone”; and
 - Adding the text “PA Protected Area Zone” below the text “D-1 DND Zone”.

<u>Resource Zones</u>	MR	Mixed Resource Zone
<u>Community Uses Zones</u>	RPK PWS D-1 PA	Regional Park Zone Protected Water Supply Zone DND Zone Protected Area Zone

24. Amending Section 3.6 in PART 3, as shown below in **bold**, by:

- Adding Subsection (ca) after Subsection (c);
- Adding Subsection (cb) after Subsection (ca); and
- Adding Subsection (d) after Subsection (ca).

(c) New or expanded community commercial uses in excess of 2,000 square feet of gross floor area within the Lake Echo Community Designation, according to Policy P-65A.

(ca) Alternative approaches to development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

(cb) As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- Conservation Design Developments in accordance with policies IM-10,**

- IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable; and
- (ii) a mix of residential, commercial and institutional uses under the CDD (Comprehensive Development District) Zone, as per policy IM-22 of the Regional Municipal Planning Strategy.

(d) Pursuant to Policy P-102, 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.

25. Amending PART 3, as shown below in **bold**, by adding Sections “3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” and “3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-20 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

26. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iv), (v), and (vi) after Clause (iii).

(d) Notwithstanding Section 4.1(a) above, no development permit shall be required for the following:

- (i) any open space use which does not involve a building or structure;
- (ii) any accessory building or structure which has less than three hundred (300) square feet (27.9 m²) of gross floor area; and
- (iii) any sign which is less than one hundred (100) square feet (9.3 m) in area, or any other sign permitted under Section 5.3.
- (iv) An accessory hen use.**
- (v) A short-term rental of an entire dwelling unit in an operator’s primary**

- residence is exempt from the requirement to obtain a development permit.**
- (vi) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

27. Amending Section 4.4 in PART 4, as shown below in **bold**, by adding Subsection (d) after Subsection (c).

- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

28. Amending Section 4.6 in PART 4, as shown below in **bold**, by adding Subsection (c) after Subsection (b).

- (b) Notwithstanding Section 4.6(a) above, two dwellings may be erected on a lot within an RE (Rural Enterprise) or MR (Mixed Resource) Zone provided that each dwelling is located on an area of land that is capable of meeting subdivision requirements and a preliminary subdivision examination has been completed in accordance with the municipal Subdivision By-law and provided that all other applicable provisions of this By-law are satisfied.
- (c) **Notwithstanding Sections 4.6(a) & 4.6(b), a single unit dwelling and a backyard suite or a mobile dwelling and a backyard suite may be located on the same lot.**

29. Amending PART 4, as shown below in **bold**, by adding Section “4.11A ACCESSORY HEN USE” after Section 4.11.

4.11A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
- i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) **Hens shall be contained within an accessory building or a fenced area that:**
- i. is located in a rear yard;**
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland, the Atlantic Ocean, or watercourse;**

- iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
- i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.12A SECONDARY SUITES AND BACKYARD SUITES” after Section 4.12.

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or a two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a multiple unit dwelling containing only 3 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or private road,
 - (B) is located on the same lot on which the backyard suite is located, and

- (C) has a minimum width of 1.1 metres, and
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).

31. Amending PART 4, as shown below in **bold**, by adding Section “4.18 WATERCOURSES” after Section 4.17.

4.18 WATERCOURSES

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.
- (c) Notwithstanding clause (a), the required buffer shall not be less than 100 m from the ordinary highwater mark of Lake Major.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be

permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
 - (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
 - (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.18A COASTAL AREAS” after Section 4.18.

4.18A COASTAL AREAS

COASTAL ELEVATION

- (1) A development permit shall not be issued for any portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard for any residential, commercial, or institutional use. This subsection shall not apply to marine dependent or fishery uses.
- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is:

 - (a) accessory to a main building; and
 - (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.

COASTAL ELEVATION - RELAXATIONS

- (3) Any portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in Subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section] may be expanded if such expansion does not increase the footprint of any portion of the main building or backyard suite use located lower than the elevation required in Subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.
- (4) Notwithstanding Subsection (1), a development permit may be issued for any residential, commercial or institutional use which is located less than 3.2 m above the Canadian Geodetic Vertical Datum 2013 (CGVD2013), provided a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to the Development Officer identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.

COASTAL ELEVATION – PERMIT REQUIREMENTS

- (5) Before issuing a development permit, the Development Officer may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to development meets the requirements of this Section.

33. Amending Section 4.24(a) in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “Multiple unit dwellings 1.5 spaces per dwelling unit”.

Multiple unit dwellings	1.5 spaces per dwelling unit
Shared housing use	0 spaces

34. Amending Section 4.24(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels”;

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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35. Amending Section 4.24(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Institutional uses except as otherwise specified	where there are fixed seats, the greater of 1 spacer per 100 square feet (9.3 m ²) of gross floor area;
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36. Amending PART 4, as shown below in **bold**, by adding Section “4.29 WIND ENERGY after Section 4.28A.

4.29 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.

- b) **“Nacelle”** means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) **“Nameplate Capacity”** means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) **“Total Rated Capacity”** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule

A-1 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**
- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).**
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;**
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.**
- iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;**
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.**
- v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;**
 - 2) A minimum distance of 1.0 times the tower height from any adjacent**

- property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
 - i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid and,
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Districts 8 & 9 Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) PA (Protected Area) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:

- i) be a non-obtrusive colour such as white, off-white or gray;
- ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
- iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses and Coastal Areas as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule A-1 – Wind Energy Zoning

37. Amending PART 4, as shown below in **bold**, by adding Sections “4.30 PUBLIC TRANSIT FACILITIES”, “4.31 CANNABIS-RELATED USES”, and “4.32 SHORT-TERM RENTALS” after Section 4.29.

4.30 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.31 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.32 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:

- i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**
- c) **Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met.**

38. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

39. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Open space uses; and” under the heading “Community Uses”.

Community Uses

Open space uses; and

Shared housing with special care

40. Amending Section 6.5 in PART 6, as shown below in **bold**, by:

- a. Adding the text “SHARED HOUSING WITH SPECIAL CARE” to the heading;
- b. Adding the text “shared housing with special care” after the text “Zone, where” and before the text “is permitted”; and
- c. Adding the text “bedroom” after the text “for each” and before the text “in excess of”.

6.5 **R-1 ZONE REQUIREMENTS: SHARED HOUSING WITH SPECIAL CARE**

In any R-1 Zone, where **shared housing with special care** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
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41. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Auxiliary dwelling units;” under the Heading “Residential Uses”.

Auxiliary dwelling units;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

42. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Open space uses; and” under the Heading “Community Uses”.

Community Uses

Open space uses; and

Shared housing with special care

43. Amending Section 7.6 in PART 7, as shown below in **bold**, by:
- Adding the text “SHARED HOUSING WITH SPECIAL CARE” to the heading;
 - Adding the text “shared housing with special care” after the text “Zone, where” and before the text “is permitted”; and
 - Adding the text “bedroom” after the text “for each” and before the text “in excess of”.

7.6 **R-1A ZONE REQUIREMENTS: SHARED HOUSING WITH SPECIAL CARE**

In any R-1A Zone, where **shared housing with special care** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
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44. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings” under the heading “Residential Uses”.

Residential Uses

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

45. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing

with special care” below the text “Open space uses; and” under the heading “Community Uses”.

Community Uses

Open space uses; and

Shared housing with special care

46. Amending Section 8.3 in PART 8, as shown below in **bold**, by:

- a. adding the text “shared housing with special care” after the text “residential uses or” and before the text “are permitted”; and
- b. adding the text “shared housing with special care” after the text “no dwelling or” and before the text “shall be located”.

Where residential uses or **shared housing with special care** are permitted in any R-B Zone abutting any RE (Rural Enterprise) Zone, MR (Mixed Resource) Zone, or I-2 (Salvage Yard) Zone, no dwelling or **shared housing with special care** shall be located less than:

47. Amending Section 8.6 in PART 8, as shown below in **bold**, by:

- a. Adding the text “SHARED HOUSING WITH SPECIAL CARE” to the heading; and
- b. Adding the text “bedroom” after the text “for each” and before the text “in excess of”.

8.6 **R-B ZONE REQUIREMENTS: SHARED HOUSING WITH SPECIAL CARE**

In any R-B Zone, where senior citizen housing is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
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48. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Auxiliary dwelling units;” under the heading “Residential Uses”.

Auxiliary dwelling units;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

49. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Open space uses; and” under the heading “Community Uses”.

Community Uses

Open space uses; and

Shared housing with special care

50. Amending Section 9.3 in PART 9, as shown below in **bold**, by:

- a. Adding the text “shared housing with special care” after the text “residential uses or” and before the text “are permitted in”; and
- b. Adding the text “shared housing with special care” after the text “no dwelling or” and before the text “shall be located”.

9.3 OTHER REQUIREMENTS: RESIDENTIAL USES

Where residential uses or **shared housing with special care** are permitted in any R-BA Zone abutting any RE (Rural Enterprise) Zone, MR (Mixed Resource) Zone, or I-2 (Salvage Yard) Zone, no dwelling or **or shared housing with special care** shall be located less than:

51. Amending Section 9.7 in PART 9, as shown below in **bold**, by:

- a. Adding the text “SHARED HOUSING WITH SPECIAL CARE” in the heading;
- b. Adding the text “bedroom” after the text “for each” and before the text “in excess of”.

9.7 R-BA ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE**

In any R-BA Zone, where **shared housing with special care** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
------------------	---

52. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwellings;” under the heading “Residential Uses”.

Single unit dwellings;

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

53. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Open space uses; and” under the heading “Community Uses”.

Open space uses; and

Shared housing with special care

54. Amending Section 10.5 in PART 10, as shown below in **bold**, by:
- Adding the text “SHARED HOUSING WITH SPECIAL CARE” to the heading;
 - Adding the text “bedroom” after the text “for each” and before the text “in excess”.

10.5 **R-2 ZONE REQUIREMENTS: SHARED HOUSING WITH SPECIAL CARE**

In any R-2 Zone where senior citizen housing is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
------------------	---

55. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use;” below the text “Two unit dwelling”.

Two unit dwellings;
Shared housing use;

56. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;” below the text “Single unit dwelling;” under the heading “Residential Uses”.

Single unit dwellings;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

57. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing with special care” below the text “Open space uses; and” under the heading “Community Uses”.

Community Uses
Open space uses; and
Shared housing with special care

58. Amending Section 12.5 in PART 12, as shown below in **bold**, by:
- Adding the text “SHARED HOUSING WITH SPECIAL CARE” in the heading;
 - Adding the text “shared housing with special care” after the text “Zone where” and before the text “is permitted”; and
 - Adding the text “bedroom” after the text “for each” and before the text “in excess of”.

12.5 **R-3 ZONE REQUIREMENTS: SHARED HOUSING WITH SPECIAL CARE**

In any R-3 Zone where **shared housing with special care** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m ²) and 10,000 square feet (929.0 m ²) for each bedroom in excess of three (3)
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59. Amending Section 13.1 in PART 13, as shown below in **bold** by adding the text “Shared housing use;” below the text “Two unit dwellings;”.

Two unit dwellings;
Shared housing use;

60. Amending Section 14.3 in PART 14, as shown below in **bold**, by adding the text “35ft.” after the text “Maximum height of a main building” and before the text “(10.7 m)”.

Maximum height of main building **35 ft.** (10.7 m)

61. Amending PART 14, as shown below in **bold**, by adding Section “14.12 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” and Section “14.13 OTHER REQUIREMENTS: PID 40302507” after Section 14.11.

14.12 **OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES**

- (a) A cannabis production facility shall comply with the requirements of Section 14.5 and 14.6.
- (b) Where a lot containing a cannabis production facility abuts a lot
 - (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

14.13 **OTHER REQUIREMENTS: PID 40302507**

- (a) Notwithstanding the minimum lot area requirement in Section 14.3, a development permit may be issued for a multi-unit dwelling on PID 40302507.

(b) Notwithstanding Section 4.24, a minimum of 10 parking spaces in total are required on PID 40302507 for a multiple unit dwelling use and a boarding and rooming house use.

(c) Notwithstanding Sections 4.6 and 14.9, two dwellings are permitted on PID 40302507.

62. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use;” below the text “Two unit dwelling;” under the Heading “Residential Uses”.

Two unit dwellings;
Shared housing use;

63. Amending Section 15.1 in PART 15, as shown below in **bold**, by:
- a. Adding the heading “Other Uses” below the text “Open Space Uses.”; and
 - b. Adding the text “Cannabis production facilities” below the heading “Other Uses”.**

Other Uses
Cannabis production facilities

64. Amending PART 15, as shown below in **bold**, by adding Section “15.11 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES”.

15.11 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) A cannabis production facility shall comply with the requirements of Section 15.3.

(b) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.

(c) Where a lot containing a cannabis production facility abuts a lot

- (i) zoned or used for residential purposes, or**
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

65. Amending Section 16.1 in PART 16, as shown below in **bold**, by adding the text “Shared housing use” below the text “Single dwelling units in conjunction with permitted commercial, industrial or institutional uses;” under the Heading “Residential Uses”.

Single dwelling units in conjunction with permitted commercial, industrial or institutional uses;
Shared housing use;

66. Amending Section 17.1 in PART 7, as shown below in **bold**, by adding the text “Short-term rentals; and” and “Short-term bedroom rentals.” below the text “Recycling Depots”.

Recycling Depots;
Short-term rentals; and
Short-term bedroom rentals.

67. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations”.

Composting operations (refer to Section 4.26)
Cannabis production facilities

68. Amending PART 19, as shown below in **bold**, by adding Section “19.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 19.4.

19.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) Where a lot containing a cannabis production facility abuts a lot
- (i) zoned or used for residential purposes, or
 - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

69. Adding PARTs, as shown below in **bold**, “PART 20: RPK (REGIONAL PARK) ZONE” and “PART 21: PWS (PROTECTED WATER SUPPLY) ZONE” after PART 19.

PART 20: RPK (REGIONAL PARK) ZONE

20.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses

Recreation uses

Conservation uses

Commercial uses accessory to a public park use

Uses accessory to the foregoing uses

20.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m
Maximum Lot Coverage:	50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area
Maximum Height of Main Building	10.7 m

PART 21: PWS (PROTECTED WATER SUPPLY) ZONE

21.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

Municipal water distribution or purification facilities
Conservation uses
Public Parks
Uses accessory to the foregoing uses

21.2 PWS ZONE REQUIREMENTS

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	9.1m
Minimum Rear or Side Yard:	4.6m

70. Amending Section 22D.1 in PART 22D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

71. Adding the PARTs, “PART 22E: PA (PROTECTED AREA) ZONE” and “PART 22F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE” as shown below in **bold**, after PART 22D.

PART 22E: PA (PROTECTED AREA) ZONE

22E.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

22E.2 PA ZONE REQUIREMENTS

In any PA Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	930m ²
Minimum Frontage:	30.5m
Minimum Front or Flankage Yard:	20m
Minimum Side or Rear Yard:	20m

22E.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

PART 22F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

22F.1 CDD USES PERMITTED

No development permit shall be issued in any CDD (Comprehensive Development District) Zone except for the following:

Residential uses
Commercial uses
Institutional uses
Recreation uses

Parking facilities and transit stations or transit stops
Existing uses
Uses accessory to the foregoing uses

22F.2 CDD REQUIREMENTS

- (1) In any CDD (Comprehensive Development District) Zone no development permit shall be issued except in conformity with the development agreement provisions of the Halifax Regional Municipality Charter.**
- (2) Notwithstanding subsection (1), existing uses within any CDD zone shall be considered as fully conforming uses and as such are permitted to expand, resume operation if discontinued, or be replaced, or rebuilt if destroyed on the lot which they occupied on the effective date of this by-law, subject to the following requirements:**

Minimum Front or Flankage Yard:	9.1m
Minimum Side Yard:	2.5m
Minimum Rear Yard:	2.5m
Maximum Lot Coverage:	35%
Maximum Height of Main Building:	11m

72. Adding “Schedule A-1 - Wind Energy Zoning” after “APPENDIX ‘A’” as shown in Schedule C-32A, attached hereto.

73. Zoning Map “Schedule A: Planning Districts 8 & 9” is amended to rezone the properties to Regional Park (RPK) Zone, Protected Area (PA) Zone, Comprehensive Development District (CDD) Zone, and Protected Water Supply (PWS) Zone as shown in Schedule C-32B, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-33

Proposed Amendments to the Secondary Planning Strategy for Sackville Drive

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Secondary Planning Strategy for Sackville Drive is hereby amended as follows:

1. Amending PART 10: IMPLEMENTATION, as shown below in **bold**, by adding Policy I-6A after Policy I-6.

Policy I-6A

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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-34

Proposed Amendments to the Land Use Bylaw for Sackville Drive

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

1. Amending the “Table of Contents”, by adding the text “APPENDIX D: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” immediately after “APPENDIX C: EXISTING USES”.
2. Amending the “Table of Contents”, by adding the text “SCHEDULE F: Lands Subject to Interim Bonus Zoning Requirements” immediately after the deleted text “SCHEDULE E: Transition Area”.
3. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “ACCESSORY HEN USE” after the definition “Accessory Building or Structure”.

ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes.

4. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definitions “Bicycle Parking, Class A”, “Bicycle Parking, Class B”, and “Bicycle Parking, Enhanced” after the deleted definition “Bed and Breakfast”.

Bicycle Parking, Class A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

Bicycle Parking, Class B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

Bicycle Parking, Enhanced means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

5. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Canadian Geodetic Vertical Datum 2013 (CGVD2013)” after the definition “Building Supply Outlet”.

Canadian Geodetic Vertical Datum 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013,

or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

6. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definitions “Cannabis Lounge”, “Cannabis Production Facility”, and “Cannabis Retail Sales”, after the definition “Canadian Geodetic Vertical Datum (CGVD2013)”.

Cannabis Lounge means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

Cannabis Production Facility means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding

- (i) industrial hemp, and**
- (ii) premises used for personal production permitted by federal legislation.**

Cannabis Retail Sales means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

7. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “HEN” after the definition “Height”.

HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

8. Amending the definition “Institutional Use” in PART 2: DEFINITIONS, as shown below in **bold**, by adding the text “, shared housing use with special care” after the text “hospital,” and before the text “, community centre”.

Institutional Use - means any educational or denominational use, museum and cultural centre, public library, fire and police station, public works, hospital, shared housing with special care, community centre and hall, recreational or open space use.

9. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definitions “Shared

Housing Use” and “Share Housing Use” after the deleted definition “Seniors Residential Complex”.

Shared Housing Use means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

Shared Housing With Special Care means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

10. Amending PART 2: DEFINITIONS, by adding the definitions “SHORT-TERM BEDROOM RENTAL” and “SHORT-TERM RENTAL”, as shown below in **bold**, after the definition “Shopping Centre”.

SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

11. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definitions “BACKYARD SUITE” and “SECONDARY SUITE” after the deleted definition “Suite”.

BACKYARD SUITE means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

SECONDARY SUITE: means a self-contained subordinate dwelling unit that is located within a residential main building.

12. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Water

Control Structure” after the definition “Warehouse”.

Water Control Structure means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

13. Amending PART 2, as shown below in **bold**, by adding the definition “Watercourse” after the definition “Water Control Structure”.

Watercourse means a lake, river, stream, ocean or other natural body of water.

14. Amending PART 3, as shown below in **bold**, by adding Sections 6A, 6B, 6C, and 6D after Section 6.

6A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

6B. An accessory hen use is exempt from the requirement to obtain a development permit.

6C. A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.

6D. Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

15. Amending Section 1 in PART 5, as shown below in **bold**, by adding Subsection (11) after Subsection (10).

(10) buildings over 50ft (15.24m) in height in accordance with Policy SS-4(a)

(11) Pursuant to Policy I-6.5, where there is enabling policy to consider the Development 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.

16. Amending PART 5, as shown below in **bold**, by adding Section 2 after Section 1.

2. Development that is not otherwise permitted in this By-law may be permitted by

development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

17. Amending PART 6, as shown below in **bold**, by adding the heading “Setbacks from Watercourses” and Section “6. Watercourses” after Section 5.

Setbacks from Watercourses

6. WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Notwithstanding subsection (1) the required buffer may be reduced to 20 m for any lot that existed on or before June 24, 2002, providing that any of the following conditions are met:
- (i) existing rights-of-way or easements located on the property further affect the placement of buildings or structures;
 - (ii) where the configuration or shape of a lot is such that the lot line intersecting the watercourse are not perpendicular to the watercourse;
 - (iii) where the portion of a lot covered by the watercourse setback is greater than or equal to twenty percent of the area of the lot; or

(iv) where there is existing legal disturbance or development which was established on or before June 24, 2002 on the portion of property identified as within the watercourse setback.

(d) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

- (7) Within the required buffer pursuant to subsections (1) and (2), and notwithstanding subsections (4) and (5), activity within the buffers for Sackville River or Little Sackville Rivers shall be limited to the placement of board walks, esplanades, arcades, permeable walkways and trails, conservation uses, parks on public lands, public road crossings and driveway crossings, and wastewater, storm and water infrastructure, and water control structures.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.
18. Amending Section 17 in PART 6, as shown below in **bold**, by adding the text “Except for an ACCESSORY HEN USE,” before the text “Horses, cattle,”.
17. **Except for an ACCESSORY HEN USE**, Horses, cattle, sheep, swine, and domestic fowl shall not be kept on any lot or within any building.
19. Amending PART 6, as shown below in **bold**, by:
- Adding the Heading “Accessory Hen Use” after Section 32; and
 - Adding Section 32A after the heading “Accessory Hen Use”;

Accessory Hen Use

32A An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) **The maximum number of hens permitted on a lot shall be:**
- a maximum of 10 hens on lots less than 4,000 square metres in size;**
 - a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
 - a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
 - a maximum of 25 hens on lots 10,000 square metres or greater in size;**
- (b) **Hens shall be contained within an accessory building or a fenced area that:**
- is located in a rear yard;**

- ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;
 - iii. subject to 32A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
- i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

20. Amending Subsection 33 (1) in PART 6, as shown below in **bold**, by adding the text “, except where a backyard suite is permitted” after the text “be used for human habitation”.

33. Accessory buildings and structures shall be permitted in any zone but shall not:
- (1) be used for human habitation, **except where a backyard suite is permitted;**

21. Amending PART 6, as shown below in **bold**, by adding the heading “Secondary Suites and Backyard Suites” and Section 34B after Section 34A.

Secondary Suites and Backyard Suites

34B. (1) Secondary Suites

Secondary suites shall be permitted accessory to a single unit dwelling, a duplex dwelling, a semi-detached dwelling, or a townhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(2) Backyard Suites

Backyard suites shall be permitted accessory to a single unit dwelling, a duplex dwelling, a semi-detached dwelling, a multi-unit dwelling containing only three (3) units, or a townhouse dwelling subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory building requirements as set out in Part 6 sections 32, 33 and 34;

- (iv) **The gross floor area of a backyard suite shall not exceed 1,000 square feet (93 square metres);**
- (v) **Notwithstanding the parking requirements of Part 7 Section 16, additional off-street parking shall not be required;**
- (vi) **A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit;**
- (viii) **A backyard suite shall have unobstructed access that**
 - (A) **connects the backyard suite to a street, private road, or private right-of-way,**
 - (B) **is located on the same lot on which the backyard suite is located, and**
 - (C) **has a minimum width of 1.1 metres, and**
- (ix) **A non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 93 square metres.**

22. Amending PART 6, as shown below in **bold**, by:

- a. Adding the heading “Public Transit Facilities” and Section 41 after Section 40;
- b. Adding the heading “Public Transit Facilities Within the Flood Plain (P-3) Zone” and Section 42 after Section 41; and
- c. Adding the heading “Cannabis-Related Uses” and Section 43 after Section 42.

Public Transit Facilities

- 41. **Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.**

Public Transit Facilities Within The Flood Plain (P-3) Zone

- 42. **Notwithstanding Section 42, within the Flood Plain (P-3) Zone, public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall exclude transit terminals.**

Cannabis-Related Uses

- 43. **Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).**

23. Amending PART 6, as shown below in **bold**, by adding the heading “SHORT-TERM RENTALS” and Section 45 after Section 44.

SHORT-TERM RENTALS

45. a) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
- i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

24. Amending Section 13 in PART 7, as shown below in **bold**, by adding the text “Additional Requirements: Multiple Unit Buildings and Shared Housing with greater than 10 bedrooms in a building” below the text “Part 7 Section 11 (3) and (4)”.

13. Notwithstanding Part 7 Section 11 (1) through to Section 11 (10), a change in use or occupancy within an existing building or structure (no proposed addition) shall only comply with Part 7 Section 11 (3) and (4).

Additional Requirements: Multiple Unit Buildings and Shared Housing with greater than 10 bedrooms in a building

25. Amending Section 14 in PART 7, as shown below in **bold**, by adding the text “and shared housing uses” after the text “multiple unit buildings” and before the text “shall consist of”.

14. Exterior cladding of all new multiple unit buildings **and shared housing uses** shall consist of brick, stone, wood shingle, wood siding, wood clapboard, or vinyl siding or a combination thereof.

26. Amending the table in Section 16(a) in PART 7, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels”.

SPACES		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Any dwelling	0	Per each dwelling unit
Retail Stores, Office, Financial Institutions, Service and Personal Service Shops:		
• exceeding 5,000 sq ft (464.5m ²) of gross floor area	4	Per 1,000 sq ft (92.9m ²) of gross leasable floor area
• not exceeding 5,000 sq ft (464.5m ²) of gross floor area	3	Per 1,000 sq ft (92.9m ²) of gross leasable floor area
Motels, Hotels, and short-term bedroom rentals	1	Per sleeping unit plus requirements for associated uses such as restaurants or other facilities contained therein

27. Amending PART 7, as shown below in **bold**, by adding Sections “40A Bicycle Parking Facilities”, “40B Location of Bicycle Parking” and “40C Special Bicycle Parking Facility Requirements” after Section 40.

40A Bicycle Parking Facilities

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces

General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, shared housing use, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;
- (b) have a minimum overhead clearance of 2.0m;
- (c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

40B Location of Bicycle Parking

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located

up to 30m from an entrance.

- (2) Class A bicycle parking may be located up to 200m from an entrance.
- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

40C Special Bicycle Parking Facility Requirements

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.
- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

28. Amending Section 1 in PART 8, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Existing Autobody Shop” under the “Commercial Uses” heading.

- Existing Autobody Shop
- **Short-term Rentals**
- **Short-term Bedroom Rentals**

29. Amending Section 1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational Institutions excluding cemeteries” under the heading “Institutional and Community Use”.

- Denominational Institutions excluding cemeteries
- **Shared housing use with 10 or fewer bedrooms**

30. Amending Section 1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedroom in conjunction with a permitted dwelling unit” below the text “Existing Multiple Unit Dwellings” under the heading “Residential Uses”.

- Existing Multiple Unit Dwellings
- **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit**

31. Amending Section 1 in PART 9, as shown below in **bold**, by adding the text “Short-term Rentals”

and “Short-term Bedroom Rentals”, below the text “Restaurants (full service, drive-thru and takeout) under the heading “Commercial Uses:”.

- Restaurants (full service, drive-thru and takeout)
- **Short-term Rentals**
- **Short-term Bedroom Rentals**

32. Amending Section 1 in PART 11, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Commercial Parking Lots” under the heading “Commercial Uses”.

- Commercial Parking Lots
- **Short-term Rentals**
- **Short-term Bedroom Rentals**

33. Amending Section 1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational Institutions excluding Cemeteries” under the heading “Institutional and Community Uses”.

- Denominational Institutions excluding Cemeteries
- **Shared housing use with 10 or fewer bedrooms**

34. Amending Section 1 in PART 11, as shown below in **bold**, by adding the text “Shared Housing Use” below the text “Multiple Unit Dwellings” under the heading “Residential Uses”.

- Multiple Unit Dwellings
- **Shared Housing Use**

35. Amending Subsection 9(2) in PART 11, as shown below in **bold**, by adding the text “or Shared Housing Use” after the text “Multiple Unit Dwelling” and before the text “to the parking lots”.

(2) safe pedestrian linkages connecting the Multiple Unit Dwellings **or Shared Housing Use** to the parking lots, public transit system, the Plaza, the Mall and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;

36. Amending PART 11, as shown below in **bold**, by:

- a. Adding the text “and Shared Housing Use” after the text “Multiple Unit Dwelling” under the heading “Additional Requirements”; and
- b. Adding the text “or shared housing use” after the text “any multiple dwelling unit” and before the text “is permitted” in Section 10.

Additional Requirements:

Multiple Unit Dwelling **and Shared Housing Use**

10. Where any multiple unit dwelling **or shared housing use** is permitted, the following shall apply:
37. Amending Subsection 10(2) in PART 11, as shown below in **bold**, by adding Clause (e) after clause (d).
- (2) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:
- | | | |
|-----|----------------------------|--|
| (a) | One Bedroom/Bachelor: | 18.6 sq m (200 sq ft) |
| (b) | Two Bedroom: | 53.4 sq m (575 sq ft) |
| (c) | Three Bedroom: | 88.2 sq m (950 sq ft) |
| (d) | Four or more Bedroom: | 123.1 sq m (1,325 sq ft) |
| (e) | Shared Housing Use: | 18.6 sq m (200 sq ft) per bedroom |
38. Amending Section 1 in PART 12, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Existing welding, plumbing and heating, electrical, automotive, other special trade contracting services & shops” under the heading “Commercial Uses”.
- Existing welding, plumbing and heating, electrical, automotive, other special trade contracting services & shops
 - **Short-term Rentals**
 - **Short-term Bedroom Rentals**
39. Amending Section 1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational Institutions excluding Cemeteries” under the heading “Institutional and Community Uses”.
- Denominational Institutions excluding Cemeteries
 - **Shared housing use with 10 or fewer bedrooms**
40. Amending Section 1 in PART 12, as shown below in **bold**, by adding the text “Shared Housing Use” below the text “Multiple Unit Dwellings” under the heading “Residential Uses”.
- Multiple Unit Dwellings
 - **Shared Housing Use**

41. Amending Section 1 in PART 13, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Existing Strip Malls/Shopping Plaza’s” under the heading “Commercial Use”.

- Existing Strip Malls/Shopping Plaza’s
- **Short-term Rentals**
- **Short-term Bedroom Rentals**

42. Amending Section 1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational Institutions excluding Cemeteries” under the heading “Institutional and Community Uses”.

- Denominational Institutions excluding Cemeteries
- **Shared housing use with 10 or fewer bedrooms**
- **Day Care Facilities**

43. Amending Section 1 in PART 13, as shown below in **bold**, by adding the text “Shared Housing Use” below the text “Multiple Unit Dwelling” under the heading “Residential Uses”.

- Multiple Unit Dwellings
- **Shared Housing Use**

44. Amending Section 1 in PART 14, as shown below in **bold**, by adding the text “Short-term Rentals” and “Short-term Bedroom Rentals” below the text “Existing auto body shops” under the heading “Commercial Uses”.

- Existing auto body shops
- **Short-term Rentals**
- **Short-term Bedroom Rentals**

45. Amending Section 1 in PART 14, as shown below in **bold**, by:

- a. Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational Institutions excluding Cemeteries” under the heading “Institutional and Community Uses”; and
- b. Adding the text “Shared Housing with Special Care” below the text “Community Parkland and Facility Uses” under the heading “Institutional and Community Uses”.

Institutional and Community Uses

- Educational Institutions (including commercial schools)
- Denominational Institutions excluding Cemeteries
- **Shared housing use with 10 or fewer bedrooms**
- Day Care Facilities
- Civic Buildings including but not limited to public office, post office, fire station, police

station, library, museum, and gallery

- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited.
- Community/Recreational Centre
- Community Parkland and Facility uses
- **Shared Housing with Special Care**

46. Amending Section 1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple Unit Dwellings” under the heading “Residential Uses”.

- Multiple Unit Dwellings
- **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit**

47. Amending Section 1 in PART 17, as shown below in **bold**, by:

- a. Adding the text “Water Control Structures” below the text “Stormwater Management Ponds” under the heading “Environmental Protection Measures”; and
- b. Adding the text “Wastewater, stormwater and water infrastructure. Treatment facilities for wastewater, stormwater and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014.” below the text “Water Control Structures”.

Environmental Protection Measures

- Stormwater Management Ponds
- **Water Control Structures**
- **Wastewater, stormwater and water infrastructure. Treatment facilities for wastewater, stormwater and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014.**

48. Adding “APPENDIX D: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” after “APPENDIX C: EXISTING USES” as shown in Schedule C-34A, attached hereto.

49. Adding “SCHEDULE F: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after “Schedule E: Transition Area”, as shown in Schedules C-34B and C-34C, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-35

Proposed Amendments to the Municipal Planning Strategy for Sackville

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

1. Amending Policy SH-3, as shown below in **bold**, by adding the text “shared housing with special care uses” after the text “the establishment of” and before the text “within the plan area,”.

SH-3 It shall be the intention of Council to encourage and support the establishment of **shared housing with special care uses** within the plan area, including the establishment of home care and group care facilities.

2. Amending SECTION III under the heading LAND USE INTENT as shown below in **bold**, by:
 - a. Adding the text “larger shared housing with special care uses,” after the text “medical centres,” and before the text “larger day care facilities” in the second paragraph;
 - b. Adding the text “short-term bedroom rentals such as but not limited to” after the text “day care facilities,” and before the text “bed and breakfast” in the second paragraph;
 - c. Adding the text “Larger shared housing with special care uses,” after the text “commercial uses.” and before the text “larger day care facilities,” in the third paragraph; and
 - d. Adding the text “short-term bedroom rentals” after the text “day care facilities,” and before the text “and salvage yards” in the third paragraph.

The intention of the Urban Residential Designation is to protect the residential environment of the community while allowing for a variety of housing types and other uses which are compatible with continuing residential development. Within this designation, single unit dwellings, as well as those associated activities which are typical and appropriate to the existing residential environment shall be permitted. Recognizing that certain forms of higher density residential development may be accommodated without general conflict, it is the intention of the planning strategy to provide for such uses in the Urban Residential Designation by amendment to the land use by-law or by development agreement. Further, recognizing that there are additional uses that may be accommodated in a residential area given special development criteria, it is the intention of the planning strategy to consider medical centres, **larger shared housing with special care uses**, larger day care facilities, **short-term bedroom rentals such as but not limited to** bed and breakfast establishments, local commercial uses and mobile home parks by development agreement.

The intent of the Rural Residential Designation is to recognize the semi-rural character of the areas designated, particularly their traditional mix of low density residential and resource uses. In order to accommodate other uses which are compatible with the surrounding neighbourhood, it shall be the intent of the planning strategy to consider, by amendment to the land use by-law, other forms of residential development and local commercial uses. **Larger shared housing with special care uses**, larger day care facilities, **short-term bedroom rentals** and salvage yards will be considered by development agreement.

3. Amending PART III under the heading URBAN RESIDENTIAL DESIGNATION and subheading Community Facility Uses, as shown below in **bold**, by:
 - a. Adding the text “Shared housing with special care” before the text “must be permitted” in the first paragraph below Policy UR-15;
 - b. Adding the text “shared housing with special care” after the text “location of” and before the text “in a manner which” in the first paragraph below Policy UR-15;
 - c. Adding Policy UR-16A after deleted Policy UR-16; and
 - d. Adding Policy UR-16B after Policy UR-16A.

Shared housing with special care must be permitted to locate within the community in order to facilitate the client group's social and physical integration. In many instances, such uses have special requirements in terms of location and building design. In order to permit the design and location of **shared housing with special care** in a manner which will aid integration into surrounding neighbourhoods, such uses shall be permitted by specific development agreements within any of the land use designations.

UR-16 Deleted

UR-16A 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 Policy UR-2, within any Designation, 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-13.**

UR-16B **In addition to Policy UR-16A, 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.**

4. Amending SECTION III under the heading URBAN RESIDENTIAL DESIGNATION and the subheading Local Commercial Uses, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “short-term bedroom rentals such as, but not limited to,” after the text “Sackville area,” and before the text “bed and breakfast” in the first paragraph after Policy UR-20;
 - b. Adding the text “short-term bedroom rentals” after the text “to consider” and before the text “which are too expensive” in Policy UR-21;

- c. Adding the text “short-term bedroom rental” after the text “that any” and before the text “establishment shall not” in Clause (d) of Policy UR-21; and

Sackville's proximity to the Halifax-Dartmouth metropolitan area makes it a good location for tourist accommodations. While larger scale commercial accommodation services such as hotels and motels are permitted in the commercially designated areas, the availability of such services is very limited. To help meet the need for tourist accommodation in the Sackville area, **short-term bedroom rentals such as, but not limited to**, bed and breakfast establishments shall be permitted as home occupations in residential areas. Furthermore, more extensive operations may be considered, provided they are developed in a manner compatible with residential environment.

UR-21 Notwithstanding Policies UR-2 and RR-2, within the Urban and Rural Residential Designations, it shall be the intention of Council to consider **short-term bedroom rentals** which are too extensive to be accommodated as a small business in a dwelling, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

- (a) that adequate parking facilities are provided;
- (b) that parking areas are screened to reduce the visual effects on adjacent low density residential developments;
- (c) that the architectural design and scale of the building is compatible with nearby uses;
- (d) that any **short-term bedroom rental** establishment shall not include more than six (6) rooms for accommodation;
- (e) the suitability of access to and from the site;
- (f) signage; and

5. Amending Policy IM-10, as shown below in **bold**, by:

- a. Adding the text “short-term bedroom rental” before the text “establishments according” in Subclause (a)(vii);
- b. Adding the text “short-term bedroom rentals” before the text “establishments according to” in Subclause (b)(ii);
- c. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to” in Subclause (e)(i);
- d. Adding the text “ies” to the text “Polic” before the text “UR-16” in Subclause (e)(i); and
- e. Adding the text “A and UR-16B” after the text “UR-16” and before the text “; and” in Subclause (e)(i).

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) townhouse dwellings according to Policy UR-6;
 - (ii) multiple unit dwellings according to Policy UR-8;
 - (iii) medical clinics and larger day care facilities according to Policy UR-15;
 - (iv) local commercial uses according to Policy UR-18;
 - (v) community commercial uses along the south side of Sackville Drive between the Beaver Bank Road and the Lucasville Road, according to Policy UR-19;
 - (vi) commercial service uses along Sackville Drive, west of Millwood Drive according to Policy UR-20;
 - (vii) **short-term bedroom rental** establishments according to Policy UR-21;
 - (viii) expansion of the existing salvage operation located on the Old Sackville Road according to Policy UR-22;
 - (ix) community commercial uses on properties along the Cobequid Road between Sackville Drive and First Lake Drive, according to Policy UR-24;
 - (x) expansion of existing commercial uses or development of new commercial uses in excess of the maximum floor area permitted by the C-2 Zone on properties identified as LRIS Nos. 4009443 and 40094450 according to Policy UR-25; and
 - (xi) mobile home parks and expansions of existing mobile home parks according to Policy UR-27.
 - (xii) Community Commercial (C-2) uses and auto body shops east of Rosemary Drive and north and west of Atlantic Gardens on Sackville Drive.
 - (xx) (Refer to Sackville Drive SPS: RC-May 7/02;E-Jun 29/02)
- (b) Within the Rural Residential Designation:
 - (i) commercial service uses along Sackville Drive west of Millwood Drive, according to Policy UR-20;
 - (ii) **short-term bedroom rental** establishments according to Policy UR-21;
 - (iii) community commercial uses on properties along the Cobequid Road between Sackville Drive and First Lake Drive, according to Policy UR-24;
 - (iv) expansion of existing commercial uses to non-commercially zoned properties according to Policy RR-5;
 - (v) expansion of existing commercial uses exceeding 10,000 square feet according to Policy RR-6;
 - (vi) larger day care facilities according to Policy RR-7;
 - (vii) expansion of A.F. MacEachern Sheet Metal Company Ltd., according to Policy RR-8;
 - (viii) salvage yards according to Policy RR-9; and

- (ix) Pursuant to Policy RR-10 home businesses that do not meet the Land Use By-law requirements for the existing residential property located at 50 Walker Service Road (LRIS No. 40127599).
 - (c) (Refer to Sackville Drive SPS: RC-May 7/02;E-Jun 29/02)
 - (d) Within the Community Commercial Designation:
 - (i) commercial uses with greater than ten thousand (10,000) square feet according to Policy CC-3;
 - (ii) commercial uses or expansion of existing uses in the vicinity of the Beaver Bank Road and Glendale Drive intersection according to Policy CC-4;
 - (iii) autobody shops according to Policy CC-5;
 - (iv) multiple unit dwellings according to Policy CC-6; and
 - (v) commercial, office, service industrial and community-related re-development of the former Sackville Fire Department property, according to Policy CC-7.
 - (e) Within any Designation:
 - (i) **shared housing with special care at a larger scale than permitted in the underlying zone** according to Policies UR-16A and UR-16B; and
 - (ii) deleted - June 16, 1994
 - (f) Within the Floodplain Designation:
 - (i) development within one hundred (100) feet of the Sackville and Little Sackville Rivers according to Policy FP-3A;
6. Amending SECTION IV, as shown below in **bold**, by adding Policy IM-10A after Policy IM-10.

IM-10A For any development agreement that was approved pursuant to a policy in the Regional Plan which is no longer in effect, an amendment to the development agreement may be considered subject to the criteria set out in policy IM-13 of this Plan.

7. Amending SECTION IV, as shown below in **bold**, by adding Policies IM-24, IM-25, and IM-26 after Policy IM-23.

IM-24 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.

IM-25 Notwithstanding Policies UR-16A and UR-16B, applications for non-substantive amendments to approved development agreements that now meet the definition of for 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.

IM-26 In addition to Policy IM-25, 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

This is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-36

Proposed Amendments to the Land Use Bylaw for Sackville

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

1. Amending the “Table of Contents”, by adding the text “4.10A ACCESSORY HEN USE” immediately after the text “4.11 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.11B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.11AB SHIPPING CONTAINERS AS ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.23 WATERCOURSES” immediately after the text “4.22 COMMERCIAL MOTOR VEHICLES”.
4. Amending the “Table of Contents”, by adding the text “4.26A BICYCLE PARKING FACILITIES”, “4.26B LOCATION OF BICYCLE PARKING”, and “4.26C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “4.26 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.33 WIND ENERGY FACILITIES”, immediately after the deleted text “4.32 SCHEDULE D – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 PUBLIC TRANSIT FACILITIES WITHIN THE FLOODPLAIN (P-3) ZONE”, “4.36 CANNABIS-RELATED USES”, and “4.37 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 22A: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 22: P-4 (PARK RESERVE) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 23E: TR (TRANSPORTATION RESERVE) ZONE” immediately below the text “PART 23D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “APPENDIX ‘C’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” immediately after the text “APPENDIX ‘B’: EXISTING SALVAGE YARD”.
10. Amending the “Table of Contents”, by adding the text “Schedule E - Wind Energy Zoning” and “Schedule F: Lands Subject to Interim Bonus Zoning Requirements” after the deleted text “Schedule D: Wetlands”.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.9A BICYLCE PARKING, CLASS A”, “2.9B BICYCLE PARKING, CLASS B”, and “2.9C BICYCLE PARKING, ENHANCED” after deleted Section 2.9.

2.9A BICYCLE PARKING, CLASS A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

2.9B BICYCLE PARKING, CLASS B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

2.9C BICYCLE PARKING, ENHANCED means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.12a CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.12.

2.12A CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

14. Amending PART 2, as shown below in **bold**, by adding the definitions “2.12B CANNABIS LOUNGE”, “2.12 C CANNBIS PRODUCTION FACILITY”, and “2.12C CANNABIS RETAIL SALES” after Section 2.12A.

2.12B CANNABIS LOUNGE means premises where the primary purpose of the

facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.12C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) **including**

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) **excluding**

- (i) industrial hemp, and
- (ii) premises used for personal production permitted by federal legislation.

2.12D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.15AA CONSERVATION USE” after Section 2.15A.

2.15AA CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

16. Amending Subsection 2.19 (c), as shown below in **bold**, by adding the text “includes a mobile dwelling” after the text “detached dwelling unit, and”.

(c) Dwelling, Single Unit means a building which is a completely detached dwelling unit, and **includes a mobile dwelling.**

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.29A HEN” after Section 2.29.

2.29A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.58 RECREATION

USE” after Section 2.57.

2.58 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

19. Amending PART 2, as shown below in **bold**, by adding the definitions “2.69A SHARED HOUSING USE”, and “2.69B SHARED HOUSING WITH SPECIAL CARE” after Section 2.69.

2.69A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short term rental, hotel, motel, or tourist accommodation.

2.69B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

20. Amending PART 2, as shown below in **bold**, by adding Section “2.69D SHORT-TERM BEDROOM RENTAL” and Section “2.69E SHORT-TERM RENTAL”, after Section 2.69C.

2.69D SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.69E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

21. Amending PART 2, as shown below in **bold**, by adding Section “2.73A SUITE” after Section 2.73.

2.73A SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

22. Amending PART 2, as shown below in **bold**, by adding Section “2.74B WATER CONTROL STRUCTURE” after Section 2.74AA.

2.74B WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

23. Amending PART 2, as shown below in **bold**, by adding the definition “2.75 WATERCOURSE” after Section 2.74B.

2.75 WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

24. Amending Section 3.1 in PART 3, as shown below in **bold**, by:

- a. Adding the text “RPK Regional Park Zone” below the text “P-4 Park Reserve Zone”; and
- b. Adding the text “TR Transportation Reserve Zone” below the text “RPK Regional Park Zone”.

P-4 Park Reserve Zone

RPK Regional Park Zone
TR Transportation Reserve Zone

25. Amending Section 3.6 in PART 3, as shown below in **bold**, by:

- a. Adding the text “and the Regional Municipal Planning Strategy for Halifax Regional Municipality” after the text “Strategy for Sackville” and before the text “such uses are”; and
- b. Adding the text “Shared housing with special care” before the text “within any Designation” in Clause (i).

3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT

- (a) Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with the development agreement provisions of the Planning Act. As provided for by Policy IM-13 of the Municipal Planning Strategy for Sackville **and the Regional Municipal Planning Strategy for Halifax Regional Municipality**, such uses are as follows:

(i) **Shared housing with special care** within any Designation.

26. Amending Clause 3.6(a)(xxiv) in PART 3, as shown below in **bold**, by adding the text “Short-term bedroom rentals” before the text “within the Urban”.

(xxiv) **Short-term bedroom rental** within the Urban and Rural Residential Designations.

27. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Clause (xxviii) and Subclause (i) below Clause (xxvii).

(xxviii) **Within the Rural Commuter Designation of the Regional Municipal Planning Strategy:**

- (i) **Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

28. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Section (c) after Section (b).

(b) In addition, the development of certain uses which are permitted within any CDD (Comprehensive Development District) may only be considered in accordance with the development agreement provisions of the Planning Act.

(c) **Pursuant to Policy IM-24, 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.**

29. Amending PART 3, as shown below in **bold**, by adding Section “3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning

Strategy.

30. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iii), (iv), and (v) after Clause (ii).

(d) Notwithstanding Subsection (a), no development permit shall be required for the following:

- (i) any accessory building or structure which has less than three hundred (300) square feet (28 sq. m.) of gross floor area; and
- (ii) any sign, except signs permitted according to Section 5.3 of this by-law.
- (iii) An accessory hen use.**
- (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.**
- (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

31. Amending PART 4, as shown below in **bold**, by adding Sections 4.1B and 4.1C after deleted Section 4.1A.

4.1A Deleted

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

4.1C An accessory hen use is exempt from the requirement to obtain a development permit.

32. Amending Section 4.7 in PART 4, as shown below in **bold** and ~~strikeout~~, by adding Subsection (f) after Subsection (e).

(f) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.

33. Amending PART 4, as shown below in **bold**, by adding Sections "4.10A ACCESSORY HEN USE" after Section 4.10.

4.10A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;
 - iii. subject to 4.10A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

34. Amending PART 4, as shown below in **bold**, by adding Section “4.11B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.11A.

4.11B SECONDARY SUITES AND BACKYARD SUITES

(a) **SECONDARY SUITES**

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, a townhouse dwelling or a rowhouse dwelling subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

(b) **BACKYARD SUITES**

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two-unit dwelling, a semi-detached dwelling, a multiple unit dwelling containing only 3 dwelling units, a townhouse dwelling, or a rowhouse dwelling

subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres, and;
- (viii) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.

35. Amending PART 4, as shown below in **bold**, by adding Section “4.23 WATERCOURSES” after Section 4.22.

4.23 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (7) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse’s vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision

application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.

(c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (7). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

- (7) Within the required buffer pursuant to subsections (1) and (2) and notwithstanding subsection (4) and (5), activity within the required buffer for Sackville River or the Little Sackville Rivers shall be limited to the placement of permeable board walks, walkways and trails, conservation uses, parks on public lands, historic sites and monuments, public road crossings and driveway crossings, and wastewater, storm and water infrastructure, and water control structures.

PERMIT REQUIREMENTS

- (8) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

36. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “Shared housing use 0 spaces” below the text “Multiple unit dwellings 0.33 spaces per dwelling unit”.

Multiple unit dwellings	0.33 spaces per dwelling unit
Shared housing use	0 spaces

37. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “, and short-term bedroom rentals” after the text “Motels, hotels”.

Motels, hotels, and short-term bedroom rentals	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
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38. Amending Subsection 4.24(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “except as” and before the text “specified”.

Theatres	1 space per 5 seats
Institutional uses except as otherwise specified	the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3 m ²) of gross floor area; where there are no fixed seats, or 1 space per 4 persons which can be accommodated at any one time

39. Amending PART 4, as shown below in **bold**, by adding Section “4.26A BICYCLE PARKING

FACILITIES”, “4.26 LOCATION OF BICYCLE PARKING”, and “4.26C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” after Section 4.26.

4.26A BICYCLE PARKING FACILITIES

- (1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

- (2) **Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.**
- (3) **Each Class B bicycle parking space shall:**
 - (a) **be a minimum of 0.6m wide and 1.8m long;**
 - (b) **have a minimum overhead clearance of 2.0m;**
 - (c) **be located a minimum of 0.6m from any wall or other obstruction.**
- (4) **Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.**
- (5) **Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.**

4.26B LOCATION OF BICYCLE PARKING

- (1) **Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.**
- (2) **Class A bicycle parking may be located up to 200m from an entrance.**
- (3) **All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.**
- (4) **Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.**

4.26C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

- (1) **Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.**
- (2) **In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be**

eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

40. Amending PART 4, as shown below in **bold**, by adding Section “4.33 WIND ENERGY FACILITIES” after repealed Section 4.32.

4.33 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) “Habitable Building” means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) “Nacelle” means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) “Nameplate Capacity” means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) “Total Rated Capacity” means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) “Tower Height” means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) “Turbine” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) “Wind Energy Facility” means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;

- i) **“Micro Facility” means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.**
- ii) **“Small Facility” means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.**
- iii) **“Medium Facility” means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.**
- iv) **“Large Facility” means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.**

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule E - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

- a) **URBAN WIND ZONE (UW-1)**
 - i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
 - ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
 - iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
 - iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**
 - v) **Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
 - vi) **Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an**

- adjacent property.
- b) **RURAL WIND ZONE (RW-2)**
- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).
 - ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.
 - iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:
 - 1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
 - vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:
 - 1) A minimum distance of the greater of the following from any habitable building on an adjacent property:
 - (a) 4 times the wind turbine height; or
 - (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and
 - (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.
- c) **RESTRICTED ZONE (R)**
- i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

- a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;
- b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;
- c) identification and location of the properties on which the proposed Wind Energy Facility will be located;
- d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;
- e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act*; and,
- f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)
 - ii) Small 360 metres (1180 ft)
 - iii) Medium 500 metres (1640 ft)
 - iv) Large 2000 metres (6560 ft)
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed

- wind energy facility;
 - ii) a description of the type of wind energy facility; and
 - iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Sackville Land Use By-law:
 - i) RPK (Regional Park) Zone;
 - ii) P4 (Park Reserve) Zone.

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
- c) All electrical wires shall, to the maximum extent possible, be placed underground.
- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

- a) Schedule E – Wind Energy Zoning.

41. Amending PART 4, as shown below in **bold**, by adding Section “4.34 PUBLIC TRANSIT FACILITIES”, “4.35 PUBLIC TRANSIT FACILITIES WITHIN THE FLOOD PLAINS”, “4.36 CANNABIS-RELATED USES”, and “4.37 SHORT-TERM RENTALS” after Section 4.33.

4.34 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.35 PUBLIC TRANSIT FACILITIES WITHIN THE FLOOD PLAIN (P-3) ZONE

Notwithstanding Section 4.34, within the Flood Plain (P-3) Zone, public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall exclude transit terminals.

4.36 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.37 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.
- b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:
 - i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;
 - ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;
 - iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;
 - iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²)) in area; and

- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

42. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

43. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

45. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing up to 4 units within the Urban Service Area”.

Single unit dwellings
Two unit dwellings within the Urban Service Area
Multiple unit dwellings containing up to 4 units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

46. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Shared housing use with 15 or fewer bedrooms” below the text “Multiple unit dwellings containing no more than six (6) units”.

Multiple unit dwellings containing no more than six (6) units
Shared housing use with 15 or fewer bedrooms

47. Amending Subsection 10.3(a) in PART 10, as shown below in **bold**, by adding the text “for multiple unit dwellings, or per bedroom for a shared housing use” after the text “per dwelling unit” and before the text “shall be provided”.

- (a) An amenity area of not less than one hundred (100) square feet (9.3 m²) per dwelling unit **for multiple unit dwellings, or per bedroom for a shared housing use** shall be provided.

48. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Townhouse dwellings”.

Townhouse dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

49. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

50. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

51. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

52. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Existing construction yards and

maintenance facilities” under the heading “Commercial Uses”.

Existing construction yards and maintenance facilities

Short-term rentals

Short-term bedroom rentals

53. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Shared housing use” below the “Existing multiple unit dwellings” under the heading “Residential Uses”.

Existing multiple unit dwellings

Shared housing use

54. Amending Section 15.9 in PART 15, as shown below in **bold**, by adding the text “Shared housing use” below the text “Existing dwellings” under the heading “Residential Uses”.

Existing dwellings

Shared housing use

55. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Outdoor display in conjunction with permitted commercial office/retail uses” under the heading “Commercial Office/Retail Use”.

Outdoor display in conjunction with permitted commercial office/retail uses

Short-term rentals

Short-term bedroom rentals

56. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Cannabis production facility” below the text “Composting operations” under the heading “Light Industrial/Office Uses”.

Composting operations (see section 4.30)

Cannabis production facilities

57. Amending PART 17, as shown below in **bold**, by adding Section “17.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 17.6

17.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

(a) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

58. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Daycare facilities” under the heading “Commercial Office/Retail Uses”

Daycare facilities
Short-term rentals
Short-term bedroom rentals

59. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Composting operations” under the heading “Light Industrial/Office Uses”.

Composting operations (see section 4.30)
Cannabis production facilities

60. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding:
- Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Educational Institutions and uses” under the heading “Institutional Uses”; and
 - Adding the text “Shared housing with special care” below the text “Community centres and halls” under the heading “Institutional Uses”.

Institutional Uses
Denominational Institutional and Uses
Educational institutions and uses
Shared housing use with 10 or fewer bedrooms
Day care facilities
Fire and police stations
Government offices and public works
Hospitals and medical clinics
Private club and lodge
Community centres and halls
Shared housing with special care

61. Amending PART 18, as shown below in **bold**, by adding Section “18.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 18.4.

18.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **Where a lot containing a cannabis production facility abuts a lot**
(i) **zoned or used for residential purposes, or**

- (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

62. Amending Section 20.1 in PART 20, as shown below in **bold**, by:

- a. Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational institutions and uses” under the heading “Institutional Uses”; and
- b. Adding the text “Shared housing with special care” below the text “A sales and administration office in conjunction with a cemetery” under the heading “Institutional Uses”.

Institutional Uses

Educational institutions and uses

Denominational institutions and uses

Shared housing use with 10 or fewer bedrooms

Day care facilities

A single unit dwelling in conjunction with a daycare facility

Fire and police stations

Government offices and public works

Hospitals and medical clinics

Public libraries, museums and galleries

Private club and lodge

Community centres and halls

A sales and administration office in conjunction with a cemetery

Shared housing with special care

63. Amending Section 21.1 in PART 21, as shown below in **bold**, by adding the text “Water control structures” and the text “Wastewater, stormwater and water infrastructure. Treatment facilities for wastewater, stormwater and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014.” below the text “Fishing and fishing related uses”.

Fishing and fishing related uses

Water control structures

Wastewater, stormwater and water infrastructure. Treatment facilities for wastewater, stormwater and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014.

64. Adding a PART, “PART 22A: RPK (REGIONAL PARK) ZONE”, as shown below in **bold**, after PART 22.

PART 22A: RPK (REGIONAL PARK) ZONE

RPK USES PERMITTED

22A.1 No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Recreation uses

Conservation uses

Uses accessory to the foregoing uses

RPK ZONE REQUIREMENTS

22A.2 In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 20m

Minimum Side or Rear Yard: 20m

Maximum Lot Coverage: 50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area

65. Amending PART 23, as shown below in **bold**, by adding Section 23.4 after Section 23.3.

23.4 Notwithstanding sections 23.1 through 23.3, the lots shown on approved final plan of subdivision file no. 19980686-16-F of the Sunset Ridge Subdivision shall be developed subject to the permitted uses and requirements of the R-6 (Rural Residential) Zone.

66. Amending Section 23D.1 in PART 23D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

67. Adding the PARTs, “PART 23E: TR (TRANSPORTATION RESERVE) ZONE” as shown below in **bold**, after PART 23D.

PART 23E: TR (TRANSPORTATION RESERVE) ZONE

23E.1 TR USES PERMITTED

No development permit shall be issued in any TR (Transportation Reserve)

Zone except for the following:

None

23E.2 OTHER REQUIREMENTS

No development permit shall be issued for any development abutting any TR (Transportation Reserve) Zone except where the yard separating the development from the zone boundary is equal to the minimum yard separating a development from a street line, as required by this by-law.

68. Adding “APPENDIX ‘C’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” after Appendix “B”, as shown on Schedule C-36A, attached hereto.
69. Adding “Schedule E - Wind Energy Zoning”, “Schedule F: Lands Subject to Interim Bonus Zoning Requirements”, and “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements” after repealed “Schedule D: Wetlands” as shown on Schedules C-36B, C-36C, and C-36D, respectively, attached hereto.
70. Zoning Map “Schedule A – Sackville Zoning Map” is amended to rezone the properties to Regional Park (RPK) Zone and Transportation (TR) Zone as shown in Schedule C-36E attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Proposed Amendments to the Municipal Planning Strategy for the Timberlea/Lakeside/Beechville

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Amending the Table of Contents by adding the text “Shared Housing with Special Care” immediately below the text “Townhouse Dwelling Units”.
2. Amending SECTION III under the heading LAND USE INTENT , as shown below in **bold**, by adding the text “larger scale shared housing uses with special care” after the text “required for” and before the text “in order to provide” in the third paragraph.

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** in order to provide for the proper siting and integration of such uses.

3. Amending SECTION III as shown below in **bold**, by:
 - a. Adding the subheading “Shared Housing with Special Care” after Policy UR-9;
 - b. Adding the text “shared housing with special care” after the text “The need for” and before the text “will increase” in the first paragraph below the subheading “Shared Housing with Special Care”;
 - c. Adding the text “Additionally, the amenities offered by residential neighbourhoods and the services offered by centralized commercial development may be beneficial to users of residential care facilities.” after the text “throughout Halifax County” in the first paragraph below the subheading “Shared Housing with Special Care”;
 - d. Adding the text “shared housing with special care” after the text “the provision of” and before the text “and it is the intention” in the second paragraph below the heading “Shared Housing with Special Care”;
 - e. Adding the text “shared housing with special care” after the text “development of” and before the text “throughout the Plan Area” in the second paragraph below the heading “Shared Housing with Special Care”;
 - f. Adding Policy UR-10A after deleted Policy UR-10;
 - g. Adding Policy UR-10B after Policy UR-10A.

Shared Housing with Special Care

The need for **shared housing with special care** 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.**

The Municipality strongly supports the provision of **shared housing with special care** and it is the intention of this strategy to provide for the development of **shared housing with special care** 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

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.**

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.**

4. Amending SECTION III under the heading URBAN RESIDENTIAL DESIGNATION and the subheading Community Facility Uses, as shown below in **bold**, by:
 - a. Adding the text “larger scale shared housing with special care uses,” after the text “medical clinics” and before the text “and fraternal halls” in the first paragraph; and
 - b. Adding the text “larger scale shared housing with special care,” after the text “related uses such as” and before the text “schools, churches” in Policy RL-15.

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**, 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**, 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.

5. Amending Policy UR-27, as shown below in **bold**, by adding the text “shared housing,” after the text “multiple unit dwellings,” and before the text “a town centre”.

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**, 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.

6. Amending Policy CC-2, as shown below in **bold**, by adding the text “shared housing uses” after the text “commercial uses, as well as” and before the text “. The zone shall”.

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**. 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.

7. Amending Policy IM-10, as shown below in bold, by:

- a. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to” in Subclause (a)(iii);
- b. Adding the text “Policies UR-10A and UR-10B after the text “according to” in Subclause (a)(iii);
- c. Adding the text “shared housing with special care at a larger scale than permitted in the underlying zone” before the text “according to” in Subclause (b)(i); and
- d. Adding the text “Policies UR-10A and UR-10B” after the text “according to” in Subclause (b)(i).

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** according to **Policies UR-10A and UR-10B**;
- (iv) medical clinics and day care facilities according to Policy UR-16;
- (v) deleted;
- (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** according to **Policies UR-10A and UR-10B**;

8. Amending SECTION IV, as shown below in **bold**, by adding Policies IM-21, IM-22, and IM-23 after Policy IM-20.

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.

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.

- 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment C-38

Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12A ACCESSORY HEN USE” and immediately after the text “4.12 ACCESSORY USES AND BUILDINGS”.
2. Amending the “Table of Contents”, by adding the text “4.13B SECONDARY SUITES AND BACKYARD SUITES” immediately after the text “4.13AB SHIPPING CONTAINERS”.
3. Amending the “Table of Contents”, by adding the text “4.19 WATERCOURSES” immediately after the text “4.18 HEIGHT REGULATIONS”.
4. Amending the “Table of Contents”, by adding the text “4.29A BICYCLE PARKING FACILITIES”, “4.29B LOCATION OF BICYCLE PARKING”, “4.29C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” immediately after the text “4.29 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.34 WIND ENERGY FACILITIES” immediately after the deleted text “4.33 SCHEDULE C – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.35 PUBLIC TRANSIT FACILITIES”, “4.36 CANNABIS-RELATED USES” and “4.37 SHORT-TERM RENTALS” immediately after the text “4.33 WIND ENERGY FACILITIES”.
7. Amending the “Table of Contents”, by adding the text “PART 20A: WCRPK (WESTERN COMMON REGIONAL PARK) ZONE” and “PART 20B: RPK (REGIONAL PARK) ZONE” immediately after the text “PART 20: P-4 (CONSERVATION) ZONE”.
8. Amending the “Table of Contents”, by adding the text “PART 21E: UR (URBAN RESERVE) ZONE” immediately after the text “PART 21D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE”.
9. Amending the “Table of Contents”, by adding the text “APPENDIX ‘E’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” immediately after the text “APPENDIX ‘D’: AUTOBODY SHOPS”.
10. Amending the “Table of Contents”, by adding the text “Schedule D - Wind Energy Zoning” immediately after the deleted text “Schedule C: Wetlands”.
11. Amending the “Table of Contents”, by adding the text “Schedule F: Lands Subject to Interim

Bonus Zoning Requirements” immediately after the text “Schedule E: Area of Bay Self-Storage Expansion in the R-1 (Single Unit Dwelling) Zone”.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.1A ACCESSORY HEN USE” after Section 2.1.

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use.

13. Amending PART 2, as shown below in **bold**, by adding the definitions “2.7A BICYCLE PARKING, CLASS A”, “BICYCLE PARKING, CLASS B”, “2.7C BICYCLE PARKING, ENHANCED” after Section 2.7.

2.7A BICYCLE PARKING, CLASS A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

2.7B BICYCLE PARKING, CLASS B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

2.7C BICYCLE PARKING, ENHANCED means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.9AA CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013)” after Section 2.9A.

2.9AA CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

15. Amending PART 2, as shown below in **bold**, by adding the definitions “2.9AB CANNABIS LOUNGE”, “2.9AC CANNABIS PRODUCTION FACILITY”, and “2.9AD CANNABIS RETAIL SALES” after Section 2.9AA.

2.9AB CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

2.9AC CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

- (i) industrial hemp, and
- (ii) premises used for personal production permitted by federal legislation.

2.9AD CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AB CONSERVATION USE” after Section 2.11A.

2.11AB CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.

17. Amending Subsection 2.16(a), as shown below in **bold**, by adding the text “includes a mobile dwelling” after the text “detached dwelling unit and”.

(c) Dwelling, Single Unit: means a building which is a completely detached dwelling unit and **includes a mobile dwelling**.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.25A HEN” after Section 2.25.

2.25A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.52 RECREATION USE” after Section 2.51A.

2.52 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.

20. Amending PART 2, as shown below in **bold**, by adding the definitions “2.64A SHARED HOUSING USE” and “2.64B SHARED HOUSING WITH SPECIAL CARE” after Section 2.64.

2.64A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (i) that are rented for remuneration as separate rooms for residential accommodation; or**
- (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

2.64B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

21. Amending PART 2, as shown below in **bold**, by adding the definitions “2.64D SHORT-TERM BEDROOM RENTAL” and “2.64E SHORT-TERM RENTAL” after Section 2.64C.

2.64D SHORT-TERM BEDROOM RENTAL means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

2.64E SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

22. Amending PART 2, as shown below in **bold**, by adding the definition “2.68A SUITE” after Section 2.68.

2.68A SUITE

- (a) **Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.**

23. Amending PART 2, as shown below in **bold**, by adding the text “A” to Section “2.69A USED BUILDING MATERIAL RETAIL OUTLET”.

2.69AA USED BUILDING MATERIAL RETAIL OUTLET means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building.

24. Amending PART 2, as shown below in **bold**, by adding the definition “2.69AC WATER CONTROL STRUCTURE” after Section “2.69A”.

2.69AC WATER CONTROL STRUCTURE means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

25. Amending PART 2, as shown below in **bold**, by adding the definition “2.69AD WATERCOURSE” after Section 2.69AC.

2.69AD WATERCOURSE means a lake, river, stream, ocean or other natural body of water.

26. Amending Section 3.1 in PART 3, as shown below in **bold**, by:

- a. Adding the text “WCRPK Western Common Regional Park Zone” below the text “P-4 Conservation”; and
- b. Adding the text “UR Urban Reserve Zone” below the text “WCRPK Western Common Regional Park Zone”.

P-4
WCRPK

Conservation
Western Common

27. Amending Section 3.6 in PART 3, as shown below in **bold**, by:

- a. Adding the text “and the Regional Municipality Planning Strategy for Halifax Regional Municipality” after the text “Beechville” and before the text “, such uses are”;
- b. Adding Subsection (c) after Subsection (b);
- c. Adding Subsection (n); and
- d. Adding preamble and clause (i) after Subsection (n).

3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT

Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with the development agreement provisions of the Planning Act. As provided for by Policy IM-10 of the Municipal Planning Strategy for Timberlea/Lakeside/Beechville **and the Regional Municipal Planning Strategy for Halifax Regional Municipality**, such uses are as follows:

- (a) mobile home parks and expansions of existing mobile home parks;
- (b) townhouse developments;
- (c) **shared housing with special care;**
- (d) medical clinics and day care facilities;
- (e) Deleted;
- (f) expansion of service commercial uses;
- (g) expansions or change of use of commercial and industrial uses identified in Appendix "B";
- (h) expansions of the Halifax Sufferance Warehouse;
- (i) dwelling units above the first floor of commercial buildings;
- (j) shopping plazas and malls with greater than fifty thousand (50,000) square feet (4645.2 m²) of floor area;
- (k) taverns and other commercial entertainment uses;
- (l) extractive facilities and bulk storage of aggregate or minerals; and
- (m) the development of uses within any CDD (Comprehensive Development District) Zone.
- (n) **Pursuant to Policy 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.**

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:

- (i) **Conservation Design Developments in accordance with policies IM-10, IM-11, IM-12, IM-13, IM-14, IM-15, IM-16, and IM-17 of the Regional Municipal Planning Strategy, as applicable.**

28. Amending PART 3, as shown below in **bold**, by adding Section “3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES” after Section 3.6.

3.7 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-20 of the Halifax Regional Municipal Planning Strategy.

29. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iii), (iv), and after Clause (ii).

- (ii) any sign, except signs permitted according to Section 5.3 of this By-law.
- (iii) **An accessory hen use**
- (iv) **A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
- (v) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

30. Amending PART 4, as shown below in **bold**, by adding Section 4.1B after deleted Section 4.1A.

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

31. Amending Section 4.7 in PART 4, as shown below in **bold**, by adding Subsection (f) after Subsection (e).

- (f) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

32. Amending PART 4, as shown below in **bold**, by adding Section “4.12A ACCESSORY HEN USE” after Section 4.12.

4.12A ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

- (a) The maximum number of hens permitted on a lot shall be:
 - i. a maximum of 10 hens on lots less than 4,000 square metres in size;
 - ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;
 - iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;
 - iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;
- (b) Hens shall be contained within an accessory building or a fenced area that:
 - i. is located in a rear yard;
 - ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;
 - iii. subject to 4.12A(b)(iv), meets the requirements for accessory buildings under this by-law; and
 - iv. is setback a minimum of 1 metre from any side or rear lot line.
- (c) The following are not permitted:
 - i. On-site slaughtering or euthanizing of hens; and
 - ii. The sale of eggs, meat or hens.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.13B SECONDARY SUITES AND BACKYARD SUITES” after Section 4.13A.

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or auxiliary dwelling shall be permitted on a lot;**
- (ii) Notwithstanding subclause (i), no more than one total secondary suite or backyard suite shall be permitted on a lot within the Beechville Community Boundary or the BCDD Zone;**
- (iii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iv) A two unit dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are**

permitted in the zone.

(b) **BACKYARD SUITES**

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a semi-detached dwelling, a two unit dwelling, a multiple unit dwelling containing only 3 dwelling units, or a townhouse dwelling subject to the following provisions:

- (i) No more than backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;
- (iv) The gross floor area of a backyard suite shall not exceed 1,000 square feet (93.0 square metres);
- (v) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;
- (vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit;
- (viii) A backyard suite shall have unobstructed access that
 - (A) connects the backyard suite to a street or private road,
 - (B) is located on the same lot on which the backyard suite is located, and
 - (C) has a minimum width of 1.1 metres;
- (ix) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres;
- (x) Notwithstanding subclauses (i), (iv), and (ix), within the Beechville Community Boundary, no more than one total secondary suite or backyard suite shall be permitted on a lot, the gross floor area of a backyard suite shall not exceed 750 square feet (69.7 square metres), and a non-conforming accessory building shall not be converted to a backyard suite; and
- (xi) Notwithstanding subclauses (vi) and (viii), within the Beechville Community Boundary, where a residential use is a non-conforming use a backyard suite shall not be permitted, and where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.

34. Amending PART 4, as shown below in **bold**, by adding Section “4.19 WATERCOURSES” after Section 4.18.

4.19 WATERCOURSES

WATERCOURSE BUFFER

- (1) (a) Subject to subsections (2) through (6) inclusive, no development permit shall be issued for any development within 30 m of the ordinary highwater mark of any watercourse, including the Atlantic Ocean. Where a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer shall be measured from the edge of a wetland.
- (b) Notwithstanding clause (a) in any zone that contains a buffer or setback that is more restrictive than clause (a), , the more stringent buffer or setback in the applicable zone shall apply.

RELAXATION OF BY-LAW PROVISIONS FOR EXISTING LOTS

- (2) (a) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to or on August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.
- (b) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.
- (c) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.

DISTURBANCE

- (3) Within the required buffer pursuant to subsections (1) and (2) no excavation, infilling, tree, stump and other vegetation removal or alteration of any kind shall be permitted in relation to a development except as outlined in subsections (4) to (6). The selective removal of vegetation to maintain the overall health of the buffer, or to remove diseased or dead trees deemed to be hazardous or unsafe may be authorized by the Development Officer where a management plan is submitted by a qualified professional.

USES PERMITTED WITHIN THE WATERCOURSE BUFFER

- (4) Within the required buffer pursuant to subsection (1) and (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) historic sites and monuments,
 - (iv) driveway crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (1) and (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and
 - (ii) parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

PERMIT REQUIREMENTS

- (7) Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.

35. Amending Subsection 4.27(a) in PART 4, as shown in **bold** below, by:

- a. Adding the text “Shared housing use 0 spaces” below the text “Multiple unit dwellings 1.5 spaces per dwelling unit”; and
- b. Adding the text “short-term bedroom rentals” after the text “hotels and”.

Multiple unit dwellings

1.5 spaces per dwelling unit

Shared housing use

0 spaces

Retail stores, service and personal service shops:

- | | | |
|-----|---|---|
| (a) | exceeding 5,000 square feet (464.5 m ²) of gross floor area | 5.5 spaces per 1,000 square feet (92.9 m ²) of gross floor area |
| (b) | not exceeding 5,000 square feet (464.5 m ²) of gross floor area | 3.3 spaces per 1,000 square feet (92.9 m ²) of gross floor area |

Banks, financial institutions and general offices

3.3 spaces per 1,000 square feet (92.9 m²) of gross floor area

Motels, hotels **and short-term bedroom** rentals

1 space per sleeping unit plus requirements for restaurants or other facilities contained therein

36. Amending Subsection 4.27(a) in PART 4, as shown below in **bold**, by adding the text “otherwise” after the text “Institutional uses except as” and before the text “specified”.

Institutional uses except as
otherwise specified

the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3 m²) of gross floor area

37. Amending PART 4, as shown below in **bold**, by adding Sections “4.29A BICYCLE PARKING FACILITIES”, “4.29B LOCATION OF BICYCLE PARKING”, and “4.29C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS” after Section 4.29.

4.29A BICYCLE PARKING FACILITIES

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces

General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m² GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m² GFA 50% Class A/ 50% Class B

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, shared housing uses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- (a) be a minimum of 0.6m wide and 1.8m long;**
- (b) have a minimum overhead clearance of 2.0m;**
- (c) be located a minimum of 0.6m from any wall or other obstruction.**

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking. Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5m of open space.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m.

Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

4.29B LOCATION OF BICYCLE PARKING

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

4.29C SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS

(1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

(2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

(3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

38. Amending PART 4, as shown below in **bold**, by adding Section “4.34 WIND ENERGY FACILITIES” after deleted Section 4.33A.

4.34 WIND ENERGY FACILITIES

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

- a) **“Habitable Building”** means a dwelling unit, hospital, hotel, motel, shared housing use or other building where a person lives or which contains overnight accommodations.
- b) **“Nacelle”** means the frame and housing at the top of the tower that encloses the gearbox and generator.
- c) **“Nameplate Capacity”** means the manufacturer’s maximum rated output of the electrical generator found in the nacelle of the wind turbine;
- d) **“Total Rated Capacity”** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;
- e) **“Tower Height”** means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building’s foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;
- f) **“Turbine”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- g) **“Wind Energy Facility”** means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;
 - i) **“Micro Facility”** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.
 - ii) **“Small Facility”** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.
 - iii) **“Medium Facility”** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.
 - iv) **“Large Facility”** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule D - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone

(RW-2) Rural Wind Zone

(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**
- iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**
- v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**
- vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) RURAL WIND ZONE (RW-2)

- i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).**
- ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.**
- iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;**
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.**
- iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;**
 - 2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.**
- v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:**
 - 1) A minimum distance of 250 metres (820 feet) from any habitable**

IV ADDITIONAL PERMIT REQUIREMENTS

- a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:
 - i) not attached to a building and is not connected to the power grid;**
 - ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.****
- b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:
 - i) Micro 140 metres (460 ft)**
 - ii) Small 360 metres (1180 ft)**
 - iii) Medium 500 metres (1640 ft)**
 - iv) Large 2000 metres (6560 ft)****
- c) The notice pursuant to section b) shall include the following information:
 - i) a site plan that includes property boundaries and the location of the proposed wind energy facility;**
 - ii) a description of the type of wind energy facility; and**
 - iii) the applicant's contact information which shall include a mailing address.****

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

- a) Wind Energy Facilities shall not be permitted in the following zones of the Timberlea/Lakeside/Beechville Land Use By-law:
 - i) WCRPK (Western Common Regional Park) Zone;**
 - ii) P-4 (Conservation) Zone.****

VII INSTALLATION AND DESIGN

- a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.**
- b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.**
- c) All electrical wires shall, to the maximum extent possible, be placed underground.**

- d) The visual appearance of the Wind Energy Facility shall at a minimum:
 - i) be a non-obtrusive colour such as white, off-white or gray;
 - ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
 - iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

- a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
- b) The siting of Wind Energy Facilities is subject to the requirements for Watercourses as set out in the Land Use By-law.
- c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law.

IX SCHEDULES

- a) Schedule D - Wind Energy Zoning

39. Amending PART 4, as shown below in **bold**, by adding Sections “4.35 PUBLIC TRANSIT FACILITIES”, “4.36 CANNABIS-REALTED USES” and “4.37 SHORT-TERM RENTALS” after Section 4.34.

4.35 PUBLIC TRANSIT FACILITIES

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.36 CANNABIS-RELATED USES

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.37 SHORT-TERM RENTALS

- a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.

b) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**

- i) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- ii) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- iii) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- iv) **No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and**
- v) **One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.**

40. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area but outside of the Beechville Community Boundary”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area but outside of the Beechville Community Boundary

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

41. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedroom in conjunction with a permitted dwelling unit” below the text “Auxiliary dwelling units”.

Auxiliary dwelling units

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

42. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area but outside of the Beechville Community Boundary”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area but outside of the Beechville Community Boundary
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

43. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area”.

Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

44. Amending Section 11.1 in PART 11, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Townhouse dwellings”.

Townhouse dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

45. Amending Section 12.1 in PART 12, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings”.

Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

46. Amending Section 13.1 in PART 13, as shown below in **bold** by adding the text “Short-term rentals” and “Short-term bedroom rentals” below the text “Micro-Alcohol Production Facilities” under the heading “Commercial Uses”.

Micro-Alcohol Production Facilities
Short-term rentals
Short-term bedroom rentals

47. Amending Section 13.1 in PART 13, as shown below in **bold**, by adding the text “Shared housing use” below the text “Existing dwellings” under the heading “Residential Uses”.

Existing dwellings
Shared housing use

48. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings including a dwelling unit for maintenance or security personnel” under the heading “Residential Uses”.

Single unit dwellings including a dwelling unit for maintenance or security personnel
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

49. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Cannabis production facilities” below the text “Parking Lots”.

Parking lots
Cannabis production facilities

50. Amending PART 15, as shown below in **bold**, by adding the text “15.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 15.6.

15.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **Where a lot containing a cannabis production facility abuts a lot**
 (i) **zoned or used for residential purposes, or**
 (ii) **that is used for a daycare, community centre, school, religious institution, public park or playground,**

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

51. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Two unit dwellings”.

Two unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

52. Amending PART 17, as shown below in **bold**, by adding Section “17.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES” after Section 17.4.

17.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) **Where a lot containing a cannabis production facility abuts a lot**

- (i) zoned or used for residential purposes, or
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

53. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Denominational institutions and uses”.

Denominational institutions and uses
Shared housing use with 10 or fewer bedrooms

54. Amending Section 20.1 in PART 20, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings located on lots identified in Appendix ‘C’”.

Single unit dwellings located on lots identified in Appendix "C"
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

55. Adding the PARTs, “PART 20A: WCRPK (WESTERN COMMON REGIONAL PARK) ZONE” and “PART 20B: RPK (REGIONAL PARK) ZONE”, as shown below in **bold**, after PART 20.

PART 20A: WCRPK (WESTERN COMMON REGIONAL PARK) ZONE

20A(1) WCRPK USES PERMITTED

No development permit shall be issued in any WCRPK (Western Common Regional Park) Zone except for the following:

Conservation related uses
Trails, picnic areas and wilderness campsites
Public and private parks and playgrounds
Recreation uses with the exception of golf courses
Historic sites and monuments
Churches and cemeteries

20A(2) WCRPK ZONE REQUIREMENTS

In any WCRPK Zone, no development permit shall be issued except in conformity with the following:

- (a) Minimum Lot Area 100,000 square feet (9,289 m²)
- (b) Minimum Building Setback from any lot line 30 feet (9.1 m)
- (c) Maximum Lot Coverage 35 percent
- (d) Maximum Height of Main Building 35 feet (10.7 m)
- (e) No buildings, structures or parking areas shall be located within 300 feet (91.4 m) of the rim of any watercourse or waterbody except for buildings or structures intended for conservation related uses, wilderness campsites, or non-motorized water related recreation uses.

20A(3) SETBACK EXEMPTION

Notwithstanding Clause 20A(2)(b), no building setback shall be required from the Highway 103 right-of-way lot line.

PART 20B: RPK (REGIONAL PARK) ZONE

20B(1) The following uses shall be permitted in any RPK Zone:

- (a) Recreation uses
- (b) Conservation uses
- (c) Uses accessory to the foregoing uses

20B(2) No person shall in any RPK Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

20B(3) No person shall in any RPK Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

20B(4) Buildings erected, altered or used for RPK uses in an RPK Zone shall comply with the following requirements:

- Minimum Front or Flankage Yard: 20m
- Minimum Side or Rear Yard: 20m
- Maximum Lot Coverage: 50% for lots less than 4 ha in area,
or
5% for lots 4 ha or more in area

56. Adding Section 21D.1 in PART 21D, as shown below in **bold**, by adding the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single Unit Dwellings”.

Single Unit Dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

57. Adding the PART, “PART 21E: UR (URBAN RESERVE) ZONE” as shown below in **bold**, after PART 21D.

PART 21E: UR (URBAN RESERVE) ZONE

UR USES PERMITTED

21E.1 No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Passive recreation uses

Uses accessory to the foregoing uses

UR ZONE REQUIREMENTS

21E.2 In any UR Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 9.1m

Minimum Side Yard: 2.5m

Minimum Rear Yard: 2.5m

Maximum Lot Coverage: 35%

Maximum Height of Main Building: 11m

58. Adding “APPENDIX ‘E’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” after “Appendix ‘D’: Autobody Shops”, as shown on Schedule C-38A, attached hereto.

59. Adding “Schedule D - Wind Energy Zoning” after repealed “Schedule C” as shown on Schedule C-38B, attached hereto.

60. Adding “Schedule F: Lands Subject to Interim Bonus Zoning Requirements” and “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”, as shown as Schedules C-38C and C-38D, respectively, attached hereto.
61. Zoning Map “Schedule A – Zoning” is amended to rezone the properties to Regional Park (RPK) Zone and Urban Reserve (UR) Zone as shown in Schedule C-38E attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-40

Proposed Amendments to the Regional Centre Land Use Bylaw

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

1. Amending the “Table of Contents”, by repealing PART XI: WIND ENERGY FACILITIES” immediately below the text “Part X, Chapter 3: Waterfront View Corridors” and by adding, as shown below in **bold**, PART XI: WIND ENERGY FACILITIES” immediately below the text “Part X, Chapter 3: Waterfront View Corridors.
2. Amending Subsection 9(1) in PART 1: ADMINISTRATION under Chapter 2, by repealing Clauses 9(1)(p) and (q) and by adding, as shown below in **bold**, clauses (p) and (q) after clause (o).
 - (o) the keeping of bees as an accessory use.
 - (p) **A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.**
 - (q) **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**
3. Amending Subsection 29(1) in PART I: ADMINISTRATION under Chapter 7, by repealing clause (bc) and by adding, as shown below in **bold**, clause (bc) after clause (bb).

(bc) Schedule 48: Wind Energy Overlay Zone Boundaries;

Amending the Residential heading Table 1A, in Part II, Chapter 2: “Zones and Permitted Uses”, by:

- a. Repealing the row “Short-term bedroom rentals” above the row “Home occupation use”;
- b. Repealing the black dot in the columns DD, DH, CEN-2, CEN-1 and COR in the row “Short-term bedroom rentals”;
- c. Repealing two black dots in the columns HR-2 and HR-1 in the row “Short-term bedroom rentals”;
- d. Repealing Footnote 24 in the column CEN-1 in the row “Short-term bedroom rentals”;
- e. Repealing Footnotes 15 and 24 in the columns HR-2 and HR-1 in the row “Short-term bedroom rentals”;
- f. Adding a new row “Short-term bedroom rentals” above the row “Home occupation use”;
- g. Adding one black dot in the columns DD, DH, CEN-2, CEN-1 and COR in the row “Short-term bedroom rentals”;

- h. Adding two black dots in the columns HR-2 and HR-1 in the row “Short-term bedroom rentals”;
 - i. Adding Footnote 24 in the column CEN-1 in the row “Short-term bedroom rentals”; and
 - j. Adding Footnote 15 and 24 in the columns HR-2 and HR-1 in the row “Short-term bedroom rentals”.
- 5. Amending the Commercial heading in Table 1A, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
 - a. Repealing the row “Cannabis lounge use” and the row “Cannabis retail sales use” above the row “Casino use”;
 - b. Repealing the black dot in the columns DD, DH, and CEN-2 of the rows “Cannabis lounge use” and “Cannabis retail sales use” in the rows “Cannabis lounge use” and “Cannabis retail use”;
 - c. Repealing the row “Short-term rental use” above the row “Studio use”;
 - d. Adding a black dot in the columns DD, DH, CEN-2, CEN-1, COR, HR-2, and HR-1 in the row “Short-term rental use”;
 - e. Repealing Footnote 24 in the columns CEN-1, HR-2, and HR-1 in the row “Short-term rental use”;
 - f. Adding a new row “Cannabis lounge use” and a new row for “Cannabis retail sales use” above the row “Casino use”;
 - g. Adding a black dot in the columns DD, DH, and CEN-2 of the rows “Cannabis lounge use” and “Cannabis retail sales use” in the rows “Cannabis lounge use” and “Cannabis retail use”;
 - h. Adding a new row “Short-term rental use” above the row “Studio use”;
 - i. Adding a black dot in the columns DD, DH, CEN-2, CEN-1, COR, HR-2, and HR-1 in the row “Short-term rental use”; and
 - j. Adding Footnote 24 in the columns CEN-1, HR-2, and HR-1 in the row “Short-term rental use”.
- 6. Amending the Industrial heading in Table 1A, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
 - a. Repealing the row “Cannabis production facility use” above the row “Car wash use”; and
 - b. Adding a new row “Cannabis production facility use” above the row “Car wash use”.
- 7. Amending the footnotes after Table 1A, in Part II, Chapter 2: “Zones and Permitted Uses”, by
 - a. Repealing footnote 24; and

- b. Adding footnote 24 with the text “Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section 53.” after footnote 21.
8. Amending the Residential heading in Table 1B, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Short-term bedroom rental use” above the row “Home occupation use”;
 - b. Repealing one black dot in each of the columns ER-3, CH-2, and CH-1 in the row “Short-term bedroom rental use”;
 - c. Repealing two black dots in each of the columns ER-2 and ER-1 in the row “Short-term bedroom rental use”;
 - d. Repealing Footnote 24 in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term bedroom rental use”;
 - f. e. Repealing Footnote 15 in the columns ER-2 and ER-1 in the row “Short-term bedroom rentals”; Adding a new row “Short-term bedroom rental use” above the row “Home occupation use”;
 - g. Adding one black dot in the columns ER-3, CH-2, and CH-1 in the row “Short-term bedroom rental use”;
 - h. Adding two black dots in the columns ER-2 and ER-1 in the row “Short-term bedroom rental use”;
 - i. Adding Footnote 24 in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term bedroom rental use”; and
 - j. Adding Footnote 15 in the columns ER-2 and ER-1 in the row “Short-term bedroom rentals”.
9. Amending the Commercial heading in Table 1B, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the rows “Cannabis lounge use” and “Cannabis retail sales use” above the row “Casino use”;
 - b. Repealing the row “Short-term rental use” above the row “Studio use”;
 - c. Repealing the black dot in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term rental use”;
 - d. Repealing Footnote 24 in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term rental use”;

- e. Adding a new row “Cannabis lounge use” and a new row for “Cannabis retail sales use” above the row “Casino use”;
 - f. Adding a new row “Short-term rental use” above the row “Studio use”;
 - g. Adding a black dot in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term rental use”; and
 - h. Adding Footnote 24 in the columns ER-3, ER-2, ER-1, CH-2, and CH-1 in the row “Short-term rental use”.
10. Amending the Industrial heading in Table 1B, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Cannabis production facility use” above the row “Car wash use”; and
 - b. Adding a new row “Cannabis production facility use” above the row “Car wash use”.
11. Amending the footnotes after Table 1B, in Part II, Chapter 2: “Zones and Permitted Uses”, by repealing footnote 24 and by adding footnote 24 with the text “Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section 53.” after footnote 23.
12. Amending the Residential heading in Table 1C, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Short-term bedroom rental use” above the row “Home occupation use”;
 - b. Repealing the black dot in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term bedroom rental use”;
 - c. Repealing Footnote 24 in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term bedroom rental use”;
 - d. Adding a new row “Short-term bedroom rental use” above the row “Home occupation use”;
 - e. Adding a black dot in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term bedroom rental use”; and
 - f. Adding Footnote 24 in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term bedroom rental use”.
13. Amending the Commercial heading in Table 1C, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Cannabis lounge use” and Cannabis retail sales use” above the row “Casino use”;

- b. Repealing the black dot in the column CLI in the row “Cannabis lounge use” and “Cannabis retail sales use”.
 - c. Repealing the row “Short-term rental use” above the row “studio use”;
 - d. Repealing the black dot in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term rental use”;
 - e. Repealing Footnote 24 in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term rental use”;
 - f. Adding a new row “Cannabis lounge use” and Cannabis retail sales use” above the row “Casino use”;
 - g. Adding a black dot in the column CLI in the row “Cannabis lounge use” and “Cannabis retail sales use”.
 - h. Adding a new row “Short-term rental use” above the row “studio use”;
 - i. Adding a black dot in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term rental use”; and
 - j. Adding Footnote 24 in the columns CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA in the row “Short-term rental use”.
14. Amending the Industrial heading in Table 1C, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Cannabis production facility use” above the row “Car wash use”;
 - b. Repealing the black dot in the column LI in the row “Cannabis production facility use”;
 - c. Adding a new row “Cannabis production facility use” above the row “Car wash use”; and
 - d. Adding a black dot in the column LI in the row “Cannabis production facility use”.
15. Amending the footnotes after Table 1C, in Part II, Chapter 2: “Zones and Permitted Uses”, by repealing footnote 24 and by adding footnote 24 with the text “Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section 53.” after footnote 12.
16. Amending the Residential heading in Table 1D, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Short-term bedroom rental use” above the row “Home occupation use”;
 - b. Repealing the black dot in the column HCD-SV in the row “Short-term bedroom rental use”;
 - c. Repealing Footnote 24 in the column HCD-SV in the row “Short-term bedroom rental use”;

- d. Adding a new row “Short-term bedroom rental use” above the row “Home occupation use”;
 - e. Adding a black dot in the column HCD-SV in the row “Short-term bedroom rental use”; and
 - f. Adding Footnote 24 in the column HCD-SV in the row “Short-term bedroom rental use.
17. Amending the Commercial heading in Table 1D, in Part II, Chapter 2: Zones and Permitted Uses”, by:
- a. Repealing the row “Cannabis lounge use” and Cannabis retail sales use” above the row “Casino use”;
 - b. Repealing the row “Short-term rental use” above the row “studio use”;
 - c. Repealing the black dot in the column HCD-SV in the row “Short-term rental use”;
 - d. Adding Footnote 24 in the HCD-SV in the row “Short-term rental use”;
 - e. Adding a new row “Cannabis lounge use” and Cannabis retail sales use” above the row “Casino use”;
 - f. Adding a new row “Short-term rental use” above the row “studio use”;
 - g. Adding a black dot in the column HCD-SV in the row “Short-term rental use”; and
 - h. Adding Footnote 24 in the HCD-SV in the row “Short-term rental use”.
18. Amending the Industrial heading in Table 1D, in Part II, Chapter 2: “Zones and Permitted Uses”, by:
- a. Repealing the row “Cannabis production facility use” above the row “Car wash use”; and
 - b. Adding a new row “Cannabis production facility use” above the row “Car wash use”.
19. Amending the footnotes after Table 1D, in Part II, Chapter 2: “Zones and Permitted Uses”, by repealing footnote 24 and by adding footnote 24 with the text “Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section 53.” after footnote 20.
20. Amending Section 44 in PART III: LAND USE under Chapter 1, as shown below in bold, by:
- a. Repealing the header “Cannabis-Related Uses” after section 43;
 - b. Repealing section 44;
 - c. Adding the heading “Cannabis-Related Uses” after Section 43;
 - d. Adding Section 44, including clauses (1) and (2) below the heading “Cannabis-Related Uses”.

Cannabis-Related Uses

- 44 (1) Cannabis retail sales uses and cannabis lounge uses are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).**
- (2) Where a lot containing a cannabis production facility use abuts any lot containing a residential use, daycare use, community recreation use, school use, or religious institution use, the cannabis production facility use, including any building or storage yard, shall be set back no less than 70.0 metres from the abutting lot line.**

21. Amending Section 49 in PART III: LAND USE under Chapter 2, as shown below in **bold**, by repealing Clause (b) and by adding clause (b) after clause (a).

49 Where permitted in Table 1B, only one of the following uses shall be permitted, at any time, on a lot in an ER-3, ER-2, ER-1, CH-2, or CH-1 zone:

- (a) home occupation use;
- (b) short-term bedroom rental use; or**

22. Amending Section 53 in PART III: LAND USE under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Repealing the text “Short-term Rental” in the heading;
- b. Repealing Subsection (1);
- c. Striking out the text “Striking out the text “Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions” in Subsection (2);
- d. Repealing clauses (2)(a), (b), and (e);
- e. Striking out the text “short-term bedroom rental” after the text “for a” and before the text “use are:” in Clause (2)(c);
- f. Striking out the text “; and” in Clause (2)(e);
- g. Adding the text “Short-term Rental” to the heading;
- h. Adding Subsection (1);
- i. Adding Subsection (2);
- j. Adding Clauses (2)(a) and (b);
- k. Adding the text “short-term bedroom rental” after the text “for a” and before the text “use are:” in Clause (2)(c);
- l. Adding the text “; and” to Clause (2)(d); and
- m. Adding Clause (2)(e) after Clause (2)(d).

Short-term Rentals Uses

- 53 (1) **Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.**
- (2) **Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:**
- (a) **The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
 - (b) **Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
 - (c) **Signage requirements for a short-term bedroom rental use are:**
 - (i) **in any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, or CDD-1 zone, contained in Section 466, or**
 - (ii) **in any ER-3, ER-2, or ER-1 zone, contained in Section 468;**
 - (d) **Motor vehicle parking requirements for a bed and breakfast use shall comply with Section 433; and**
 - (e) **The operator of the short-term bedroom rental resides on site while any bedrooms are rented.**

23. Amending PART III: LAND USE under Chapter 3, by repealing the heading “Keeping of Egg-Laying Hens as an Accessory Use” and section 72; and by adding, as shown below in **bold**, the heading “Keeping of Egg-Laying Hens as an Accessory Use” and Section 73, below Diagram 1.

Keeping of Egg-Laying Hens as an Accessory Use

- 73 (1) **In every zone, the keeping of egg-laying hens is permitted as an accessory use.**
- (2) **Excluding an educational farm use, the number of egg-laying hens shall not exceed ten per lot.**
- (3) **All egg-laying hens shall be required to be kept within a fenced area or accessory structure that:**
- (a) **is within a rear yard; and**
 - (b) **meets the accessory structure size requirements of Sections 331 to 333.**

- (4) **A fenced area or accessory structure that contains egg-laying hens shall meet the watercourse buffer requirements under Sections 75. In no circumstance shall the exemptions in Subsection 75(6) be used to reduce the required watercourse buffer.**
- (5) **The on-site slaughtering of hens is prohibited.**

24. Amending PART III: LAND USE under Part III, Chapter 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Repealing the header “Watercourse Buffers” after Section 74;
- b. Repealing section 75 and Diagram 3, including the text “Diagram 3: Minimum required watercourse buffer, per Subsection 75(2)”;
- c. Adding the heading “Watercourse Buffers” after Section 74;
- d. Adding Section 75 under the heading “Watercourse Buffers”;
- e. Adding Subsections (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) under Section 75;
- f. Adding Diagram 3; and
- g. Adding the text “Diagram 3: Minimum required watercourse buffer, per Subsection 75(2)” below Diagram 3;

Watercourse Buffers

- 75 (1) This Section does not apply to any lands sub-designated “Halifax Harbour”, as shown on Schedule 10 or within the lands sub-designated as Halifax Harbour as shown on the Regional Land Use Structure Map in the Regional Municipal Planning Strategy.**
- (2) A development permit shall not be issued for any development within 30 metres of the ordinary high water mark of any watercourse (Diagram 3).**

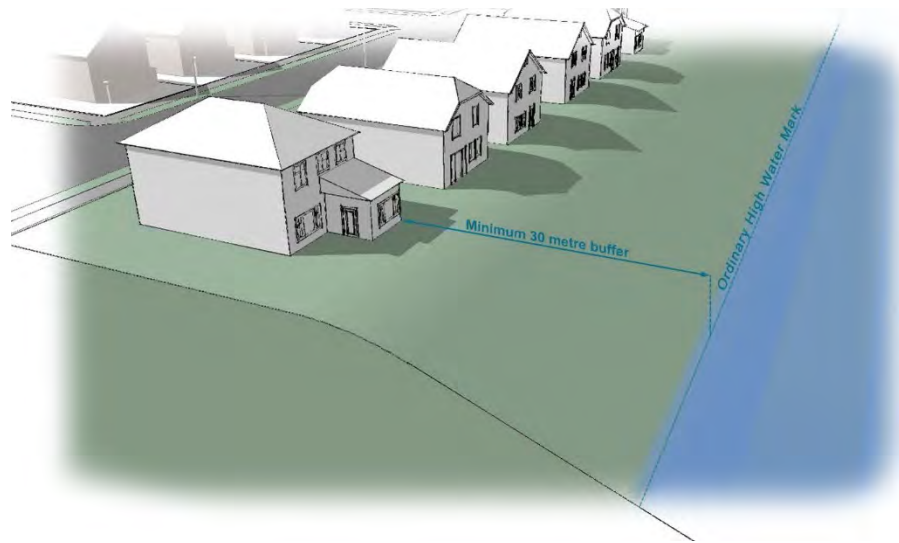


Diagram 3: Minimum required watercourse buffer, per Subsection 75(2)

- (3) Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the watercourse buffer shall be measured from the edge of a wetland.**
- (4) Subject to Subsections 75(5) and 75(11), within the watercourse buffer required in Subsections 75(2) and 75(3), no excavation, infilling, or the removal of any tree, stump, or other vegetation, nor any other change, is permitted.**
- (5) Within the watercourse buffer required in Subsections 75(2) and 75(3), vegetation may be removed to permit the following activities on public and private lands:**

 - (a) subject to Subsection 75(7), one accessory structure, including a boathouse, and one attached uncovered balcony or patio, occupying a maximum of 20.0 square metres, combined;**
 - (b) boardwalks, walkways, trails, and driveways not exceeding 3.0 metres in width;**
 - (c) fences; or**

- (d) water access structure uses, boat ramps, marine-related uses, conservation uses, and historic site or monument uses.**
- (6) Within the watercourse buffer required in Subsections 75(2) and 75(3), vegetation may be removed to permit the following activities on public lands:**
- (a) parks, streets, and active transportation crossings; or**
(b) water, wastewater, and stormwater infrastructure.
- (7) Where a main building existed on the coming into force date of this By-law and is located within a required watercourse buffer, accessory structures permitted shall not be located any closer to the watercourse than the main building that existed on the coming into force date of this By-law.**
- (8) Where the configuration of a lot is such that no main building can be located on the lot, the watercourse buffer distance required in Subsections 75(2) and 75(3) may be reduced in a manner that would provide the greatest possible separation from a watercourse, if the other setback distance requirements are met, for lots that:**
- (a) existed on or before August 26, 2006; or**
(b) were approved as a result of a tentative or final subdivision application on file on or before August 26, 2006.
- (9) For lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the subdivision plan.**
- (10) Lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file prior to [on or before the date of the first publication of the notice of the intention of Council to adopt this section], the buffer distance shall be as shown on the approved concept plan.**
- (11) Within a required watercourse buffer, the Development Officer may authorize the removal of diseased or dead trees that are deemed to be hazardous or unsafe to persons or property, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified professional.**

- (12) **Every application for a development permit for a building or structure to be erected pursuant to this section shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the applicable requirements of this section.**

25. Amending Section 335 in PART V: BUILT FORM AND SITING REQUIREMENTS under Chapter 19, as shown below in **bold**, by:

- a. Repealing Subsections (2.4) and (2.5);
- b. Striking out the text “all other zones” in subsection (4);
- c. Adding new Subsection (2.4) after Subsection (2);
- d. Adding new Subsection (2.5) after Subsection (2.4); and
- e. Adding the text “all other zones” after the text “In” and before the text “, a shipping container” in Subsection (4);

General Requirements for Shipping Containers

335 (1) Deleted

- (2) Subject to Subsection 336(2), a shipping container shall not be used to containan office use.

(2.4) Subject to Section 336, shipping containers may be used as a dwelling unit, including as a main building and a backyard suite use, in any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, ER-3, ER-2, ER-1, CH-2, CH-1, CDD-2, CDD-1, INS, or H zone.

(2.5) Subject to Section 336, in any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, ER-3, ER-2, ER-1, CH-2, CH-1, CDD-2, CDD-1, or INS zone, shipping containers shall not be used as an accessory structure, other than for a backyard suite use where permitted in Subsection 335(2.4).

- (3) In a CLI, LI, HRI, PCF, or RPK zone, a shipping container shall have a minimumrequired front or flanking setback as specified on Schedule 18.

- (4) In **all other zones**, a shipping container shall not be located within a front or flanking yard.

26. Amending PART XI, CHPATER 1: WIND ENERGY FACILITIES and PART XI, CHAPTER 2: WIND ENERGY FACILITY PERMITS, by:

- (a) Repealing Part XI, CHAPTER 1: WIND ENERGY FACILITIES, including sections 403 up to and including section 410;
- (b) Repealing, PART XI, CHAPTER 2: WIND ENERGY FACILITY PERMITS, including Table 13 and section 411 and 412; and
- (c) Adding PART XI, CHAPTER 1: WIND ENERGY FACILITIES, and PART XI, CHAPTER 2: WIND ENERGY FACILITY PERMITS as shown below in **bold**, after PART X: VIEW PLANES, HALIFAX CITADEL RAMPARTS SIGHTLINES AND WATERFRONT VIEW CORRIDORS.

PART XI: WIND ENERGY FACILITIES

Part XI, Chapter 1: Wind Energy Facility Requirements

Wind Energy Facility Prohibition

403 Wind energy facilities are prohibited in the RPK zone.

Watercourse Buffer Requirements for Wind Energy Facilities

404 Wind energy facilities shall meet the watercourse buffer requirements of Section 75.

Wind Energy Facilities

- 405**
- (1) Subject to Subsection 405(2), any wind energy facility shall be a Standalone design, on its own foundation.**
 - (2) A micro wind energy facility may be roof mounted, supported by guy wires.**
 - (3) The height of a wind energy facility shall be:**
 - (a) for a micro wind energy facility, 23.0 metres in height or less;**
 - (b) for a small wind energy facility, greater than 23.0 metres in height but shall not exceed 35.0 metres in height;**
 - (c) for a medium wind energy facility, greater than 35.0 metres in height but shall not exceed 60.0 metres in height; or**
 - (d) for a large wind energy facility, greater than 60.0 metres in height.**

Wind Energy Overlay Zones

406 For the purposes of this Part, this By-law establishes the following wind energy overlay zones, with boundaries as shown on Schedule 48:

- (a) Urban Wind (UW-1); and**
- (b) Restricted (R).**

Urban Wind (UW-1) Zone

- 407**
- (1) All wind energy facilities, except large wind energy facilities, are permitted in the UW-1 zone, as shown on Schedule 48.**
 - (2) All wind turbines in the UW-1 zone shall be required to be separated from each other by a minimum distance equal to the tallest wind turbine height.**
 - (3) All wind turbines in the UW-1 zone shall have a minimum setback of 1.0 time the wind turbine height from any lot line.**
 - (4) Micro wind energy facilities in the UW-1 zone shall be required to be separated from any dwelling on an adjacent lot by no less than 3.0 times the wind turbine height.**
 - (5) Micro wind energy facilities are permitted on buildings.**
 - (6) Small wind energy facilities in the UW-1 zone shall be required to be separated from any dwelling on an adjacent lot by no less than 180 metres.**
 - (7) Medium wind energy facilities in the UW-1 zone shall be required to be separated from any dwelling on an adjacent lot by no less than 250 metres.**

Restricted (R) Zone

408 Wind energy facilities are prohibited in the R zone, as shown on Schedule 48.

Setback Exemptions

409 A wind energy facility's required setback from any lot line is reduced to 0.0 metre where the abutting lot is part of the same wind energy facility.

Installation and Design

410 The wind energy facility shall:

- (a) be the colour of white, off-white, or gray;**
- (b) not be illuminated, except to the extent required by the Aeronautics Act or by any other applicable authority that regulates air safety; and**
- (c) not display any advertising, including flags, streamers, or decorative items, except to identify the wind turbine manufacturer, facility owner, or operator.**

Part XI, Chapter 2: Wind Energy Facility Permits

Permit Application Requirements

411 A wind energy facility development permit application shall include the following:

- (a)** the applicable requirements for a development permit application that are listed under Section 10;
- (b)** copies of drawings, specifications, and calculations certified by a professional engineer, that the proposed wind turbine base, foundation, or guy-wired anchors are sufficient to maintain the structural stability of the wind turbine;
- (c)** an overview of the project and the total rated capacity of the proposed wind energy facility;
- (d)** the proposed number, representative types, and height or range of heights of wind turbines to be constructed, including their generating capacity, dimensions, manufacturers, and a description of accessory facilities;
- (e)** identification and location of the lots on which the proposed wind energy facility will be located;
- (f)** a survey prepared by a surveyor or a surveyor's certificate showing the planned location of all wind turbines, lot lines, required setbacks and separation distances, existing and proposed structures, access roads, turn-around locations, substations, electrical cabling from the wind energy facility to substations, ancillary equipment, and transmission and distribution lines; and
- (g)** proof that all applicable approvals have been obtained from all applicable government departments and agencies.

Notification Requirements

412 (1) A minimum of 60 calendar days before submitting a development Permit application, an applicant shall notify all assessed property owners within a corresponding distance, as specified in Table 13, from the lot on which the wind energy facility is proposed.

Table 13: Wind energy facility notification requirement

Wind energy facility size	Notify all assessed property owners within
Micro	140 metres
Small	360 metres
Medium	500 metres

- (2) The notice required in Subsection 412(1) shall include the following information:
- (a) a site plan that includes lot lines and the location of the proposed wind energy facility;
 - (b) a description of the type of wind energy facility being proposed; and
 - (c) the applicant’s contact information, including postal and email addresses.
- (3) A wind energy facility development permit application shall include confirmation that the requirements of Subsections 412(1) and 412(2) have been met.

27. Amending Clause 431(3)(g) in PART XIII: PARKING AND OFF-STREET LOADING under Chapter 1, by repealing the clause and , by adding Clause (g) as shown below in **bold**.

(g) **short-term bedroom rental use; or**

28. Amending Table 15 in PART XIII: PARKING AND OFFSTREET LOADING, under Chapter 1, 7th row, “Hotel use, Short-term Bedroom Rental Use” under the column “Design Requirements” by striking out the text “, Short-term Bedroom Rental Use” and by adding as shown below in **bold**, the text “, Short-term Bedroom Rental Use” after the text “Hotel Use” in the 7th row.

Hotel Use, Short-term Bedroom Rental Use	Not required	Not required	Not applicable	Not applicable	Not applicable	Not required	Not applicable	Not applicable
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29. Amending Section 446 in PART XIII: PARKING AND OFF-STREET LOADING under Chapter 2, by repealing clause (f) and by adding, as shown below in **bold**, Subsection (f) after Subsection (e).

- (e) daycare use in any ER-3, ER-2, ER-1, CH-2, or CH-1 zone;
- (f) **short-term bedroom rental use;**

30. Amending Clause 458(m) in PART XIV: SIGNS under Chapter 1, by repealing Subclause (m)(ii) and by adding, as shown below in **bold**, Subclause (ii) after Subclause (i).

- (m) subject to Sections 468, 469, and 470, in any ER-3, ER-2, ER-1, CH-2, or CH-1 zone, signs for any of the following uses:
 - (i) home occupation use,

- (ii) **short-term bedroom rental use,**
- (iii) daycare use,
- (iv) sale of urban agricultural products as an accessory use, and
- (v) urban farm use;

31. Amending Section 466 in Part XIV: SIGNS under Chapter 2, as shown below in **bold**, by:

- a. Striking out the text “Short-term Bedroom Rental Uses,” after the text “Home Occupation Uses,” and before the text “Uses, and Work-Live Unit Uses” in the heading above Section 466;
- b. Repealing Clause (b);
- c. Adding the text “Short-term Bedroom Rental Uses;” after the text “Home Occupation Uses,” and before the text “Uses, and Work-Live Unit Uses” in the heading above Section 466; and
- d. Adding Clause (b).

Fascia Signs for Home Occupation Uses, **Short-term Bedroom Rental Uses,**
and Work-Live Unit Uses

466 In any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, or CDD-1 zone, one non-illuminated fascia sign, not exceeding 3.0 square metres in area, is permitted for:

- (a) a home occupation use;
- (b) **a short-term bedroom rental use; or**
- (c) the commercial use or institutional use component of a work-live unit use.

32. Amending Clause 468 in Part XIV: Signs under Chapter 3, as shown below in **bold** by:

- a. Striking out the text “Signs for Short-term Bedroom Rental” in the heading;
- b. Striking out the text “short-term bedroom rental” after the text “advertising a” and before the text “use”;
- c. Striking out the text “short-term bedroom rental” after the text “permitted per” and before the text “use” in Clause (a);
- d. Adding the text “Signs for Short-term Bedroom Rental” to the heading;

- e. Adding the text “short-term bedroom rental” after the text “advertising a” and before the text “use”; and
- f. Adding the text “short-term bedroom rental” after the text “permitted per” and before the text “use” in Clause (a).

Signs for Short-term Bedroom Rental Uses

468 In any ER-3, ER-2, or ER-1 zone, the following requirements shall apply to any sign advertising a **short-term bedroom rental** use:

- (a) A maximum of one sign is permitted per **short-term bedroom rental** use;
- (b) The sign shall only be a ground sign, fascia sign, or projecting sign;
- (c) The sign shall not exceed 0.6 square metre in area;
- (d) Any ground sign shall not exceed a height of 1.2 metres; and
- (e) If the sign is illuminated, only exterior shielded illumination is permitted.

33. Amending PART XVI: GENERAL DESIGN REQUIREMENTS under Chapter 1, as shown below in **bold** and ~~strikeout~~, by deleting the text “G-11A” and replacing it with the text “IM-21” after the text “with policy” and before the text “of the Regional”.

498.5 Notwithstanding any other provision of this By-law, within the lands designated as a special planning area, early tree removal, blasting, and earthworks may be considered, subject to the provisions of a development agreement in accordance with policy ~~G-11A~~ **IM-19** of the Regional Municipal Planning Strategy.

34. Amending PART XVII: DEFINITIONS under Chapter 1, section 499, by repealing subsections 499(39), (40) and (41) and by adding subsections, as shown below in **bold**, “(39) Cannabis Lounge Use”, “(40) Cannabis Production Facility Use”, and “(41) Cannabis Retail Sales Use” after Subsection (38).

(39) Cannabis Lounge Use means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products, or any of its derivatives such as oils or edible products. A cannabis lounge may include cannabis retail sales.

(40) Cannabis Production Facility Use means premises licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including:

- (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
- (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction; and

(b) excluding:

- (i) industrial hemp, and
- (ii) premises used for personal production permitted by federal legislation.

(41) **Cannabis Retail Sales Use means premises used for the retail sale of cannabis, cannabis products, or any of its derivatives, such as oils or edible products, to the public.**

35. Amending Subsection 499 (116) in PART XVII: DEFINITIONS under Chapter 1, by deleting the text “short-term bedroom rental use,” and by adding, as shown below in **bold**, the text “short-term bedroom rental use,” after the text “excludes a” and before the text “daycare use,”.

(116) Home Occupation Use means the use of a portion of a dwelling unit or an accessory structure for gainful employment, but excludes a **short-term bedroom rental use**, a daycare use, a work-live unit use, and a home office use.

36. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, by repealing subsection (133) and by adding, as shown below in **bold**, subsection “(133) Large Wind Energy Facility” after Subsection (132).

(133) **Large Wind Energy Facility means a wind energy facility which has a total rated capacity of more than 300 kW.**

37. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, by repealing subsection (153) and by adding, as shown below in **bold**, subsection “(153) Medium Wind Energy Facility” after Subsection (152).

(153) **Medium Wind Energy Facility means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW.**

38. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, by repealing subsection (158) and by adding, as shown below in **bold**, subsection “(158) Micro Wind Energy Facility” after Subsection (157).

(158) Micro Wind Energy Facility means a wind energy facility consisting of a single turbine, designed to supplement other electricity sources as an accessory use to existing buildings or facilities, and has a total rated capacity of 10 kW or less.

39. Amending Section 499 in Part XVII, Chapter 1, under PART XVII: DEFINITIONS, by repealing subsection (225) and by adding, as shown below in **bold**, subsection “(225) Shared Housing Use” after Diagram 32.5.

(225) Shared Housing Use means a use that contains 4 or more bedrooms, that meets one or more of the following:

- (iii) that are rented for remuneration as separate rooms for residential accommodation; or**
- (iv) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.

40. Amending Section 499 in PART XVII: DEFINITIONS under Chapter 1, by repealing subsection (225.5) and by adding, as shown below in **bold**, subsection “(225.5) Shared Housing with Special Care” after Subsection (225).

(225.5) Shared Housing with Special Care means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

41. Amending Section 499 in PART XVII: DEFINITIONS under Chapter 1, by repealing subsections (227.5) and (227.6) and by adding, as shown below in **bold**, subsections “(227.5) Short-Term Bedroom Rental” and “(227.6) Short-Term Rental” after Subsection (227).

(227.5) **Short-term Bedroom Rental means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.**

(227.6) **SHORT-TERM RENTAL means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.**

42. Amending Subsection 499 (234) in PART XVII: DEFINITIONS under Chapter 1, by striking out the text “, and includes a mobile home use” in subsection (234), and by adding, as shown below in **bold**, the text “, and includes a mobile home use” after the text “dwelling unit.”

(234) **Single-Unit Dwelling Use means a detached building containing one dwelling unit, and includes a mobile home use.**

43. Amending Section 499 in PART XVII: DEFINITIONS under Chapter 1, by repealing subsection (236) and by adding, as shown below in **bold**, subsection “(236) Small Wind Energy Facility” after Subsection (235).

(236) **Small Wind Energy Facility means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW.**

44. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, by repealing subsection (278) and by adding, as shown below in **bold**, subsection “(278) Watercourse” after Subsection (277).

(278) **Watercourse means a lake, river, stream, ocean or other natural body of water.**

45. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, by repealing subsections (282), (283) and (284) and Diagram 37; and by adding, as shown below in **bold**, subsections “(282) Wind Energy Facility”, “(283) Wind Turbine”, and “(284) Wind Turbine Height” and Diagram 37 after Subsection (281).

(282) **Wind Energy Facility means a wind energy conversion system to produce electricity, consisting of one or more roof mounted turbines or turbines at grade, with rotor blades, associated control or conversion electronics, and**

other accessory structures including substations, meteorological towers, electrical infrastructure, and transmission lines.

(283) **Wind Turbine** means a wind energy conversion system that produces electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.

(284) **Wind Turbine Height** means the distance measured from the average finished grade of a wind turbine to the highest point of the wind turbine rotor or tip of the wind turbine blade, when it reaches its highest elevation. In the case of a roof-mounted wind turbine, the distance measured from the building's average finished grade to the highest point of the wind turbine rotor or tip of the wind turbine blade, when it reaches its highest elevation (Diagram 37).

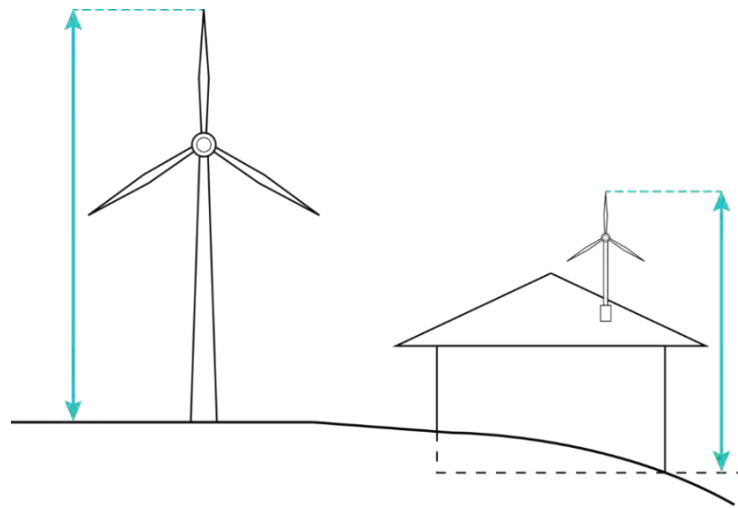


Diagram 37: Wind turbine height, per Subsection 499(284)

46. Repealing Schedule 48: Wind Energy Overlay Zone Boundaries and by adding “Schedule 48: Wind Energy Overlay Zone Boundaries” after “Schedule 47: Parker Street Waterfront View Corridor as shown in Schedule C-40A, attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this _____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-41

Proposed Amendments to the Suburban Housing Accelerator Secondary Municipal Planning Strategy

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Suburban Housing Accelerator Secondary Municipal Planning Strategy is hereby amended as follows:

1. Repealing Policy EN-1 after the objectives listed in Section 5.1. and by amending Section 5.1, as shown below in **bold**, by adding Policy EN-1 after the objectives listed in Section 5.1.

Policy EN-1

The Land Use By-law shall implement Regional Plan policy directions relative to:

- a) coastal area elevations;**
- b) watercourse buffers; and**
- c) wind energy facilities.**

2. Repealing Policy EN-2 in Section 5.2 and by amending Section 5.2, as shown below in **bold**, by adding Policy EN-2 after the preamble.

Climate change is an urgent, complex, and global crisis. Addressing the climate crisis requires urgent action, including changes to societal norms and systems, to rapidly transition to a low carbon future. At the same time, forward-looking policies are required to adapt to a changing climate that is expected to include higher temperatures, more rain, and frequent extreme weather events. While municipal policies and action on climate change are primarily set out in the Regional Plan and HalifACT, this Plan supports climate change mitigation and adaption measures.

As the climate changes, global sea-levels are rising, and the Municipality is experiencing more frequent severe weather events, which are causing extreme water levels and increased risks of property damage and public safety. While the Regional Plan establishes minimum coastal elevation requirements for residential uses, this Plan expands these requirements to apply to commercial and institutional uses. These requirements, including the specified coastal elevation, may be amended to support more stringent requirements that may be implemented through future updates to Regional Plan and new provincial regulations.

Policy EN-2

In addition to the Regional Plan direction to establish coastal elevation requirements for residential uses, the Land Use By-law shall apply coastal elevation requirements to commercial and institutional uses.

3. Repealing Policy IM-2 in Section 6.2 and by amending Section 6.2, as shown below in **bold**, by adding Policy IM-2 after Policy IM-1.

Policy IM-2

The Public Participation Administration Order shall guide future amendments to this Plan to provide inclusive opportunities for public engagement.

4. Repealing Section 6.5 in Part 6, including Policy IM-5, and by amending PART 6: IMPLEMENTATION, as shown below in **bold**, by adding Section 6.5 and Policy IM-5 after Section 6.5.

6.5 Interim Incentive or Bonus Zoning

Incentive or bonus zoning is a planning tool enabled under the *HRM Charter* that allows the Municipality to require a development to provide public benefits in exchange for relaxing certain requirements. The intent of this tool is to supplement other municipal investments so that the density enabled under this Plan is accompanied by the amenities and public benefits that are in the public interest by supporting complete and inclusive communities.

In April 2023 Council adopted Regional Plan policies to require incentive or bonus zoning where applications are approved by Council to amend the Regional Plan or a Secondary Municipal Planning Strategy to enable new or increased density of residential, commercial, or mixed land use in the Urban Service Area outside of the Regional Centre, including future serviced communities. The lands included in this Plan are lands which have been removed from other suburban Plan Areas through amendments to applicable secondary municipal planning strategies and added to this Plan to facilitate new multi-unit residential development and to permit additional density. Incentive or bonus zoning public benefits or money-in -lieu of a contribution will be required for these areas and developments identified in the Land Use By-law in accordance with Policies H-20 to H-26 of the Regional Plan.

This Plan seeks to ensure that any incentive or bonus zoning public benefits support the goals and objectives of this Plan, are long-lasting, and are implemented in accordance with the *HRM Charter* and applicable policies of the Regional Plan.

Policy IM-5

The Land Use By-law shall require incentive or bonus zoning public benefits or money-in-lieu of a contribution for areas and developments identified in the Land Use By-law in accordance with Policies H-20 to H-26 of the Regional Plan.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-42

Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Suburban Housing Accelerator Land Use Bylaw is hereby amended as follows:

1. Repealing clauses 6(m) and 6(n) and by amending Division A in PART I, as shown below in **bold**, by adding Clauses 6(m) and 6(n) after Clause 6(l).
 - (l) an urban farm use;
 - (m) **a short-term rental use of an entire dwelling unit in an operator's primary residence;**
 - (n) **a short-term bedroom rental use of 3 or fewer bedrooms in a dwelling unit.**
2. Repealing sections 19 and 20 and by amending Division A in PART II, as shown below in **bold**, by:
 - a. Adding the heading "Backyard suite use" after Section 18;
 - b. Adding the Section 19 below the heading "Backyard suite use";
 - c. Adding the heading "Short-term rental" after Section 19; and
 - d. Adding Section 20 after 19.

Backyard suite use

19 (1) Only one backyard suite use is permitted on a lot if the use is in the rear yard and in conjunction with

- (a) **a single-unit dwelling use;**
- (b) **a two-unit dwelling use, including a duplex apartment use;**
- (c) **a semi-detached dwelling use;**
- (d) **a three-unit dwelling use;**
- (e) **a townhouse dwelling use;**
- (f) **a four-unit dwelling use;**

or

- (g) a small shared housing use.
- (2) A backyard suite use must meet the accessory structure requirements under Division C except as provided in subsection (6).
- (3) A backyard suite use must have unobstructed access that
 - (a) connects the backyard suite to a street;
 - (b) exists on the same lot as the backyard suite; and
 - (c) has a minimum width of 1.1 metres.
- (4) A backyard suite use may be used as a small shared housing use unless the backyard suite use is in conjunction with a shared housing use under clause 1(g).
- (5) A non-conforming accessory structure with a permitted residential use may be used as a backyard suite use.

Short-term rental

- 20
- (1) A short-term rental that is accessory to a dwelling unit is permitted if the dwelling unit is the primary residence of the short-term rental operator.
 - (2) A short-term bedroom rental that is accessory to a residential use is permitted if the short-term bedroom rental meets all of the following requirements:
 - (a) the short-term bedroom rental must be wholly contained within the dwelling unit that is the primary residence of the short-term bedroom rental operator;
 - (b) more than 3 bedrooms must not be rented as a short-term bedroom rental at the same time;
 - (c) the signage requirements under section 87;
 - (d) the motor vehicle parking requirements under section 60; and
 - (e) the short-term bedroom rental operator must reside on site while a bedroom is rented.

3. Repealing Division J – Wind Energy Facility, including sections 117 and 118, and by amending Part II, as shown below in **bold**, by:
- Adding “Division J – Wind Energy Facility” after Division I;
 - Adding the heading “Wind energy overlay zone” below the heading “Division J – Wind Energy Facility”;
 - Adding Section 117 below the heading “Wind energy overlay zone”;
 - Adding the heading “Restricted (R) zone” after Section 117; and
 - Adding Section 118 below the heading “Restricted (R) zone”.

Division J - Wind Energy Facility

Wind energy overlay zone

117 This By-law establishes the following wind energy overlay zone in the entire planning area, as shown in Schedule 1: Restricted (R).

Restricted (R) zone

118 A wind energy facility is prohibited in the R zone.

4. Repealing sections 130 and 131 and Diagram 13, and amending Part II, as shown below in **bold**, by:
- Adding the heading “Division L – Coastal Areas and Watercourses”;
 - Adding the heading “Coastal Areas – Vertical Elevations” below the heading “Division L – Coastal Areas and Watercourses”;
 - Adding Section 130 below the heading “Coastal Areas – Vertical Elevations”;
 - Adding the heading “Watercourses” after Section 130; and
 - Adding Section 131 below the heading “Watercourses”.

4. Repealing sections 130 and 131 and Diagram 12, and amending Part II, as shown below in **bold**, by:

- Adding the heading “Division L – Coastal Areas and Watercourse”;
- Adding the heading “Coastal areas – vertical elevations” below the heading “Division L – Coastal Areas and Watercourse”;
- Adding section 130 below the heading “Coastal areas – vertical elevations”;
- Adding the heading “Watercourse” after section 130; and
- Adding section 131 below the heading “Watercourses”.

Division L – Coastal Areas and Watercourses

Coastal area – vertical elevations

130 (1) Except as provided in subsections (2) to (4), if a lot abuts the coast of the Atlantic Ocean, including its inlets, bays, and harbours, a development permit must not be issued for a portion of a main building or a backyard suite use, including their basements, that are proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard (Diagram 13) for

- (a) a residential use listed in clause 134(a);
- (b) a commercial use listed in clause 134(b); or
- (c) an institutional use listed in clause 134(d).

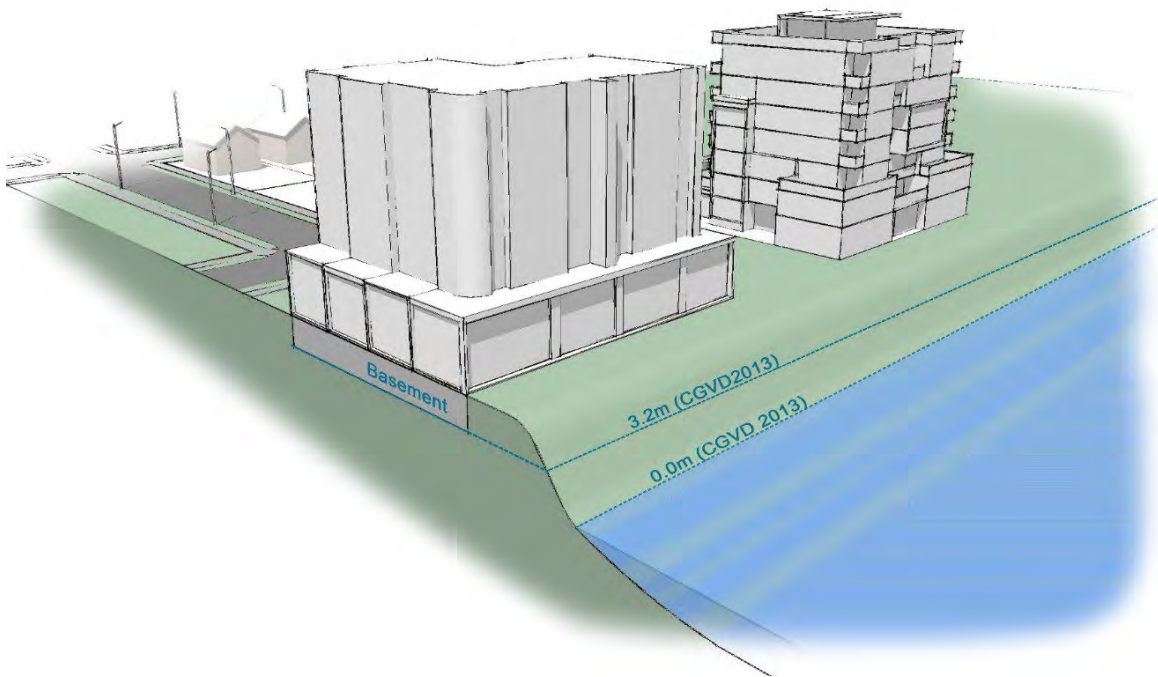


Diagram 13: Coastal area elevation requirements, per subsection 130(1)

- (2) A development permit may be issued for a parking lot, parking structure use, underground parking structure, amenity space, or a storage space permitted in this By-law that is
- (a) accessory to a main building; and

- (b) proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.**
- (3) A portion of a main building or a backyard suite use, including below grade portions, located lower than the elevation required in subsection (1) that existed on [on or before the date of the first publication of the notice of the intention of Council to adopt this section], may be expanded if such expansion does not increase the footprint of a portion of the main building or backyard suite use located lower than the elevation required in subsection (1) by more than 25%, or further reduce the existing elevation of the main building or the backyard suite use.**
- (4) A development permit may be issued for a residential, commercial or institutional use that is located less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) if a report by a professional engineer with an Infrastructure Resilience Professional designation is submitted to a development officer of the Municipality identifying measures that will be used to mitigate risks of flood damage and public safety on the development site, including confirmation that the proposed development does not increase the risk or hazard for surrounding buildings, adjacent uses, or adjacent coastlines.**
- (5) Before issuing a development permit, a development officer of the Municipality may require a site plan certified by a surveyor or professional engineer that is drawn to scale and shows land contours and lot grading information, to determine if a main building or a backyard suite use that is being proposed to be erected, constructed, altered, reconstructed, or located on a lot that abuts the coast of the Atlantic Ocean meets the requirements of this Section.**

Watercourses

- 131 (1) Except as provided in this section, a development permit must not be issued for a development within 30 metres of the ordinary high water mark of a watercourse.**
- (2) If a watercourse's vegetation, hydric soils, and hydrology share a boundary with a wetland, the watercourse buffer must be measured from the edge of a wetland.**
 - (3) If the configuration of an existing lot is such that no main building can be located on the lot, the watercourse buffer distance required in subsections (1) and (2) may be reduced**

- (a) in a manner that would provide the greatest possible separation from a watercourse, if the other setback distance requirements are met, for lots that
 - (i) existed before August 26, 2006, or
 - (ii) were approved as a result of a completed tentative or final subdivision application on file before or on August 26, 2006;
 - (b) as shown on the subdivision plan for lots approved as a result of completed tentative or final subdivision application on file after August 26, 2006 and before [on or before the date of the first publication of the notice of the intention of Council to adopt this section];
 - (c) as shown on the approved concept plan for lots approved as a result of a tentative or final subdivision pursuant to a completed concept subdivision application which was on file before [on or before the date of the first publication of the notice of the intention of Council to adopt this section].
- (4) Within the watercourse buffer required in subsections (1) and (2), no excavation, infilling, or the removal of a tree, stump, or other vegetation, nor any other change, is permitted, except when 5a development officer of the Municipality authorize the removal of windblown, diseased, or dead trees that are deemed to be hazardous or unsafe to persons or property, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified professional.
- (5) A development officer of the Municipality may authorize the removal of windblown, diseased, or dead trees that are deemed to be hazardous or unsafe to persons or property, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified professional.
- (6) Within the watercourse buffer required in subsections (1) and (2),
 - (a) activity on public and private lands shall be limited to
 - (i) marine dependent uses, fisheries uses, conservation uses,
 - (ii) fences, wharfs, boat ramps,
 - (iii) historic sites and monuments,

- (iv) **driveway crossings,**
 - (v) **boardwalks, walkways and trails not exceeding 3.0 metres in width, and**
 - (vi) **the placement of one accessory structure or one attached deck not exceeding a footprint of 20 square metres or a combination of an accessory structure and attached deck not exceeding a footprint of 20 square metres;**
 - (b) **activity on public lands shall be limited to**
 - (i) **wastewater, storm and water infrastructure, and public water control structures, and**
 - (ii) **parks, public roads, and active transportation crossings.**
 - (c) **an accessory structure in subclause (a)(vi) is permitted if they are not located closer to the watercourse than its existing main building, subject to meeting other requirements of this By-law.**
- (7) **An application for a development permit for a building or structure to be erected under this section must be accompanied by plans that are drawn to an appropriate scale showing the required buffers, existing vegetation limits and other information including professional opinions, as a development officer of the Municipality requires, to determine that the proposed building or structure meets the applicable requirements of this section.**
- (8) **Pursuant to policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement, as applicable.**
5. Amending Subsection 134(a) in Part III, as shown below in **bold**, by adding clauses (iv), (v), and (vi) after clause (iii).
- (iii) a multi-unit dwelling use,
 - (iv) **a backyard suite use,**
 - (v) **a small shared housing use and large shared housing use,**
 - (vi) **a short-term bedroom rental use if the dwelling unit is the primary residence of the operator as authorized by subsection 20(2), and**

6. Repealing subclause 134(b)(ii) and amending clause 134(b) in Part III, as shown below in **bold**, by adding subclause (ii) after subclause (i).

(ii) a short-term rental use if the dwelling unit is a low-density dwelling use and is the primary residence of the operator as authorized by subsection 20(1);

7. Repealing subsection 155(16) and by amending Division B in Part IV, as shown below in **bold**, by adding Subsection 155(16) after Subsection 155(15).

(16) Backyard Suite Use means a dwelling unit that is
(a) located within an accessory structure;
(b) located on its own footing or foundation; and
(c) not attached to a main building.

8. Repealing subsection 155(24) and by amending Division B in Part IV, as shown below in **bold**, by adding Subsection 155(24) after Subsection 155(23).

(24) Canadian Geodetic Vertical Datum 2013 (CGVD2013) means the vertical datum for Canada, officially released by Natural Resources Canada (NRCan) in November 2013, or a later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.

9. Repealing subsection 155(94) and by amending Division B in Part IV, as shown below in **bold**, by adding Section 155 “(94) Large Shared Housing Use” after Subsection 155 (93).

(94) Large Shared Housing Use means a shared housing use that contains a minimum of 11 bedrooms.

10. Repealing subsections 155(166) and (167) and by amending Division B in Part IV, as shown below in **bold**, by adding Subsections 155 “(166) Shared Housing Use” and “(167) Shared after Subsection 155(165).

(166) Shared Housing Use means a use that
(a) contains at least 4 bedrooms; and
(b) satisfies one or more of the following conditions:

- (i) **that are rented for remuneration as separate rooms for residential accommodation; or**
 - (ii) **that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,**
- and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation.**

(167) Shared Housing with Special Care means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use.

11. Repealing subsections 155(170) and (171) and by amending Division B in Part IV, as shown below in **bold**, by adding Subsections 155 “(170) Short-term Bedroom Rental” and “(171) Short-term Rental” after Subsection 155(169).

(170) Short-term Bedroom Rental means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

(171) Short-term Rental means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

12. Amending Division B in Part IV, as shown below in **bold**, by adding Section “(179) Small Shared Housing Use” after Section (178).

(179) Small Shared Housing Use means a shared housing use that contains no less than 4 and no more than 10 bedrooms.

13. Repealing subsection 155(213) and by Amending Division B in Part IV, as shown below in **bold**, by adding Subsection 155 “(213) Watercourse” after Subsection 155(212).

(213) Watercourse means a lake, river, stream, ocean or other natural body of water.

14. Repealing subsection 155(214) and by amending Division B in Part IV, as shown below in **bold**, by adding Subsection 155“(214) Wind Energy Facility)” after Subsection 155(213).

(214) Wind Energy Facility means a wind energy conversion system to produce electricity, consisting of one or more roof mounted turbines or turbines at grade, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure, and transmission lines.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-43

Proposed Amendments to the Downtown Halifax Land Use Bylaw

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Downtown Halifax Land Use Bylaw is hereby amended as follows:

1. Amending the Table of Contents, by adding the text “(1a) ACCESSORY HEN USE” immediately below the text “Permitted Land Uses”
2. Amending the Table of Contents, by adding the text “Cannabis-Related Uses” immediately below the text “Temporary Construction Uses Permitted”;
3. Amending the Table of Contents, by adding the text “Short-Term Rentals” immediately below the text “Cannabis-Related Uses”;
4. Amending the Table of Contents, by adding the text “Bicycle Parking: Required Number of Spaces”, “Bicycle Parking: Class A Requirements”, and “Bicycle Parking: Class B Requirements” immediately below the text “Commercial Parking Garage: Design”
5. Amending the definition “Accessory Building” in Definitions, as shown below in **bold**, by adding the text “except where backyard suites are permitted” after the text “for human habitation” and before the text “, located on”.

(b) Accessory Building means a detached subordinate building, not used for human habitation **except where backyard suites are permitted**, located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.

6. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clause “(ba) Accessory Hen Use” after Clause (b).

(ba) ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes

7. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clause “(k.5) Backyard Suite” after Clause (k).

(k.5) Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

8. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clauses “(sa) Cannabis lounge”, “(sb) Cannabis Production Facility”, and “(sc) Cannabis retail sales” after Clause (s).

(sa) Cannabis lounge means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

(sb) Cannabis production facility means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(i) including

(A) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(B) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(ii) excluding

(A) industrial hemp, and

(B) premises used for personal production permitted by federal legislation.

(sc) Cannabis retail sales means premises used for the retail sale of cannabis, cannabis products or any of its derivatives such as oils or edible products to the general public.

9. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clause “(aka) HEN” after Clause (ak).

(aka) HEN means adult female chicken.

10. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clause “(bq.5) Secondary Suite” after Clause (bq).

(bq.5) Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.

11. Amending Section 1 in Definitions, as shown below in **bold**, by adding Clauses “(bsa) Short-term Bedroom Rental” and “(bsb) Short-term Rental” after Clause (bs).

(bsa) Short-term Bedroom Rental means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.

(bsb) Short-term Rental means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

12. Amending Section (5) under “Development Permit” as shown below in **bold**, by adding Subsections (3A), (3B), and (4) after Subsection (3).

(3A) A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.

(3B) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

(4) An accessory hen use is exempt from the requirement to obtain a development permit.

13. Amending Clause 5(11)(a) under “Site Plan Approval: Non-Substantive Applications”, as shown below in **bold**, by adding the text “including backyard suites” after the text “structures”.

(a) accessory buildings and structures **including backyard suites**;

14. Amending Section 7 under “Land Use Requirements”, as shown below in **bold**, by adding Subsection “(1a) Accessory Hen Use” after Subsection (1).

(1a) ACCESSORY HEN USE

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

(a) The maximum number of hens permitted on a lot shall be:

- i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
- ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
- iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
- iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**

(b) Hens shall be contained within an accessory building or a fenced area that:

- i. is located in a rear yard;**
- ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;**
- iii. subject to (1.5)(b)(iv), meets the requirements for accessory buildings under this by-law; and**
- iv. is setback a minimum of 1 metre from any side or rear lot line.**

(c) The following are not permitted:

- i. On-site slaughtering or euthanizing of hens; and**
- ii. The sale of eggs, meat or hens**

15. Amending “Land Use Requirements” as shown below in **bold**, by adding Subsection “(5.5) Secondary Suites and Backyard Suites” after subsection 7(5).

5.5 SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a building containing 1 or 2 dwelling units subject to the following provisions:

- (i) No more than one secondary suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres; and**
- (iii) A building containing 1 or 2 dwelling units that also contains a secondary suite shall not be considered a multiple unit dwelling; and**
- (iii) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a building containing up to 4 dwelling units subject to the following provisions:

- (i) No more than one backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Section 8(19);**
- (iv) The gross floor area of a backyard suite shall not exceed 93.0 square metres;**
- (v) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;**
- (vi) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (vii) A backyard suite shall have unobstructed access that**
 - (A) connects the backyard suite to a street;**
 - (B) is located on the same lot on which the backyard suite is located; and**
 - (C) has a minimum width of 1.1 metres.**
- (viii) A non-conforming accessory building may be converted to a backyard suite if the floor area of the backyard suite does not exceed 93 square metres.**

16. Amending Subsection 7(12) in “Land Use Requirements”, as shown below in **bold**, by adding the text “3.8 metres of the Canadian Geodetic Vertical Datum (CGVD) 28 standard” after the text “less than”.

(12) No residential (RC-Mar 26/13;E-Apr 13/13) portion of a building on a lot within Schedule W, shall be erected, constructed or reconstructed at an elevation less than **3.8 metres of the Canadian Geodetic Vertical Datum (CGVD) 28 standard.**

17. Amending Section 7 in “Land Use Requirements”, as shown below in **bold**, by:
- a. Adding the heading “Cannabis-Related Uses” after subsection (30)”;
 - b. Adding subsection (31) under the heading “Cannabis-Related Uses”;
 - c. Adding the heading “SHORT-TERM RENTALS” after subsection (31); and
 - d. Adding subsection (32) under the heading “SHORT-TERM RENTALS”.

Cannabis-Related Uses

(31) Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

SHORT-TERM RENTALS

(32) SHORT-TERM RENTALS

a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.

b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:

i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;

ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;

iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;

iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m²) in area; and

v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment C-44

Repeal By-Law

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality:

1. In this by-law, “Regional Municipal Planning Strategy” means the *Regional Municipal Planning Strategy* adopted by Regional Council on June 25, 2014.

2. The following by-laws, policies, and provisions to implement the Regional Municipal Planning Strategy are repealed:

- (a) the by-laws to amend the Municipal Planning Strategies and Land Use By-laws of the Halifax Regional Municipality adopted by Regional Council from June 25, 2014, until and including the day of the first notice of intention to adopt this By-law;

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

**SCHEDULE C – SCHEDULES TO AMEND THE MUNICIPAL PLANNING
STRATEGIES AND LAND USE BY-LAWS OF THE HALIFAX REGIONAL
MUNICIPAL PLANNING STRATEGY TO IMPLEMENT THE REGIONAL
MUNICIPAL PLANNING STRATEGY**

SCHEDULE C-2: BEAVER BANK, HAMMONDS PLAINS, AND UPPER SACKVILLE PLAN AREA LAND USE BY-LAW

Schedule C-2A – “Appendix A-1: Existing Senior Citizens Housing Uses”

An Existing Senior Citizen Housing Use that was issued a development permit for Senior Citizens Housing prior to First Reading of this Appendix may only be re-issued for that use until May 23, 2026, and shall only be a permitted use for those properties listed below.

Any expansion or alteration of an Existing Senior Citizen Housing use may only be considered if the number of dwelling units does not exceed the Total Number of Dwelling Units listed for the property below.

USE	PID	Total Number of Dwelling Units
Senior Citizens Housing	40531329	74
Senior Citizens Housing	41052978	240
Senior Citizens Housing	41515677	74
Senior Citizens Housing	41517525	120
Senior Citizens Housing	00346874	64
Senior Citizens Housing	00423343	296
Senior Citizens Housing	00468447	424
Senior Citizens Housing	40118648	98
Senior Citizens Housing	40123614	92
Senior Citizens Housing	40161713	76
Senior Citizens Housing	41464512	64
Senior Citizens Housing	41521618	47
Senior Citizens Housing	41521626	46
Senior Citizens Housing	41521634	46
Senior Citizens Housing	41521642	34
Senior Citizens Housing	41521659	46
Senior Citizens Housing	41521667	46
Senior Citizens Housing	41522574	36
Senior Citizens Housing	41522590	8
Senior Citizens Housing	00423103	7
Senior Citizens Housing	00461137	8
Senior Citizens Housing	41233677	71
Senior Citizens Housing	41486309	4
Senior Citizens Housing	41100603	105
Senior Citizens Housing	41522566	98

Schedule C-2B – “APPENDIX E: INTERIM BONUS ZONING REQUIREMENTS FOR APPLICABLE PLAN AMENDMENT APPLICATIONS”

Definitions

1. For the purpose of Appendix E and Schedule J the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (a) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
 - (b) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

- or undertakes other action, in the public interest, as specified in the requirements;
- (c) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (d) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule J: Lands Subject to Interim Bonus Zoning Requirements.
3. Incentive or bonus zoning shall not be required for developments identified on Schedule J if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6.
 - (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
 - (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.

7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
- (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
- (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
- (4) The cost of any appraisal shall be paid for by the applicant.
- (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
- (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule J is \$156/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

- (a) using the formula:
 $(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$
- (b) where:
 - (i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and
 - (ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year.

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

- (2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.
- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.

- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
- 18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

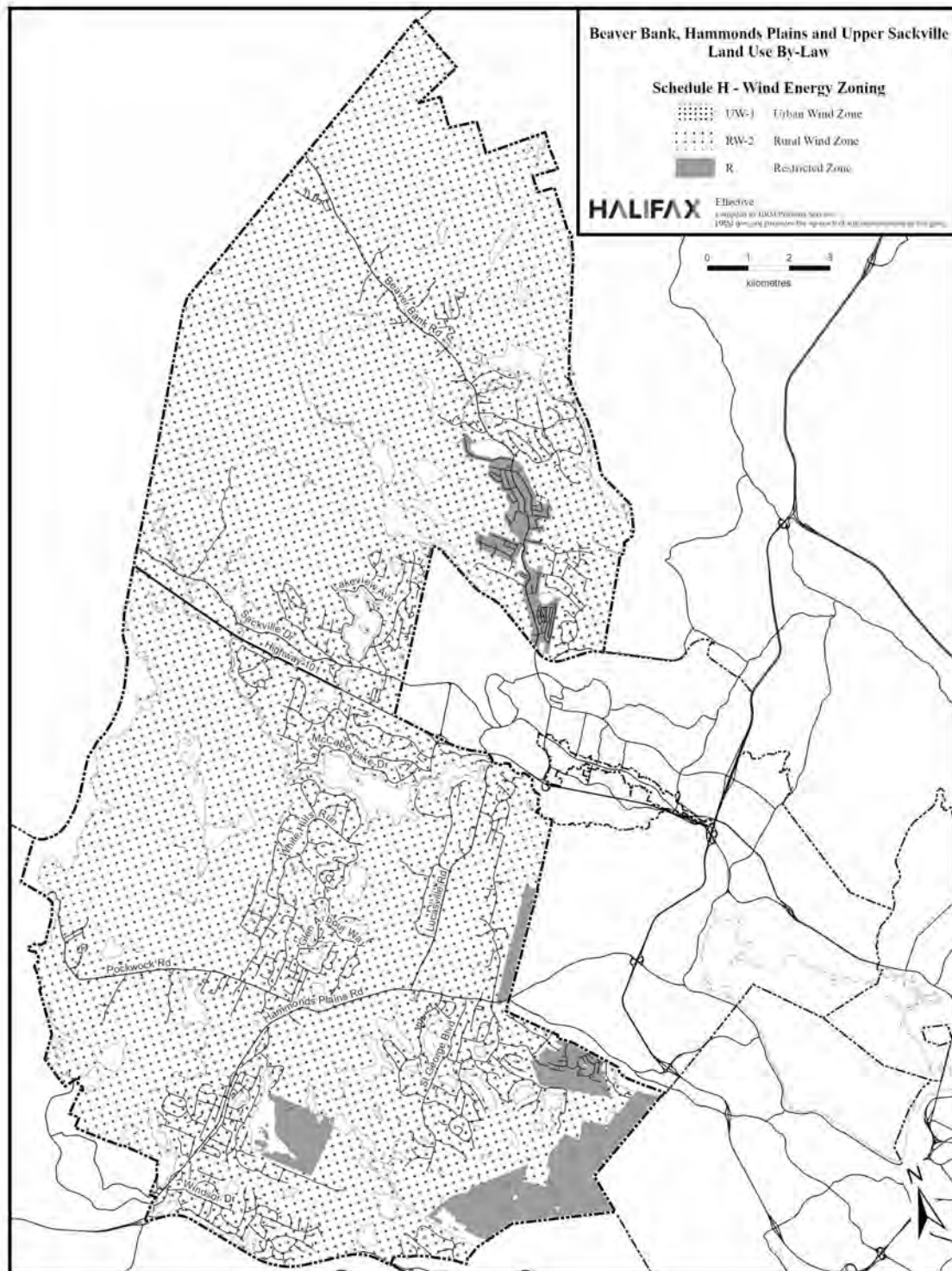
- 19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
 - (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
- 20. The following items shall not qualify as public art under Clause 16(h):
 - (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

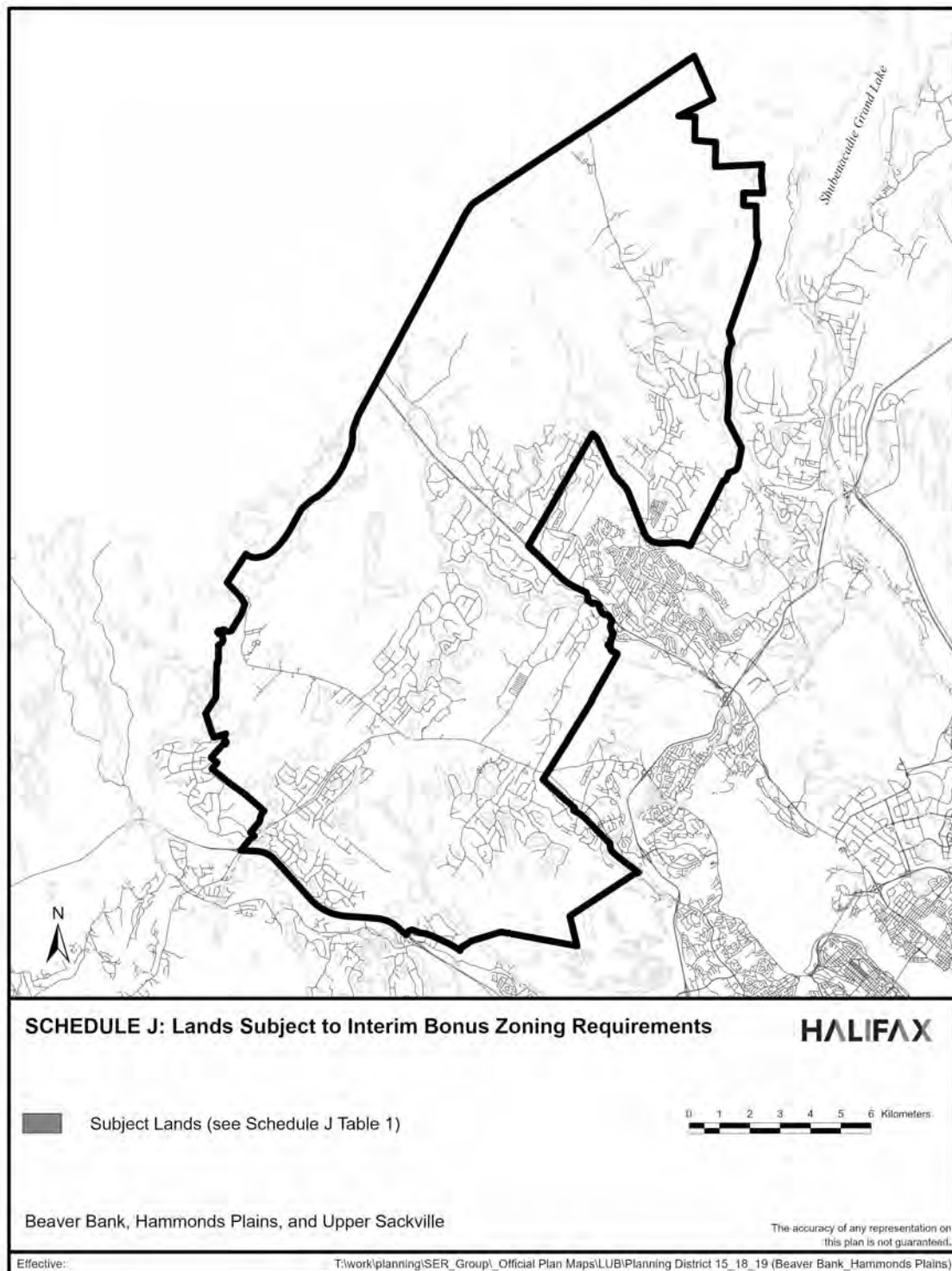
- 21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
 - (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided

- public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits; and
 - (f) any other terms or conditions the Development Officer requires.
- 22. An incentive or bonus zoning agreement shall be signed by the owner.
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

Schedule C-2C – “SCHEDULE H: WIND ENERGY ZONING”



Schedule C-2D – “SCHEDULE J: LANDS SUBJECT TO INTERIM BONUS ZONING REQUIREMENTS”

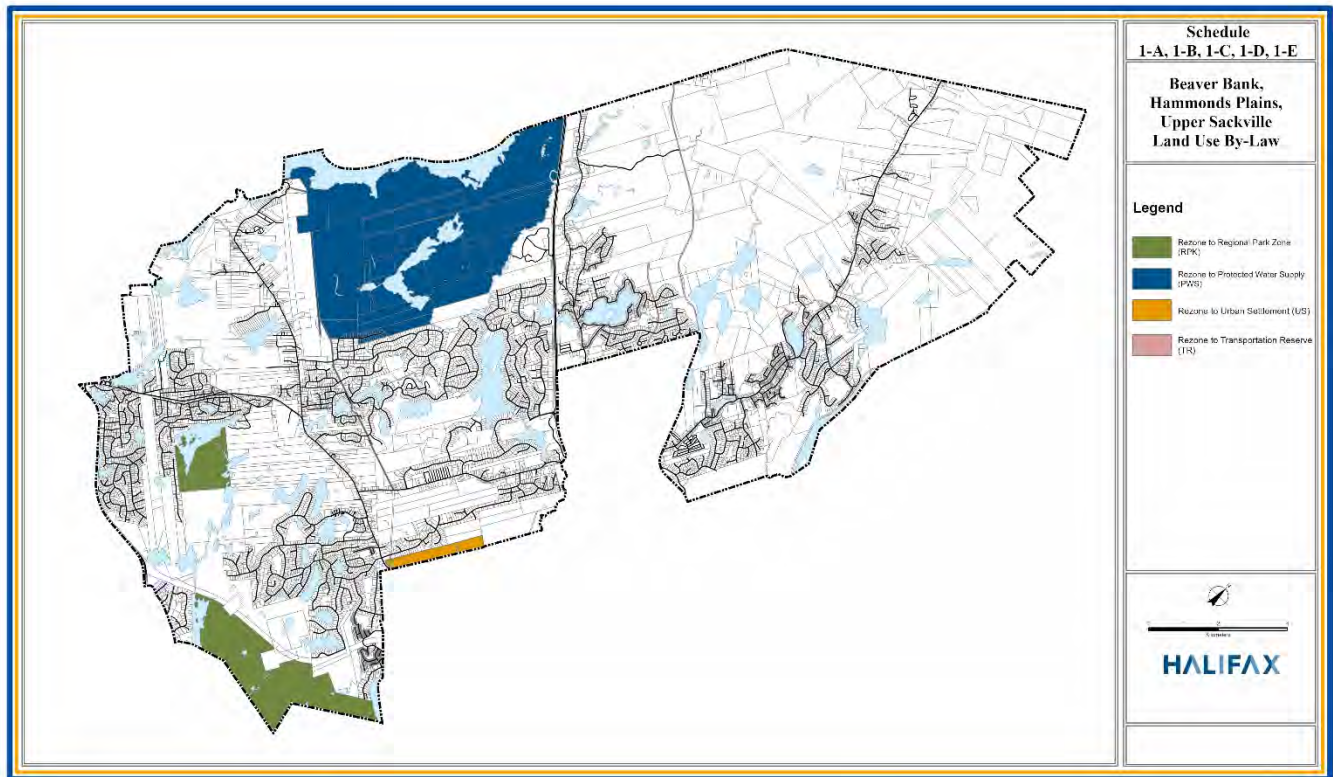


Schedule C-2E – “Schedule J, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule J, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs

Schedule C-2F – “Zoning Schedule 1-A, 1-B, 1-C, 1-D, and 1-E”



SCHEDULE C-3 BEDFORD MUNICIPAL PLANNING STRATEGY

Schedule C-3A: “Appendix B Table IIIA- Generalized Future Land Use Designations”

POTENTIALLY PERMITTED USES	RESIDENTIAL	RR	COMMERCIAL	MAINSTR. COMMERCIAL	INDUSTRIAL	INSTITUTIONAL	PARKS	FLOODPLAIN	CCDD	RCDD	WFCDD	ITR
<p> ● USES PERMITTED AS OF RIGHT ♦ USES PERMITTED BY REZONING ☆ USES PERMITTED BY DEVELOPMENT AGREEMENT </p>												
SINGLE UNIT	●	●							☆	☆		
TWO UNIT	●								☆	☆		
TOWNHOUSE	●								☆	☆	☆	
MULTIPLE UNIT	●			● ¹					☆	☆	☆	
MOBILE HOME										☆		
HOME OCCUPATION	●	●										
NEIGHBOURHOOD CONVENIENCE STORE			●							☆	☆	
NEIGHBOURHOOD COMMERCIAL									☆	☆		
GENERAL BUSINESS			●		● ²				☆			
SHOPPING CENTRE			☆		●							
MAINSTREET COMMERCIAL			●									
HERITAGE COMMERCIAL				●								
CONVENTION FACILITIES			☆						☆		☆	
LIGHT INDUSTRIAL					●							
HEAVY INDUSTRIAL					●							
HARBOUR ORIENTED INDUSTRIAL					●							
PITS AND QUARRIES					☆ ³							
SALVAGE YARDS					☆ ⁴							
PARKS	●	●				●	●	●	☆	☆	☆	
RECREATION USES							●	●	☆		☆	
INSTITUTIONS	♦	♦	♦	♦	♦	♦	♦		☆	☆	☆	
UTILITIES	♦	♦	♦	♦	♦	♦	♦	♦			☆	
SHARED HOUSING (4 - 10 BEDROOMS)*	●	●		● ¹		●			☆	☆	☆	
SHARED HOUSING (> 10 BEDROOMS)*	●			● ¹		● ⁷			☆	☆	☆	
DAYCARE FACILITIES	● ⁶		●	●	●	●						
HOSPITAL												
MULTI-SERVICE CENTRE	☆	☆	☆	☆	☆	☆	☆		☆	☆	☆	
CORRECTIONAL FACILITIES					☆							
DRINKING ESTABLISHMENTS			☆	☆ ⁶					☆		☆	
ADULT ENTERTAINMENT USES			☆									
RETAIL COMMERCIAL USES											☆	
COMMERCIAL ENTERTAINMENT USES											☆	
COMMERCIAL SERVICE											☆	
FOOD AND BEVERAGE											☆	
HOTEL FACILITIES			●	●							☆	
CULTURAL USES											☆	
MARINE RELATED USES											☆	
INFORMATION TECHNOLOGY AND RESEARCH USES												●
2024 Floodway Overlay Uses and Abutting Uses									☆			
2024 Flood Fringe Overlay Uses and Abutting Uses									☆			

¹ Dwelling units in conjunction with Commercial Uses subject to the Mainstreet Commercial Zone requirements

² Office Uses permitted in the General Business District Zone shall be permitted by Development Agreement

³ In areas zoned Heavy Industrial

⁴ In areas zoned Heavy Industrial

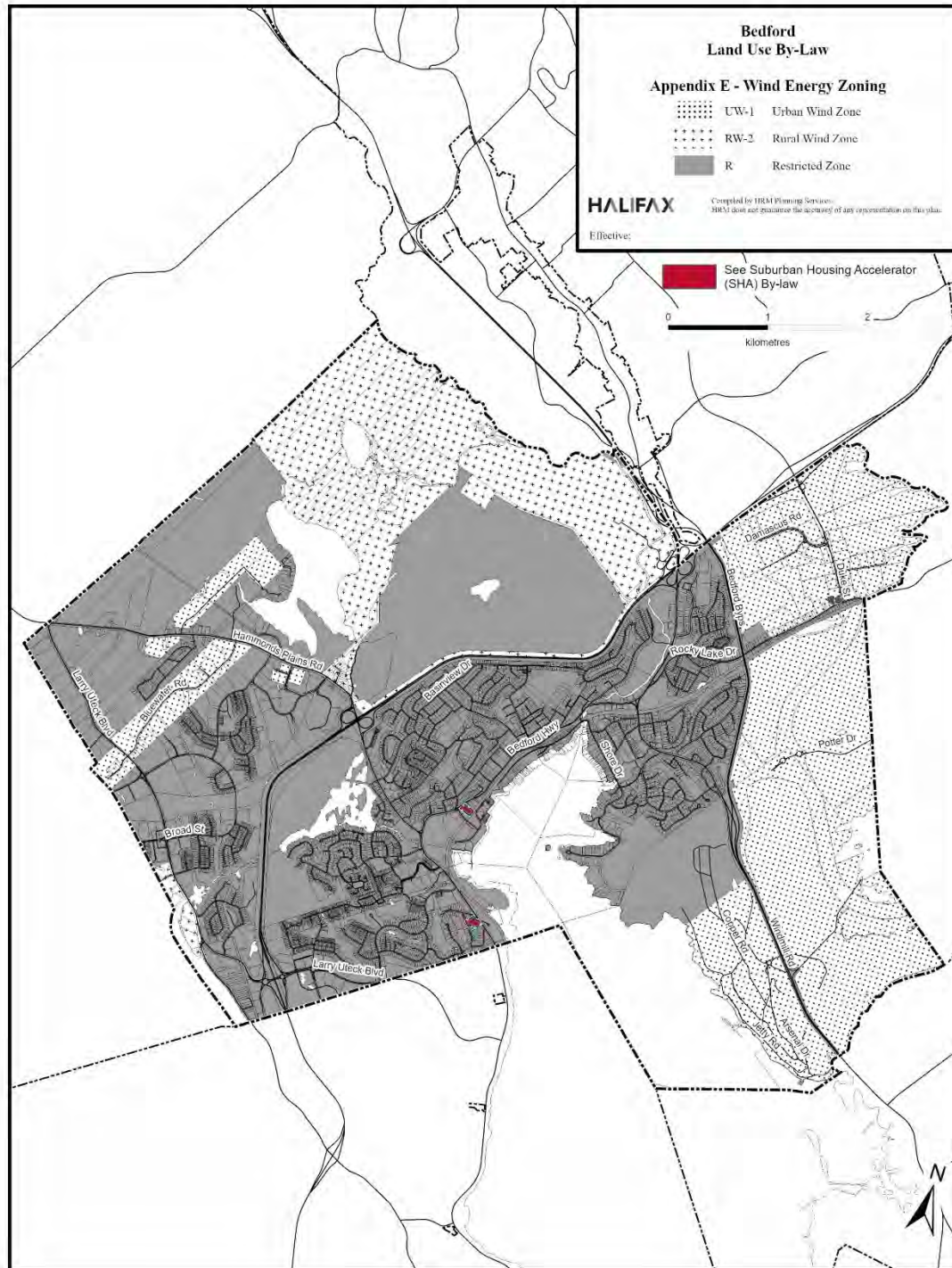
⁵ Daycare Facilities to a maximum of 14 children

⁶ Pubs and Lounges only, Cabarets are excluded

⁷ Pursuant to Policies S-7A and S-7B Council may consider permitting shared housing with special care uses at larger scale than would be permitted in the underlying zone by development agreement in all designations

SCHEDULE C-4: BEDFORD LAND USE BY-LAW

Schedule C-4A – “APPENDIX E: Wind Energy Zoning”



Schedule C-4B – “APPENDIX G: INTERIM BONUS ZONING REQUIREMENTS FOR
APPLICABLE PLAN AMENDMENT APPLICATIONS”

Definitions

1. For the purpose of Appendix G and Schedule C the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (i) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and

- (vii) **pedways;**
- (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
- (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
- (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
- (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
- (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
- (m) **PREMISES** means a structure or portions of a structure occupied by a use;
- (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
- (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
- (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
- (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and

- (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule C: Lands Subject to Interim Bonus Zoning Requirements.
3. Incentive or bonus zoning shall not be required for developments identified on Schedule C if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.

- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
- (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
- (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
- (4) The cost of any appraisal shall be paid for by the applicant.
- (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
- (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule C is \$195/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.
- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year.

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.
- (2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form

- of money-in-lieu for affordable housing.
- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conservation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

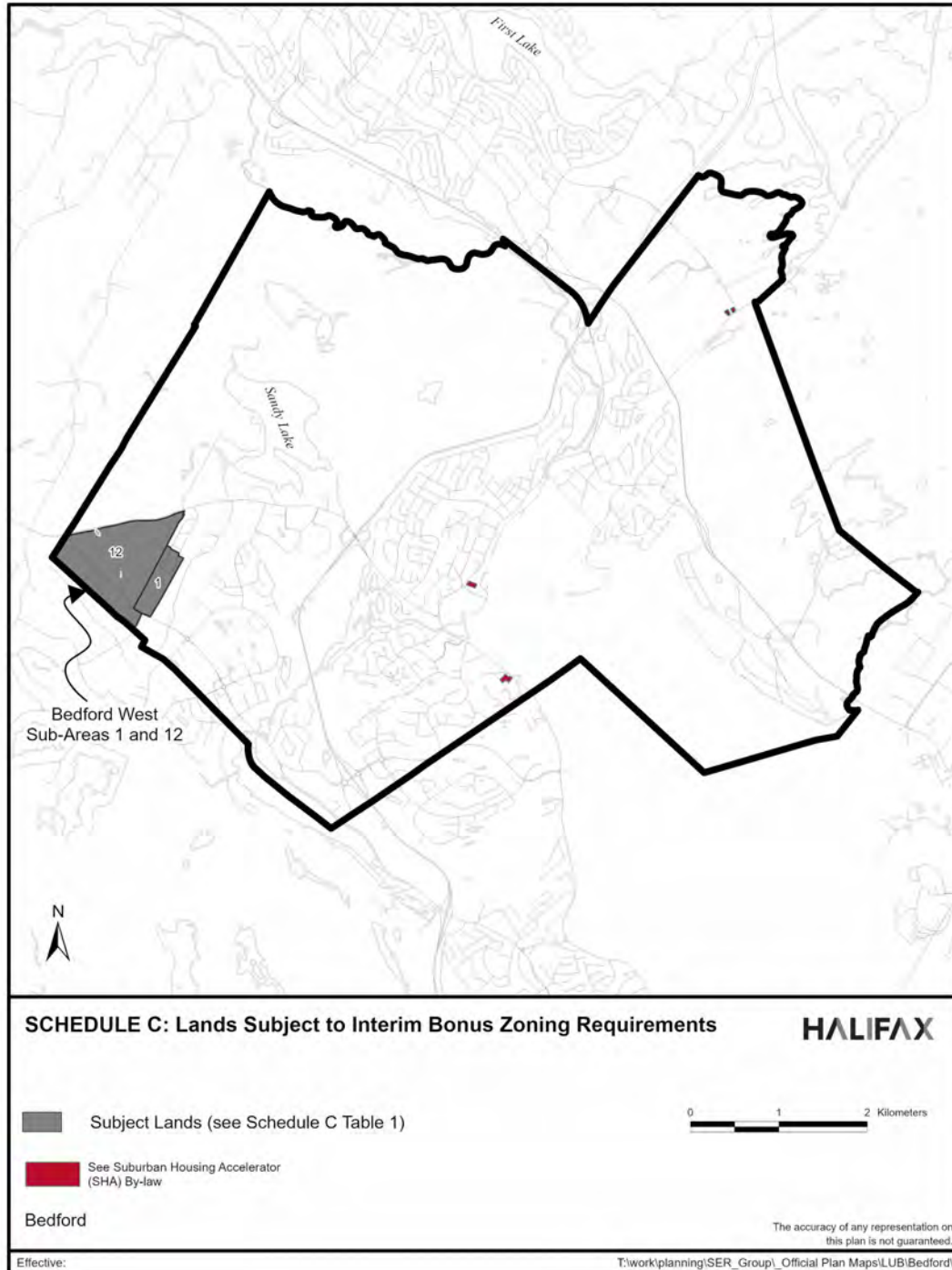
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits;

(f) any other terms or conditions the Development Officer requires.

- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**

 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the**

Schedule C-4C – “Schedule C: Lands Subject to Interim Bonus Zoning Requirements”

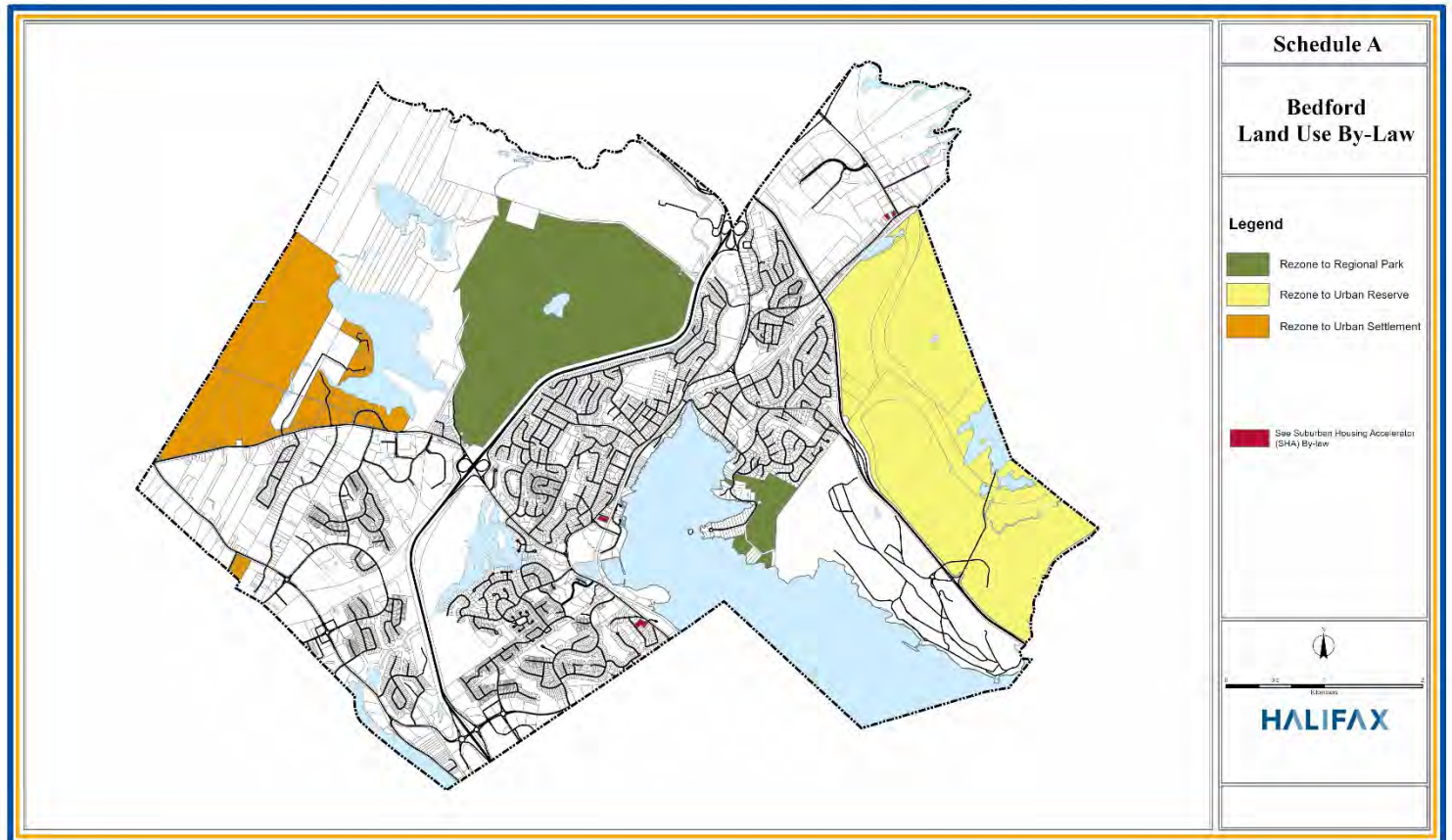


Schedule C-4D – “Schedule C, Table 1: Lands Subject to Interim Bonus Zoning”

Schedule C, Table 1: Lands Subject to Interim Bonus Zoning (Municipal Affairs – Housing)

Ref#:		Case#	PIDs
1		Case 23307: Bedford West Sub-Areas 1 and 12 Special Planning Area	40648362, 00645390, 00645408, 00646042, 41141037, 41141029, 41141011, 41141003, 41140997, 41140989, 41140971, 41140963, 00645226, 00645846, 41398363, 41326364, 00645770, 00645853, 00645788, 00645804, 00645796, 00645838, 00645820, 00645812, 00645754, 00645762, 41313842, 00645861, 00645879, 00645887, 00645960, 00645895, 00645903, 00645929, 00645937, 00645747, 00645739, 00646059, 00646067, 00488270, 00488262, 00488155, 40593782, 00416909, 00645309, 00645317, 00645325, 00645341, 00645358, 00645366, 00645374, 40301368, 00645945, 00645911, 00645960, 41313842

Schedule C-4E – “Schedule A: Bedford Zoning Map”



SCHEDULE C-6: COLE HARBOUR LAND USE BY-LAW

Schedule C-6A – “Appendix G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix G and Schedule F the following definitions shall apply:

- (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
- (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
- (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
- (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
- (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
- (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
- (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;

- (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
- (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
- (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
- (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
- (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
- (m) **PREMISES** means a structure or portions of a structure occupied by a use;
- (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
- (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
- (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
- (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and

- (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule F: Lands Subject to Interim Bonus Zoning Requirements.
3. Incentive or bonus zoning shall not be required for developments identified on Schedule F if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality; (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the

value of the public benefits shall be determined in accordance with Section 7 or Section 8.

- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
 - (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
8.
 - (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
 - (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule F is \$150/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.
- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

- (a) using the formula:

$$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$$

- (b) where:

- (i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and
- (ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.
14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

- (2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.
- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
 - (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
 - (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on

a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:

- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

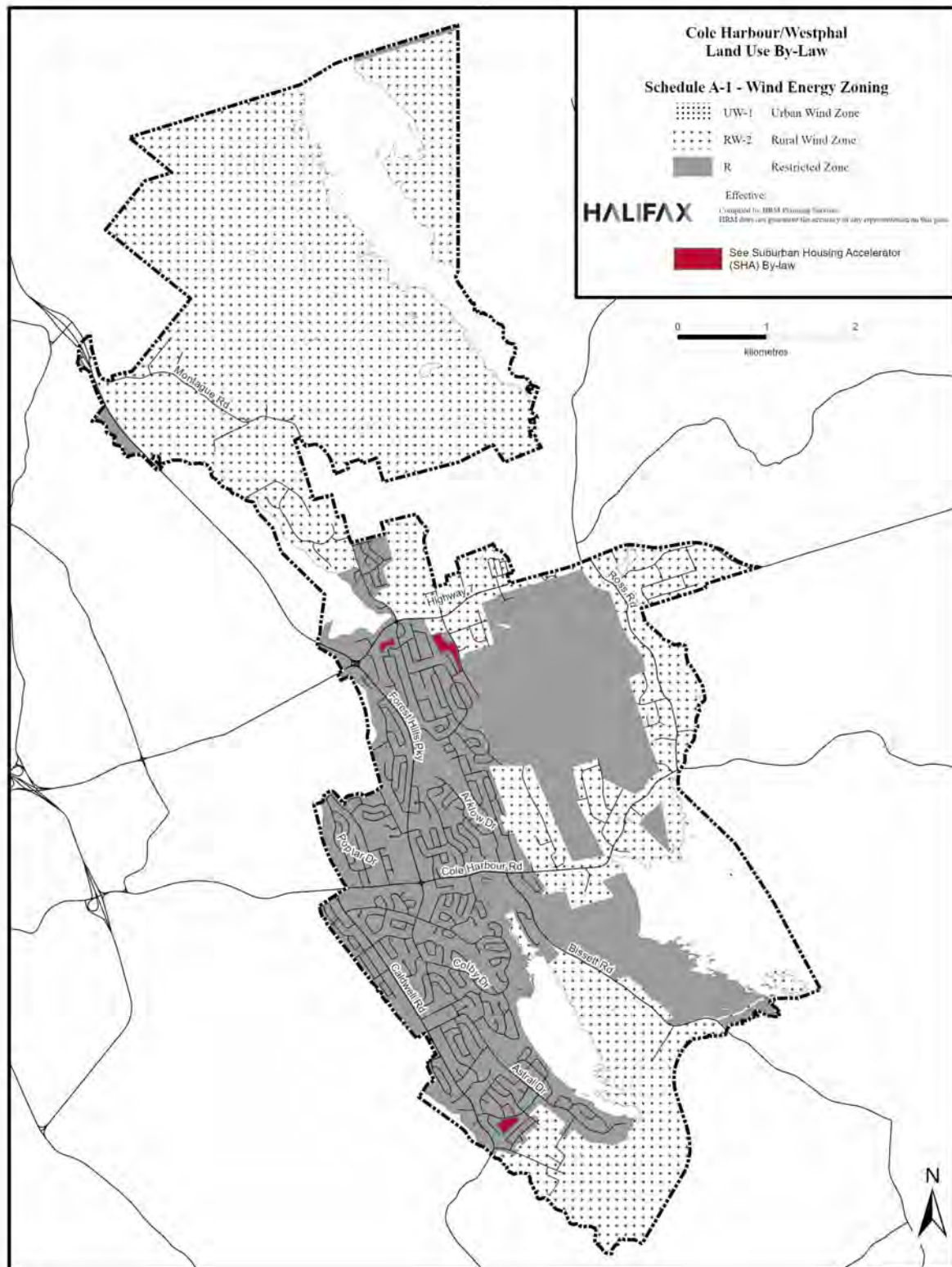
Public Benefit Requirement: On-Site Public Art

19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

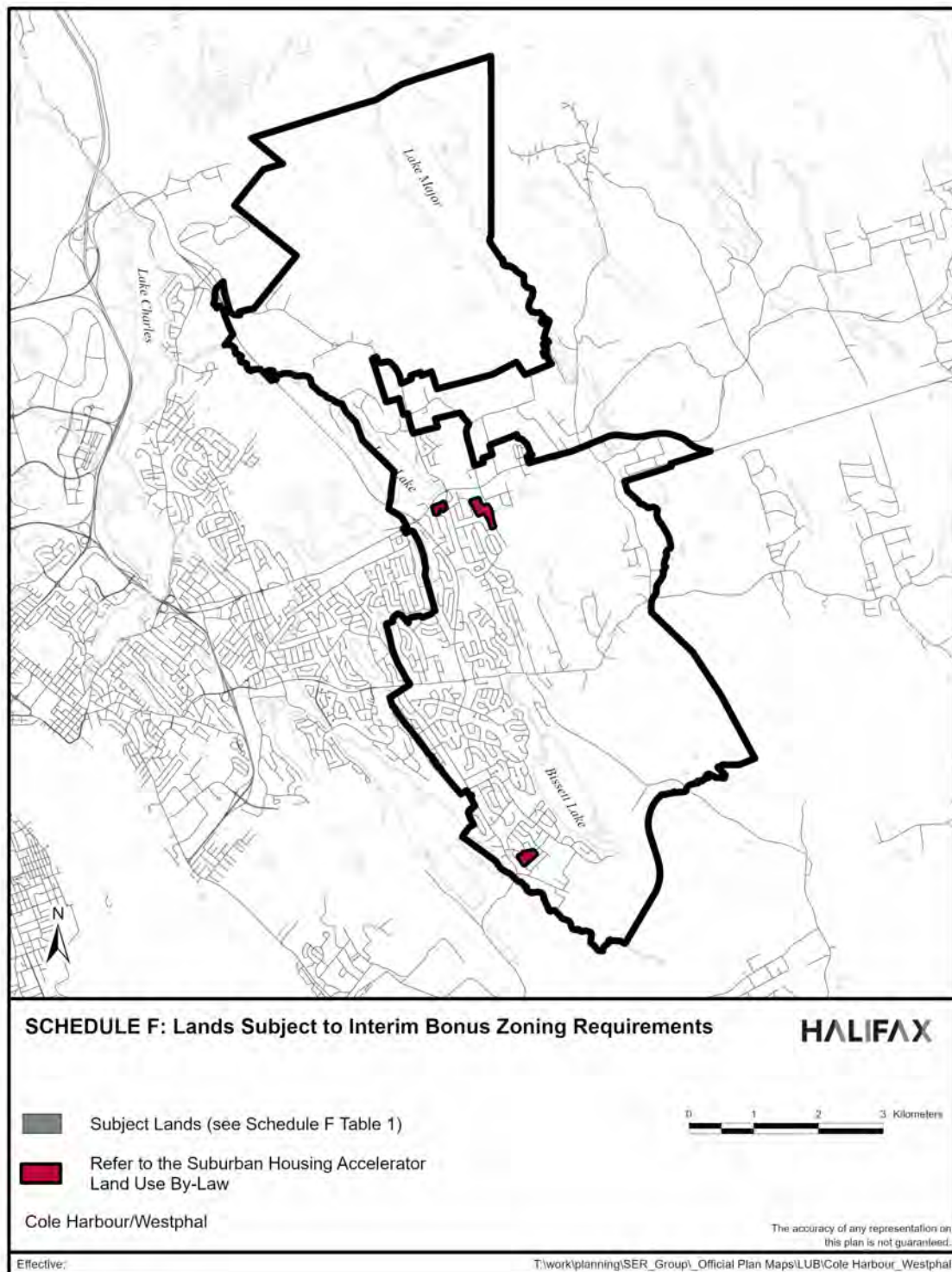
Incentive or Bonus Zoning Agreement

- 21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:**
 - (a) the identification of the development site;**
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;**
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;**
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;**
 - (e) where required, provisions for the auditing and reporting of public benefits; and**
 - (f) any other terms or conditions the Development Officer requires.**
- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.**

Schedule C-6B – “Schedule A-1- Wind Energy Zoning”



Schedule C-6C – “SCHEDULE F: Land Subject to Interim Bonus Zoning Requirements”

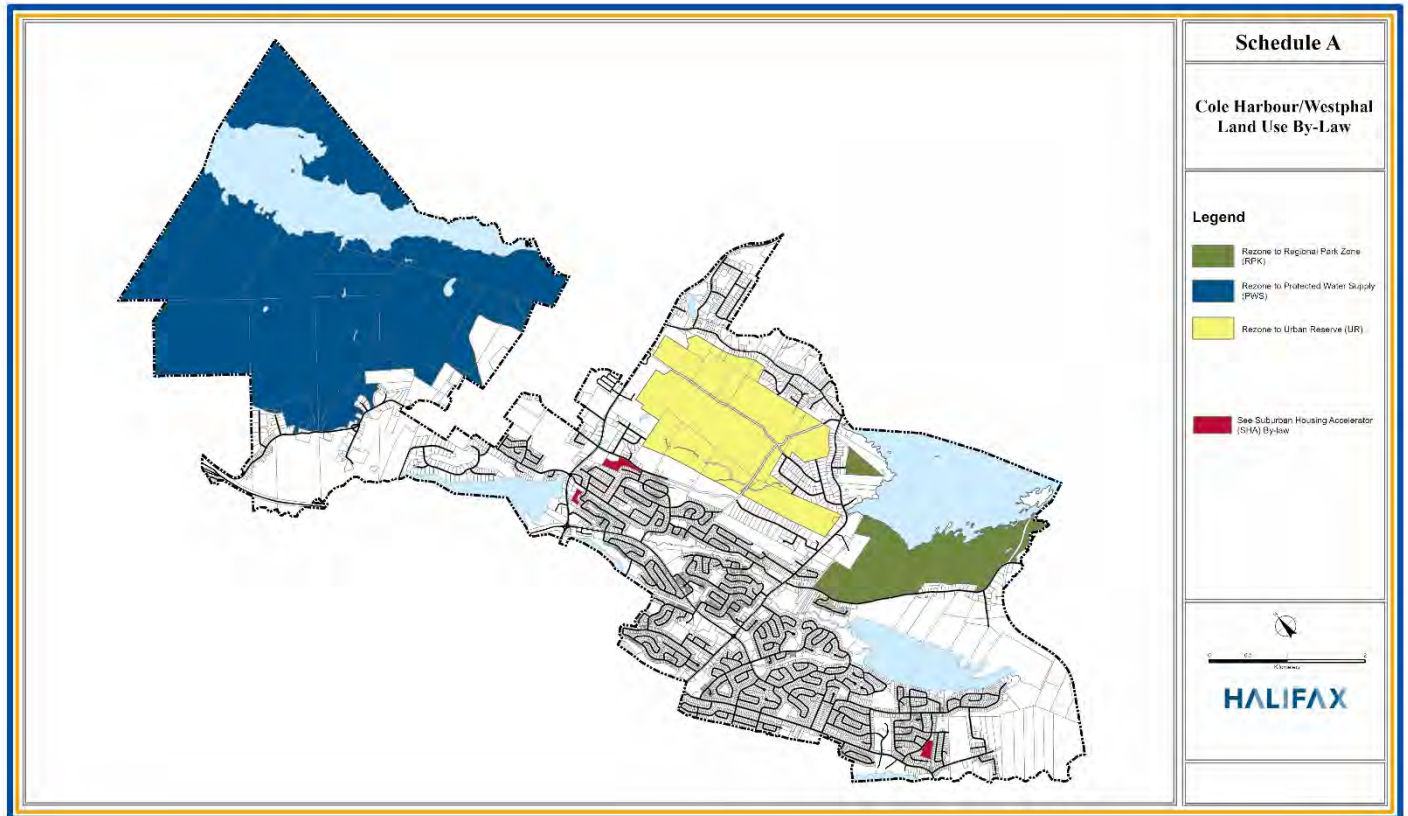


Schedule C-6D – “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements

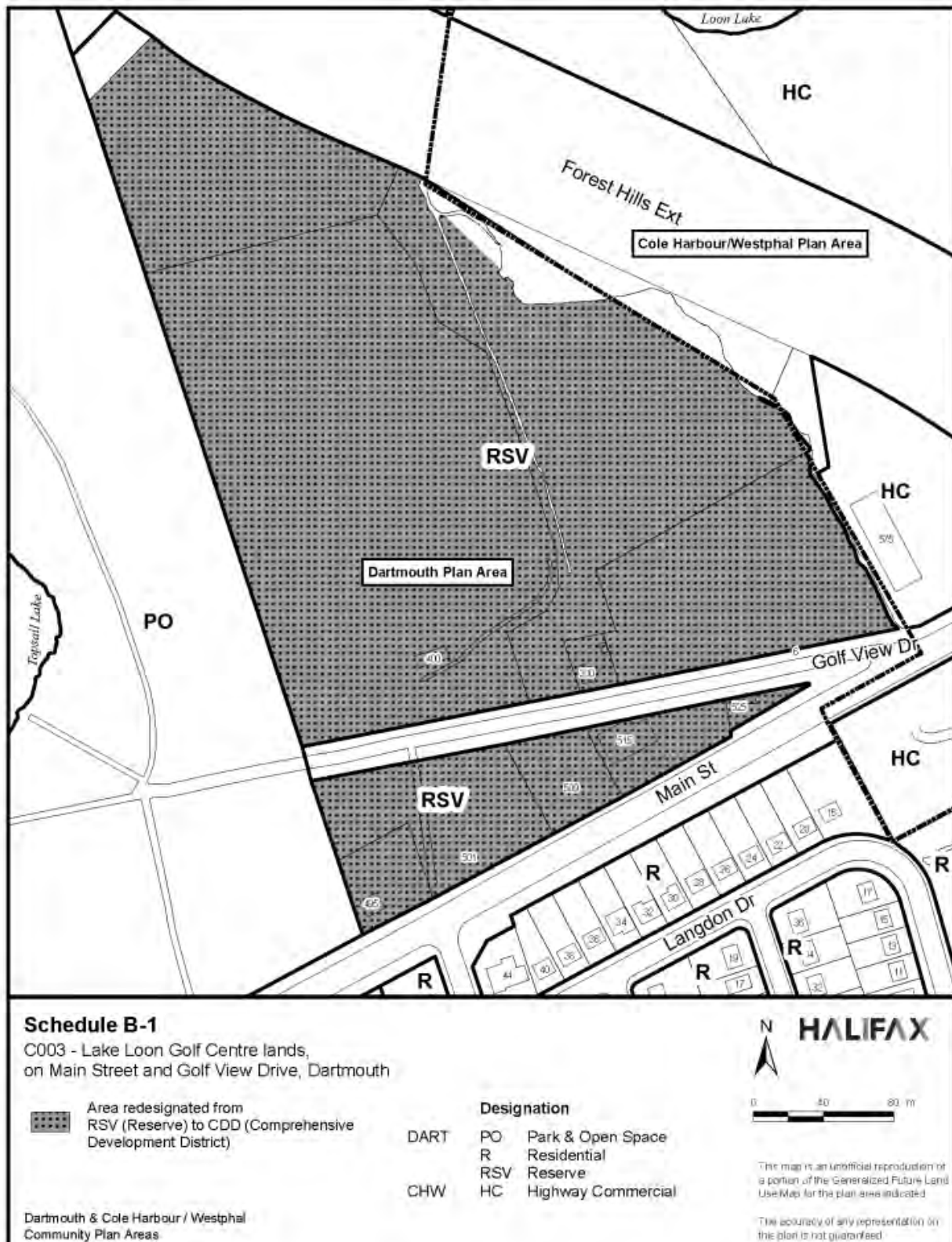
Ref. #	Case #	PIDs

Schedule C-6E – “Schedule A: Cole Harbour / Westphal Zoning Map”

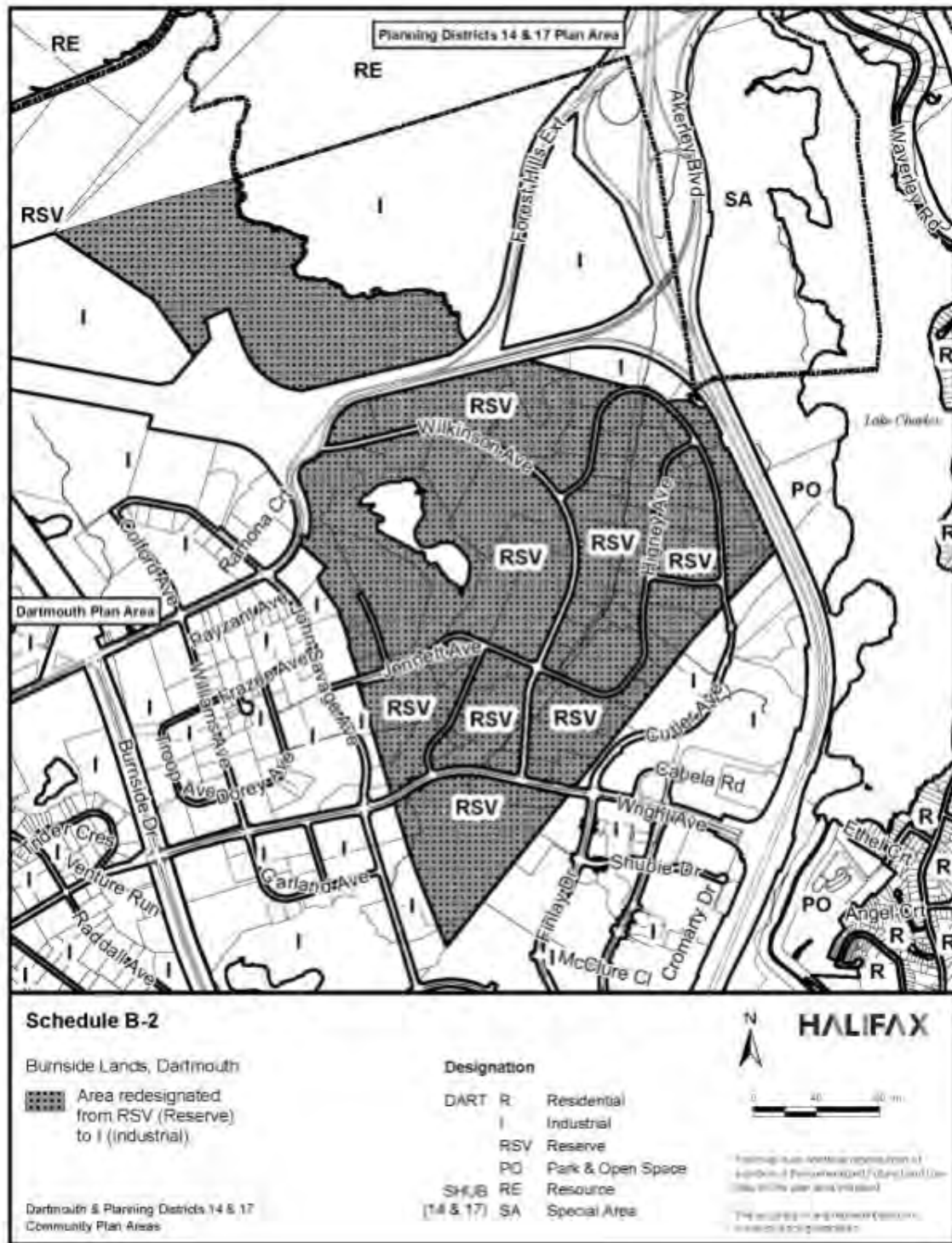


SCHEDULE C-7: DARTMOUTH MUNICIPAL PLANNING STRATEGY

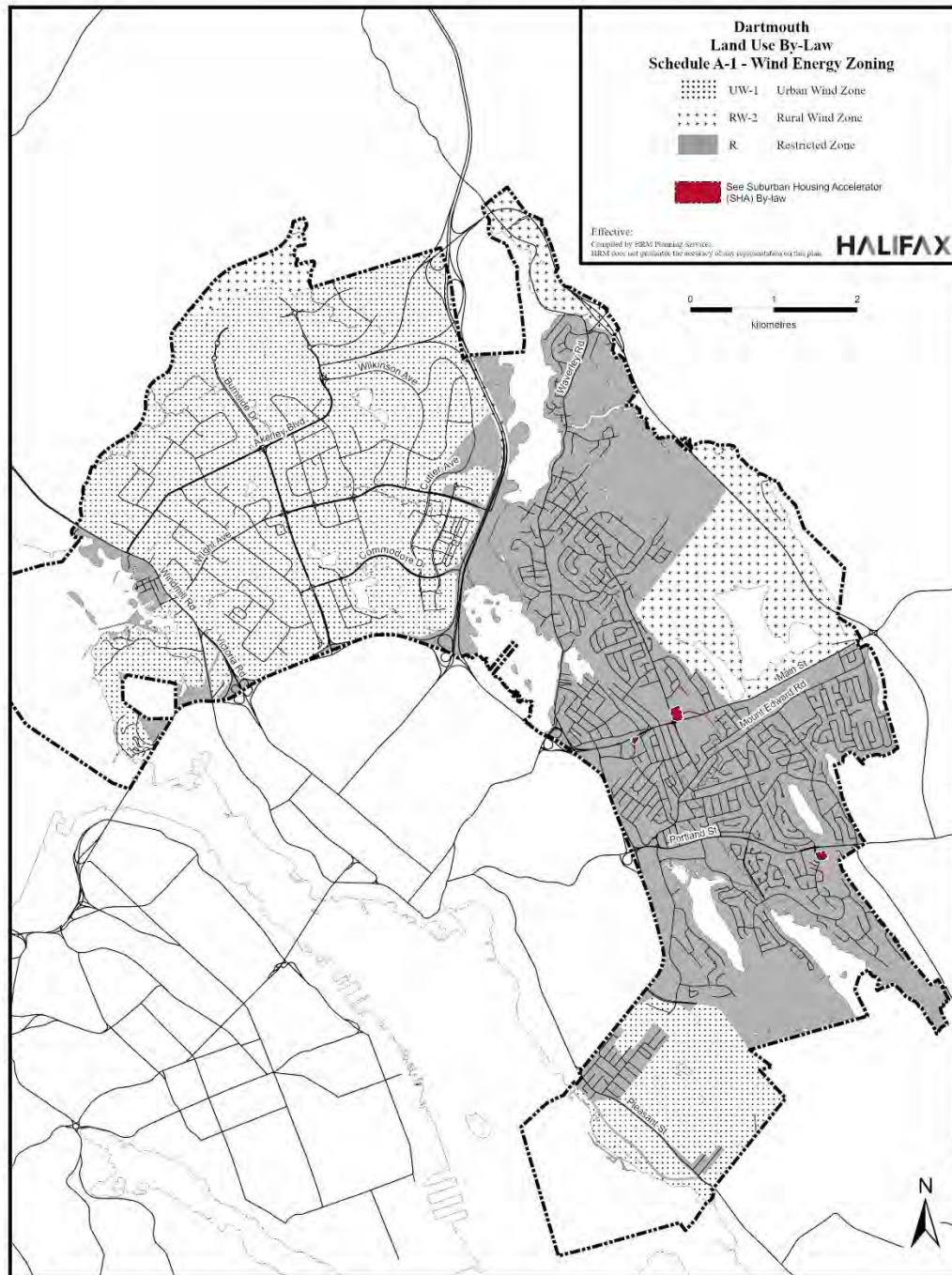
Schedule C-7A – “Map 10 – Generalized Future Land Use Map”



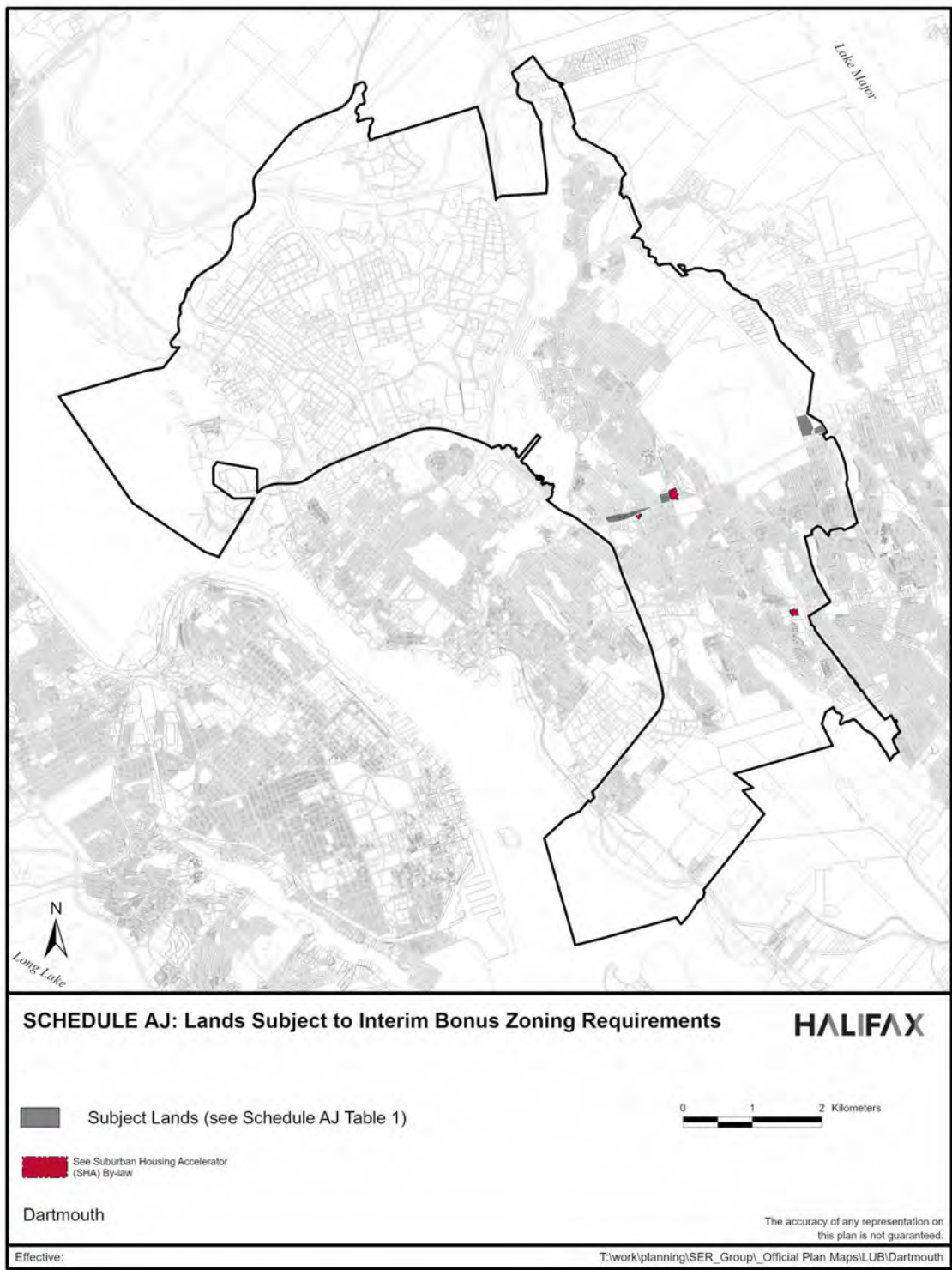
Schedule C-7B – “Map 10 – Generalized Future Land Use Map”



Schedule C-8A – “SCHEDULE A-1: Wind Energy Zoning”



Schedule C-8B – “Schedule AJ: Lands Subject to Interim Bonus Zoning Requirements”



Schedule C-8C – “Schedule AJ, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule AJ, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs
SS021 (Case 24660)	2023-01065 (HAF)	40612228, 40612236
SS033	2023-01065 (HAF)	00602474
SS040	2023-01065 (HAF)	40271488, 00191676, 40271504, 40271496
SS157	2023-01065 (HAF)	00191726
SS160	2023-01065 (HAF)	00261917, 41053281
SS201	2023-01065 (HAF)	00191775
N/A	2024-01198 (HAF-2)	00191742, 00191759, 00191718, 40400657, 00191700, 00191684, 40638694, 00191643, 40699258, 00191627, 00191817, 00191825, 00191593, 40279945, 00191585, 00191577, 00191668, 00191783

Schedule C-8D – “APPENDIX A: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix A and Schedule AJ the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (iii) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (iv) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
 - (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

- or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule AJ: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule AJ if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6.
 - (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
 - (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
 - (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;

- (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
 - (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
- 9. The appraised market value for the purposes of the public benefit value is:
 - (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

- 10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

- 11. The bonus zoning rate for the area identified on Schedule AJ is \$162/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conservation district shall not be altered or demolished under Section 18 of the

Heritage Property Act.

Public Benefit Requirement: On-Site Public Art

19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

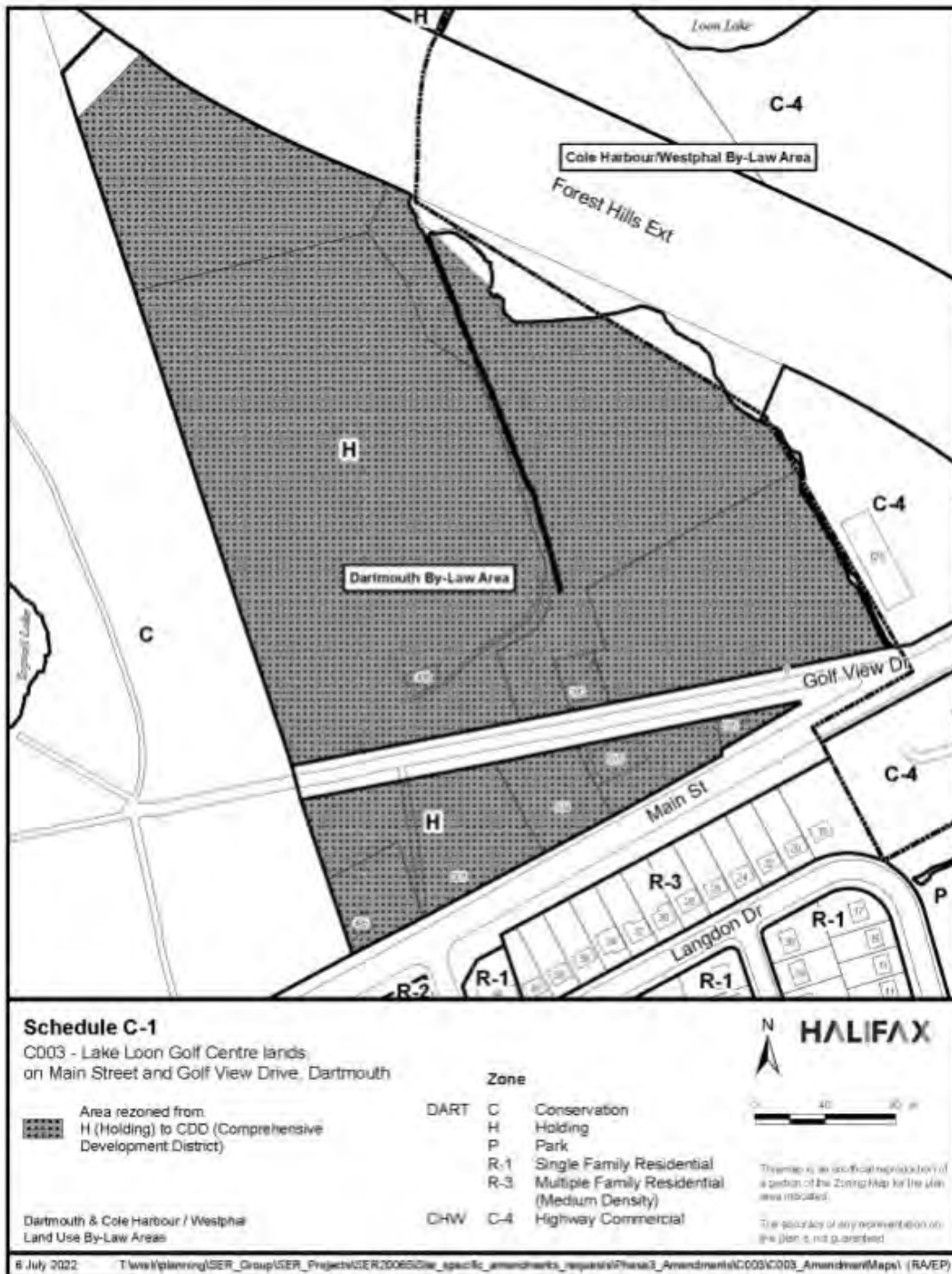
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits;

- (f) **any other terms or conditions the Development Officer requires.**
- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the**

Schedule C-8E – “Schedule 1 – Zoning Map for Dartmouth”



Schedule C-8F – “Schedule 1 – Zoning Map for Dartmouth”



SCHEDULE C-10: EASTERN PASSAGE / COW BAY LAND USE BY-LAW

Schedule C-10A – “APPENDIX E: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of appendix e and scheduled the following definitions shall apply:

- (a) ACCESSORY STRUCTURE means a structure that is:**
 - (i) subordinate, incidental, and devoted to a main use or structure, and**
 - (ii) not attached to any main building;**
- (b) AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;**
- (c) APPLICANT means any person, including an owner, applying for a development permit, or development agreement;**
- (d) APPRAISER means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.**
- (e) BUILDING means every continuous enclosed area with exterior walls on a lot that:**
 - (i) is built, erected, and framed of a combination of materials,**
 - (ii) is either portable or fixed,**
 - (iii) has a roof,**
 - (iv) forms a structure for the shelter of persons, animals, or property, and**
 - (v) is located, in whole or in part, above or below grade;**
- (ea) CERTIFICATE OF OCCUPANCY means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;**
- (f) FLOOR AREA means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:**
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,**
 - (ii) any floor area below a ground floor of a building or parking structure,**
 - (iii) elevator shafts,**
 - (iv) accessory structures,**
 - (v) rooftop greenhouses,**
 - (vi) any space open to a floor below, and**
 - (vii) pedways;**
- (g) GREENHOUSE means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;**
- (h) INCENTIVE OR BONUS ZONING means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements**

- or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule D: Lands Subject to Interim Bonus Zoning Requirements.

- 3. Incentive or bonus zoning shall not be required for developments identified on Schedule D if the Development Officer is satisfied that:**
- (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;**
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;**
 - (c) a minimum of 60% of the development is for housing; and**
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:**
 - (i) the applicant,**
 - (ii) the Municipality,**
 - (iii) the Provincial Government,**
 - (iv) the Federal Government, or**
 - (v) an agent of the Provincial or Federal Government.**
- 4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.**
- 5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.**
- 5A Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.**

Public Benefit Value

- 6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.**
- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.**
- 7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:**

- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
- (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
- (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
- (4) The cost of any appraisal shall be paid for by the applicant.
- (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
- (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule D is \$135/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form

of money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval

of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

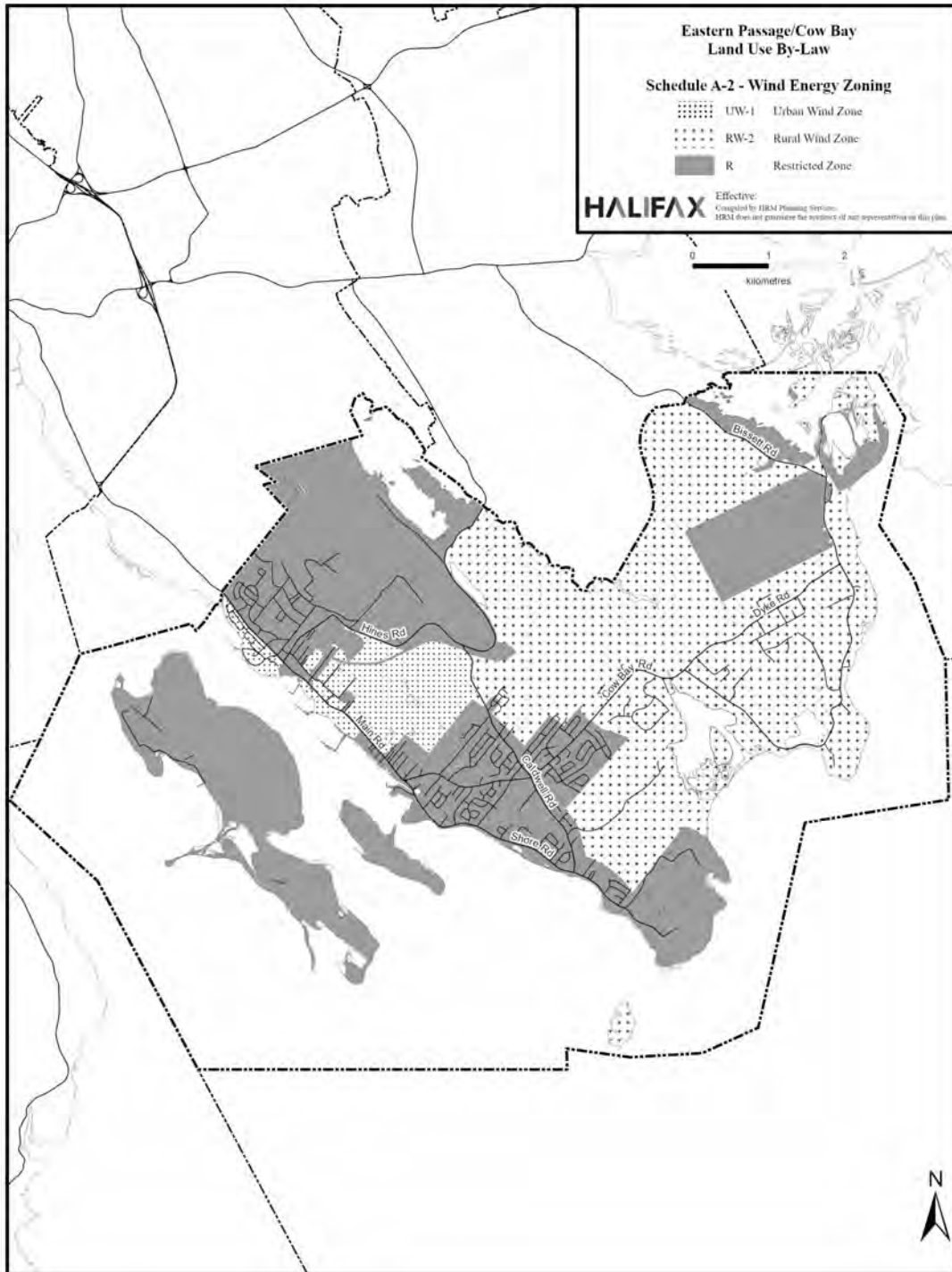
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

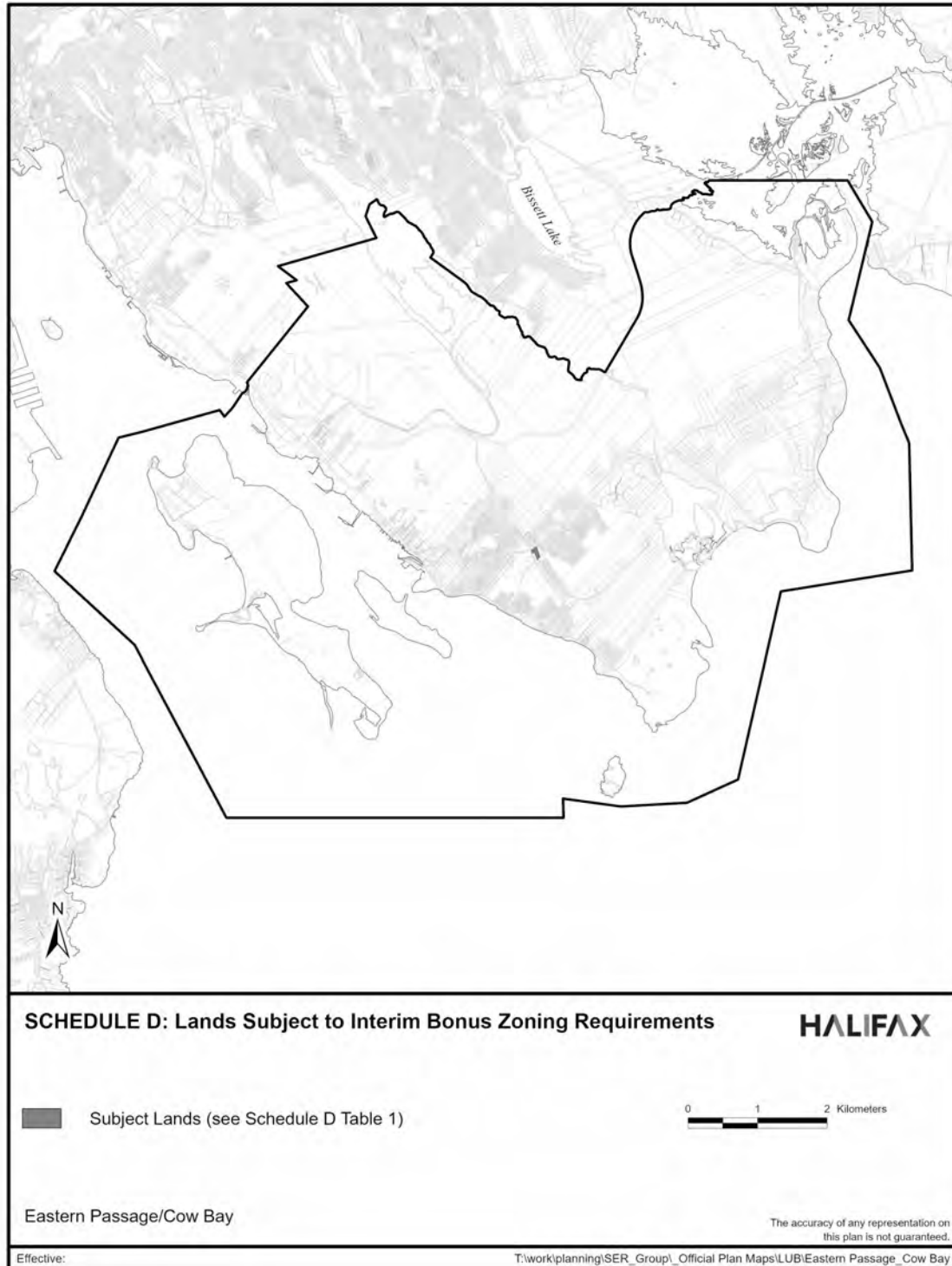
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an

- appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits; and
 - (f) any other terms or conditions the Development Officer requires.
- 22. An incentive or bonus zoning agreement shall be signed by the owner.
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

Schedule C-10B – “Schedule A-2- Wind Energy Zoning”



Schedule C-10C – “SCHEDULE D: Lands Subject to Interim Bonus Zoning Requirements”

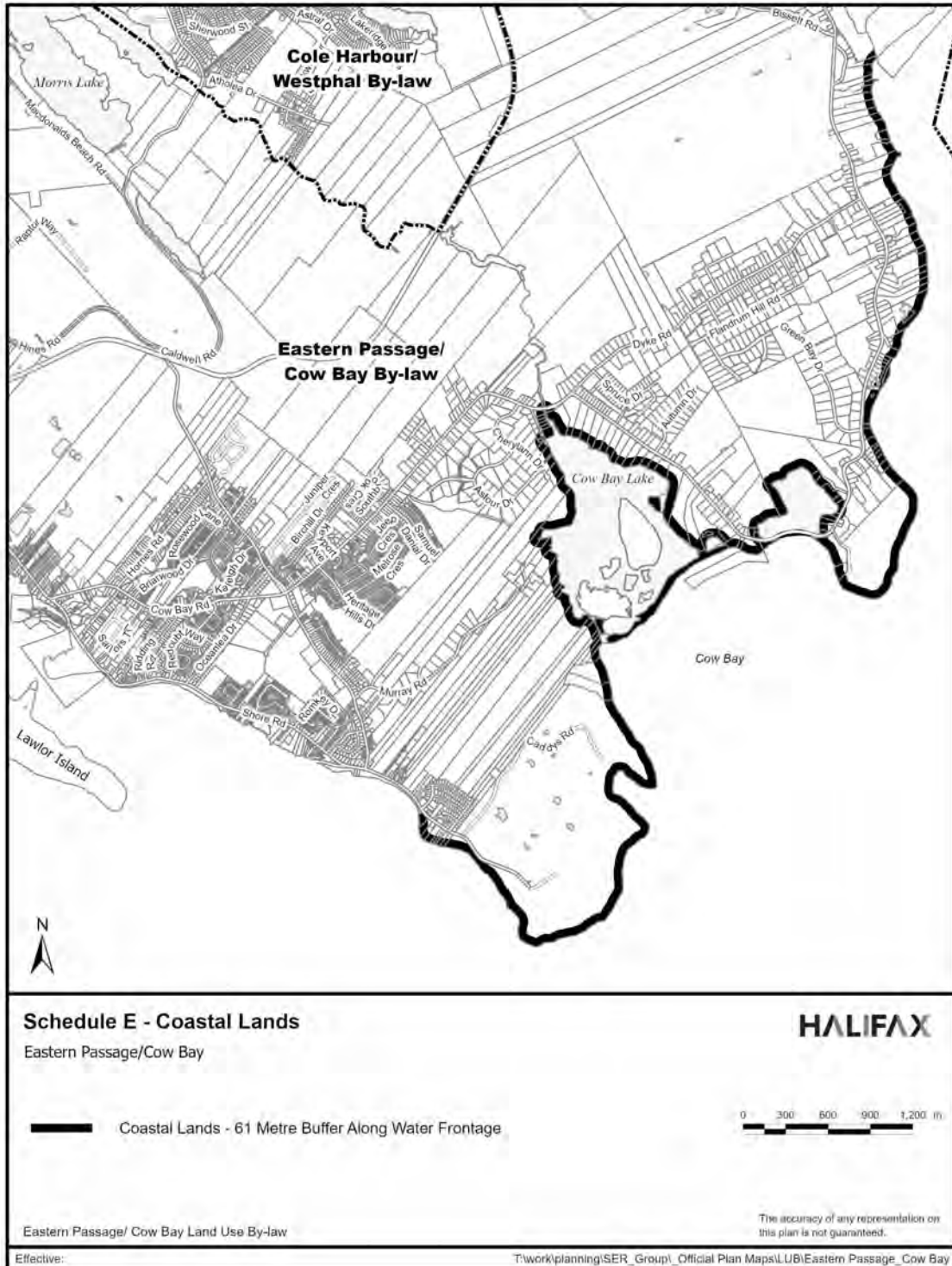


Schedule C-10D – “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

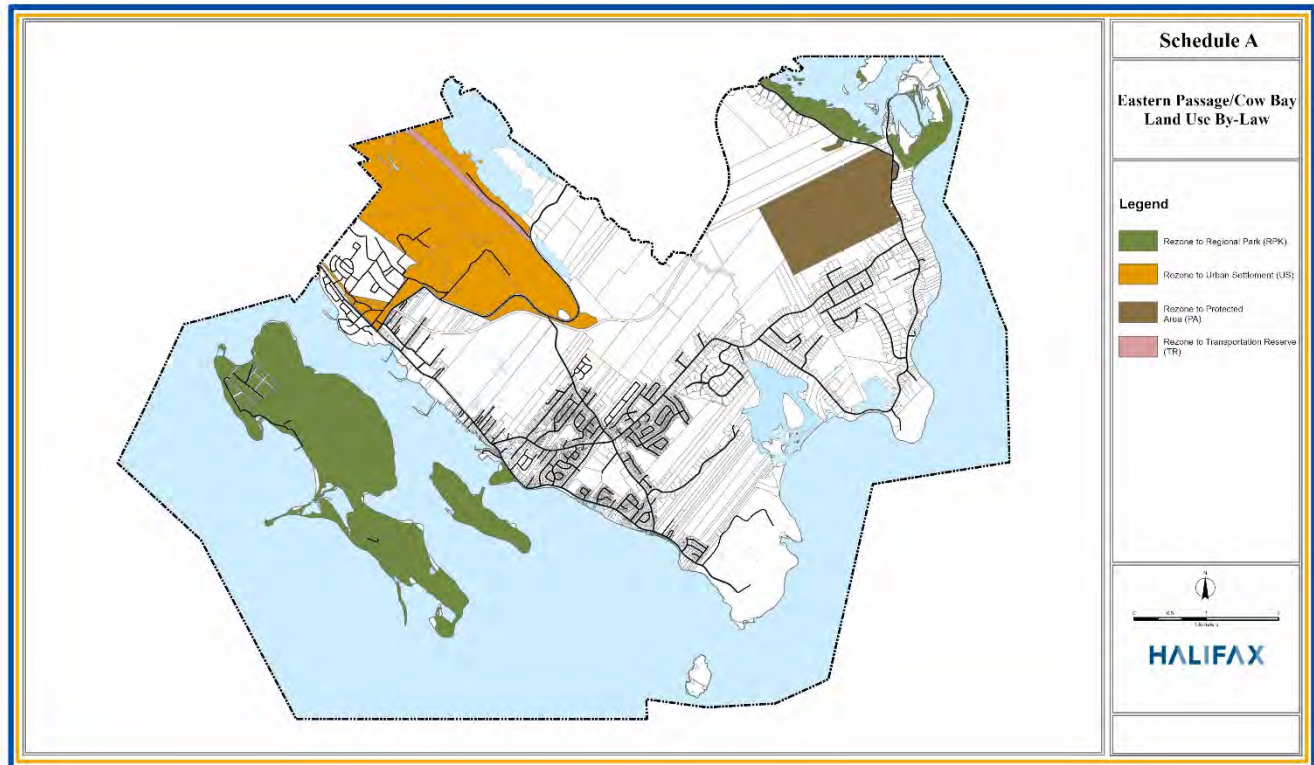
Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs
SS112	2023-01065 (HAF)	40081176, 00373167, 00373142

Schedule C-10E – “Schedule E – Coastal Lands”

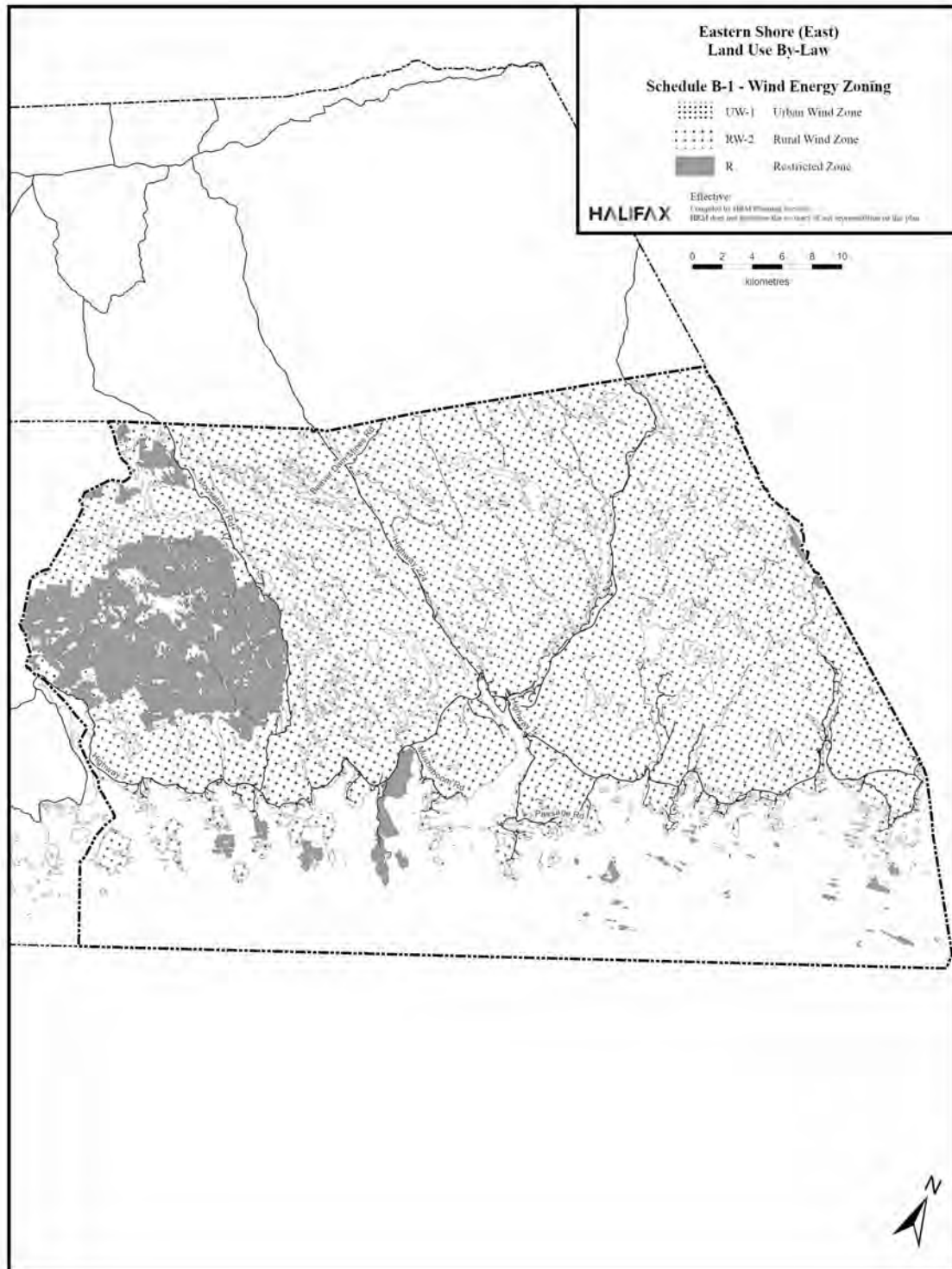


Schedule C-10F – “Schedule A: Eastern Passage / Cow Bay Zoning Map”

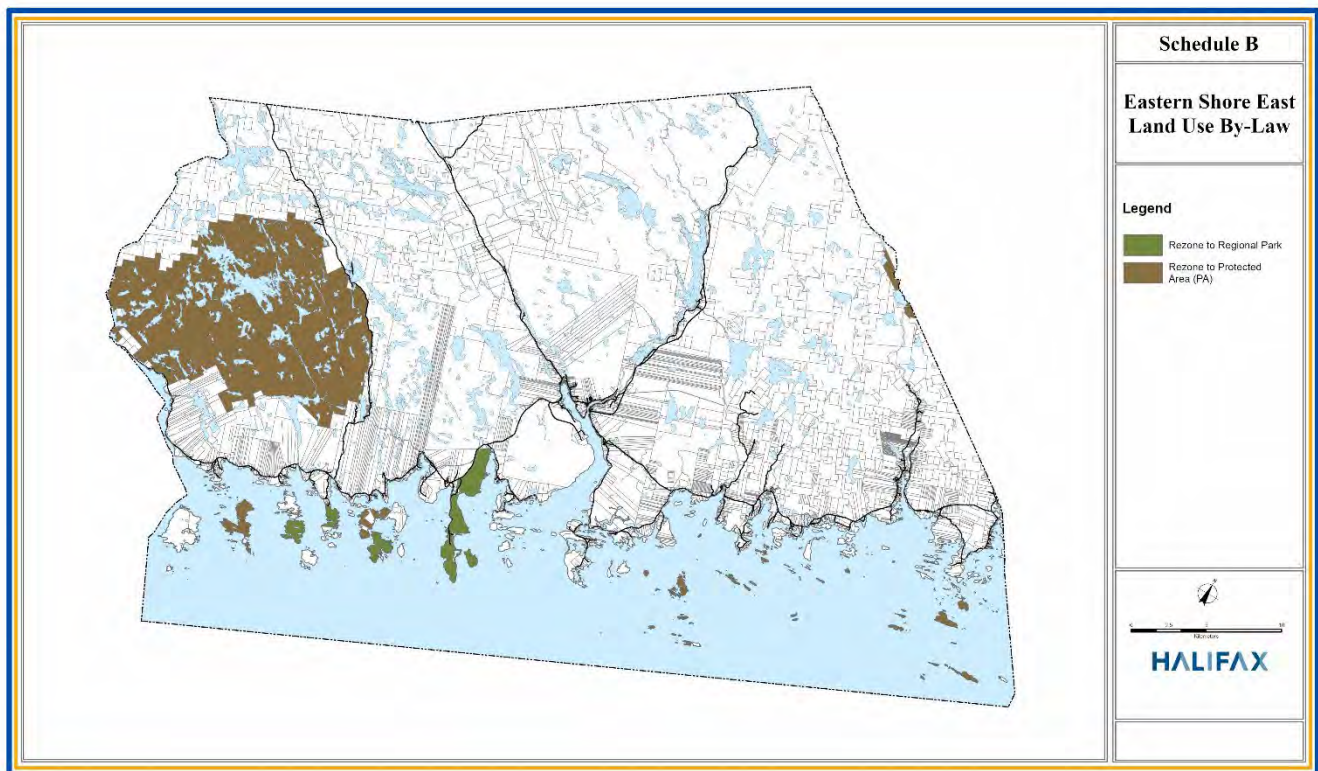


SCHEDULE: C-12 EASTERN SHORE (EAST) LAND USE BY-LAW

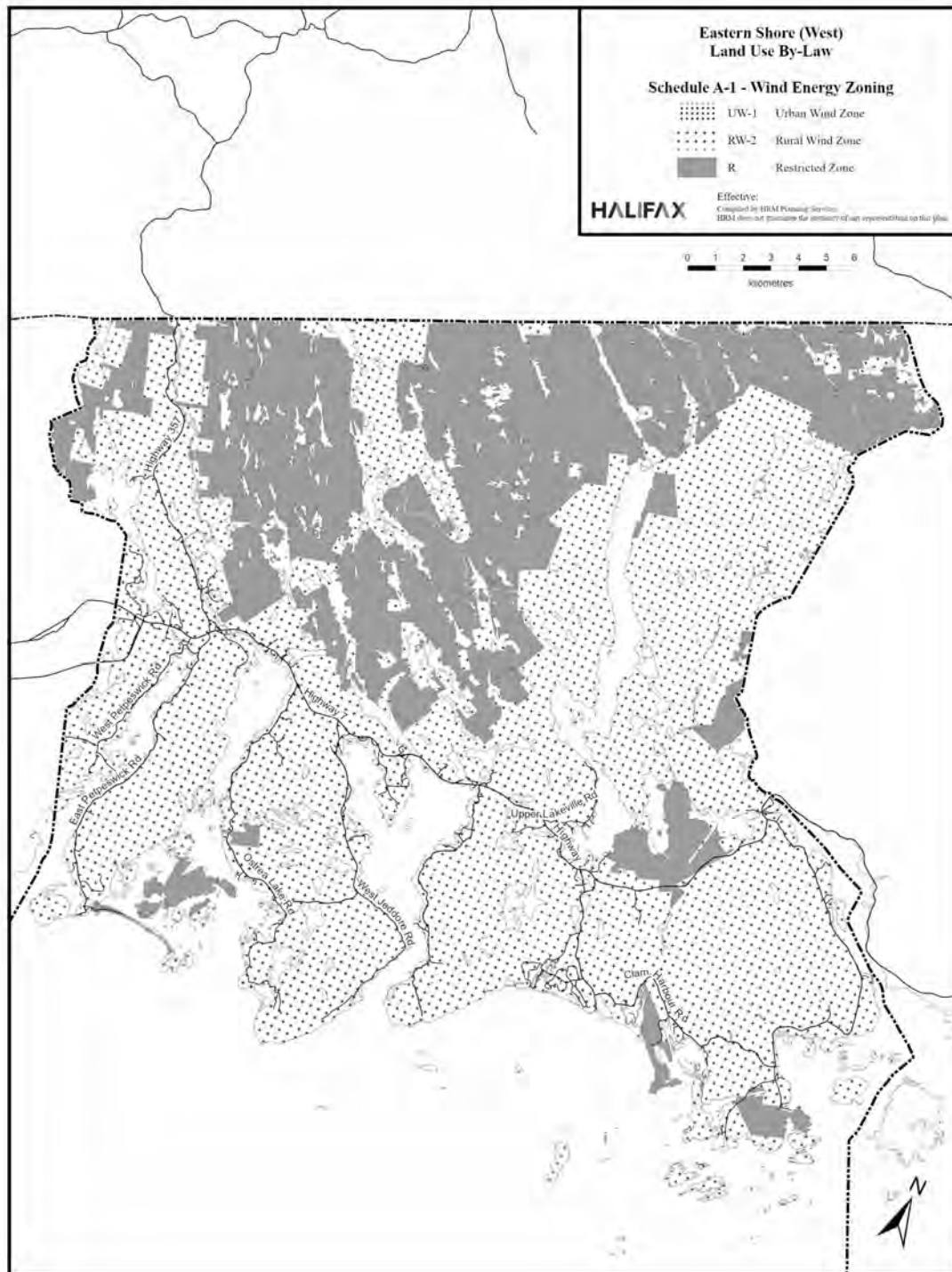
Schedule C-12A – “Schedule B-1- Wind Energy Zoning”



Schedule C-12B – “Schedule B: Eastern Shore East Zoning Map”




Schedule C-14A – “Schedule A-1- Wind Energy Zoning”



Schedule C-14B – “Schedule D: Areas subject to reduced frontage road requirements”



Schedule D - Areas subject to reduced road frontage requirements

 Areas subject to reduced road frontage requirements

HALIFAX

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

Effective:

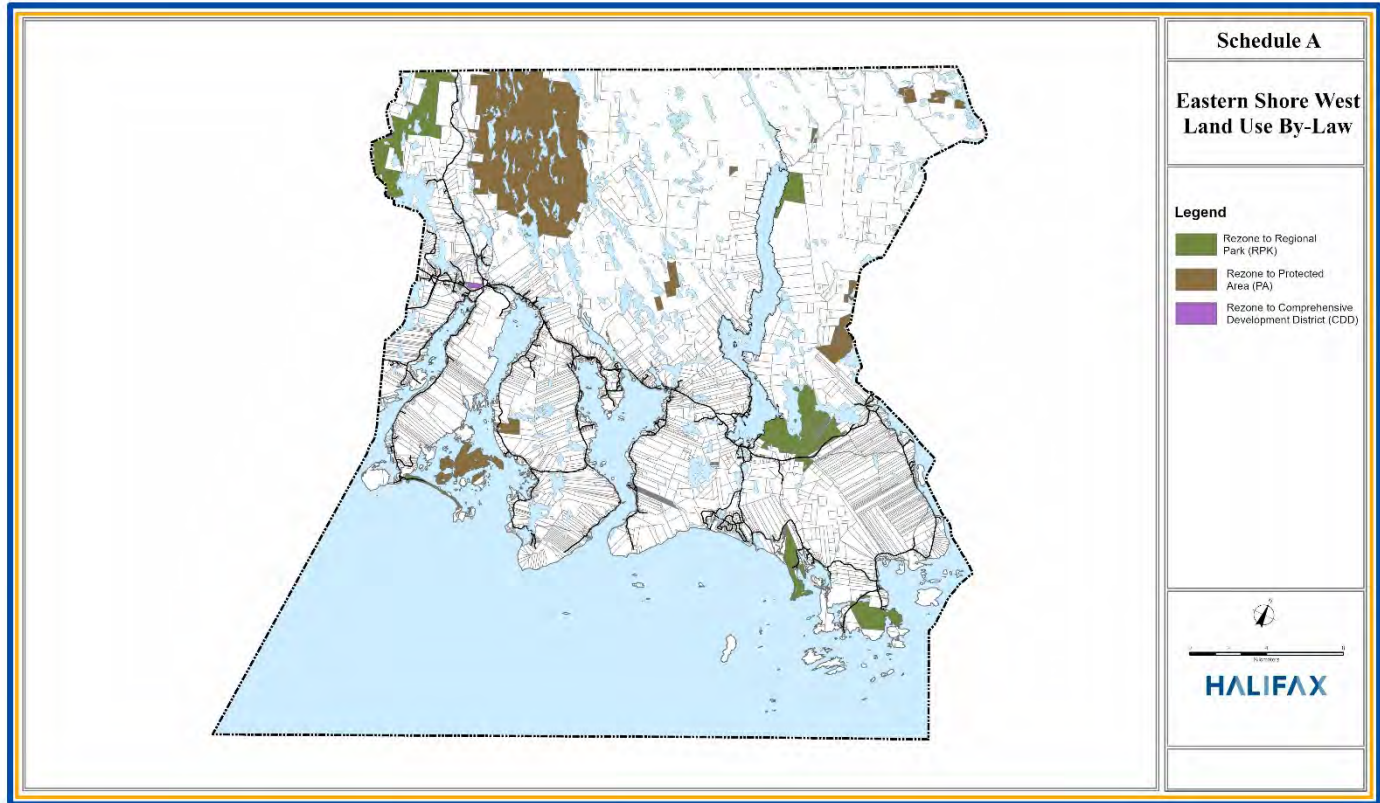
T:\work\planning\SER_Group\Official Plan Maps\LUB\Eastern Shore West\ (AKT)

Schedule C-14C – “Schedule E: Shared Private Driveway Design Standards”

Where specifically required by LUB provisions, shared private driveways that provide vehicular access to four or more dwellings shall meet the following design standards.

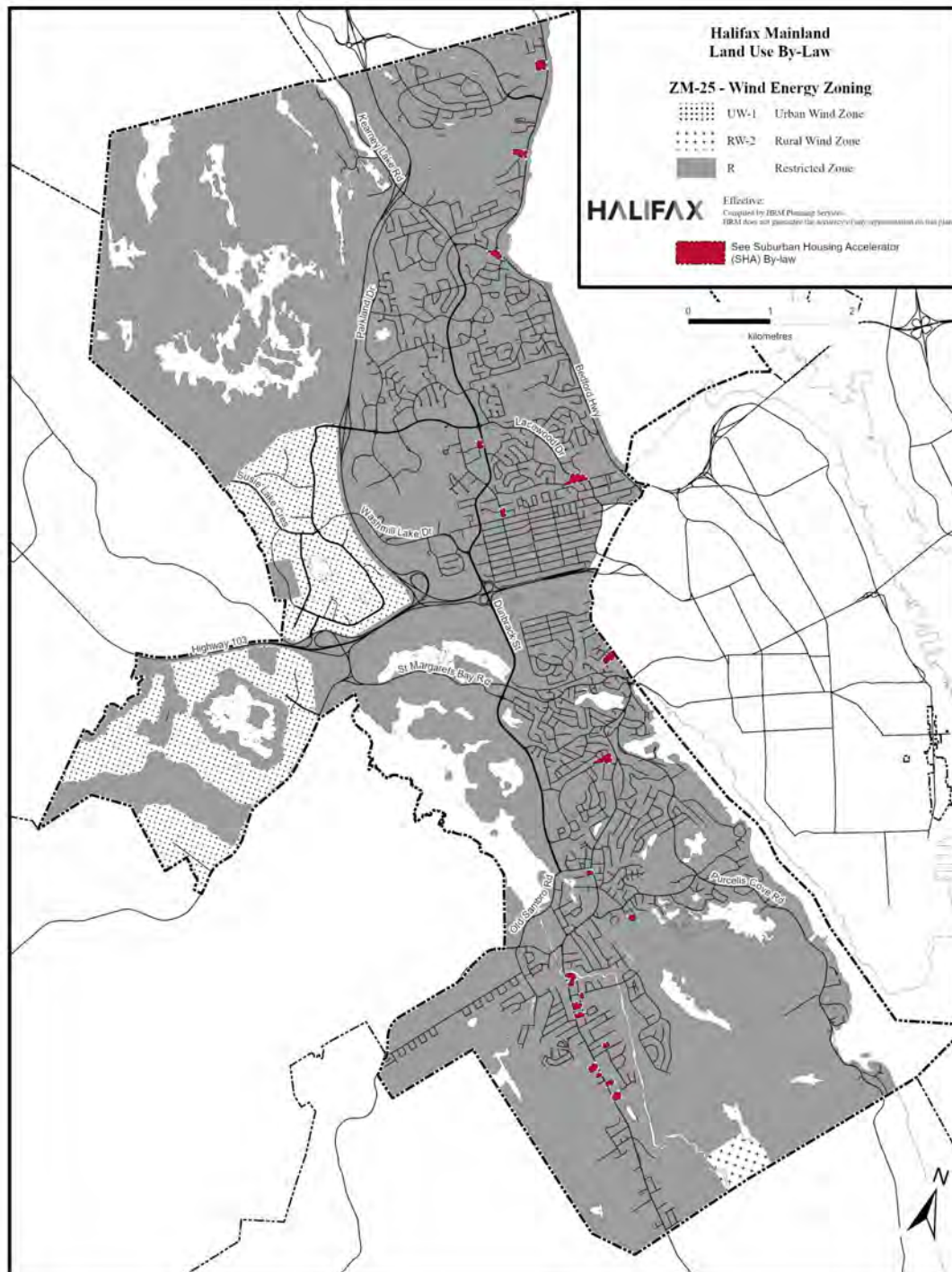
1. All shared private driveways shall have a minimum clear width of 6 meters (19.7 feet) as follows:
 - (a) Travel lanes shall be a minimum of 3 meters (9.8 feet) for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with gravel or a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
2. All shared private driveways shall be constructed so as to prevent the accumulation of water and ice on any section of the driveway. Where the driveway grades are less than 0.5 percent, the shared private driveway shall be crowned in the center to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
3. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 6 meter (19.7 foot) driveway.
4. At least 4.26 meters (14 feet) nominal vertical clearance shall be provided and maintained over the full width of the shared private driveway.
5. Shared private driveways shall not have grades greater than 10 % with no change in grade over 8% in 15 meters (49.21 feet) of travel distance.
6. All cul-de-sacs shall be constructed with a minimum radius of 13 meters (42.65 feet) to the edge of asphalt and 15 meters (49.21 feet) to outside of shoulder.
7. All travel lane curves and turns at intersection, are to have a minimum 12 meter (39.37 feet) centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
8. The angle of approach and the angle of departure shall not exceed 8 degrees at any point on the driveway or its intersection with another driveway.
9. Sight distance shall be incorporated into the design of intersections.
10. If speed bumps are going to be constructed; acceptable warning signs shall be required.

Schedule C-14D – “Schedule A – Eastern Shore West Zoning Map”



SCHEDULE C-16: HALIFAX MAINLAND LAND USE BY-LAW

Schedule C-16A – “ZM-25- Wind Energy Zoning”



Schedule C-16B – “APPENDIX A: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

- (1) For the purpose of Appendix A and Schedule A the following definitions shall apply:
- (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;

- (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
- (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
- (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
- (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
- (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
- (m) **PREMISES** means a structure or portions of a structure occupied by a use;
- (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
- (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
- (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
- (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and

- (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule A: Lands Subject to Interim Bonus Zoning Requirements.
3. Incentive or bonus zoning shall not be required for developments identified on Schedule A if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.

- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
- 7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
 - (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
 - (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
- 9. The appraised market value for the purposes of the public benefit value is:
 - (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule A is \$213/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

- (a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

- (b) where:

- (i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and
(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

- (2) Where the development permit expires and an application for a new

development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.
- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or

- (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
- 18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

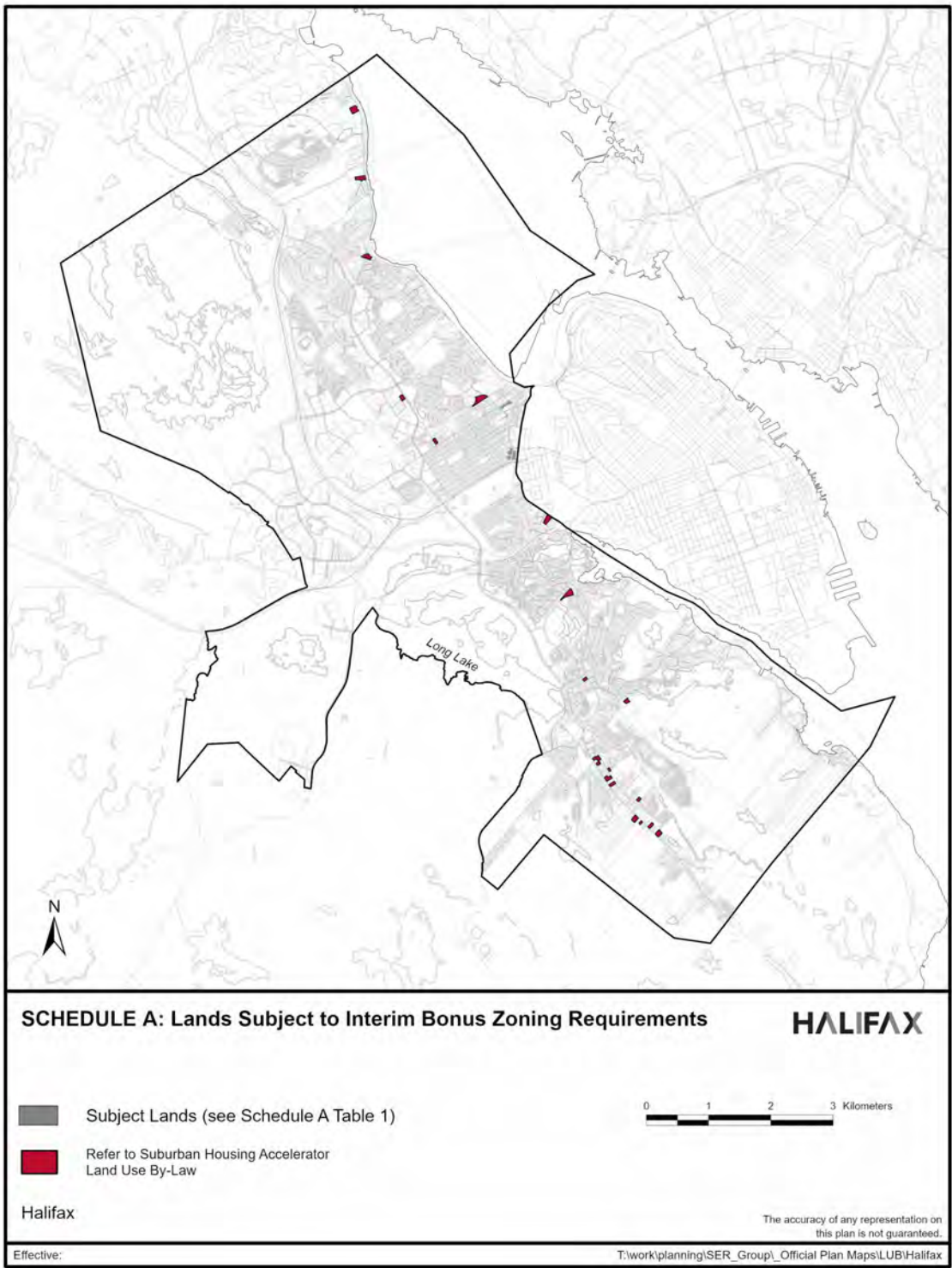
- 19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
 - (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
- 20. The following items shall not qualify as public art under Clause 16(h):
 - (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

- 21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:

- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits; and
 - (f) any other terms or conditions the Development Officer requires.
- 22. An incentive or bonus zoning agreement shall be signed by the owner.
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

Schedule C-16C – “Schedule A: Lands Subject to Interim Bonus Zoning Requirements”

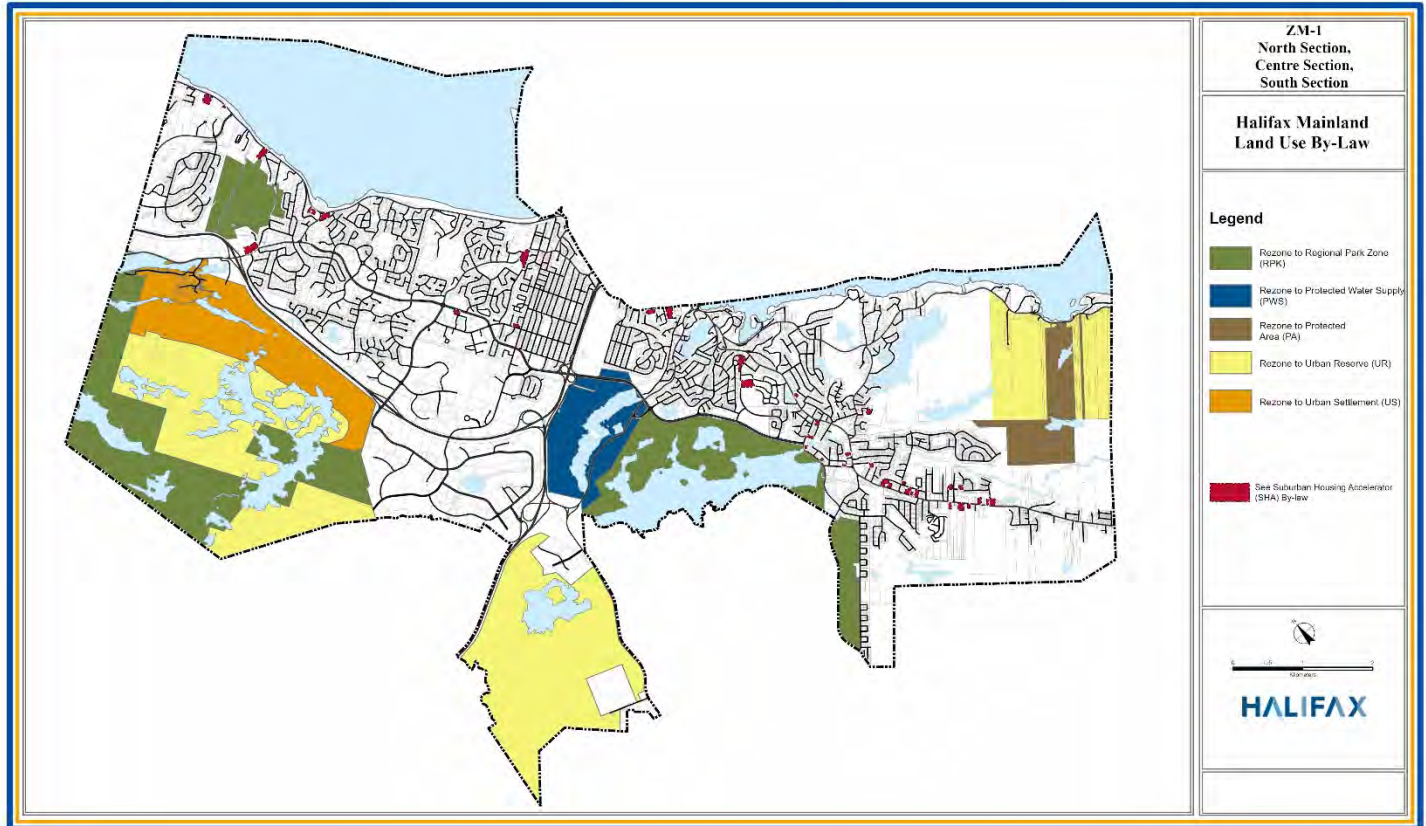


Schedule C-16D – “Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements

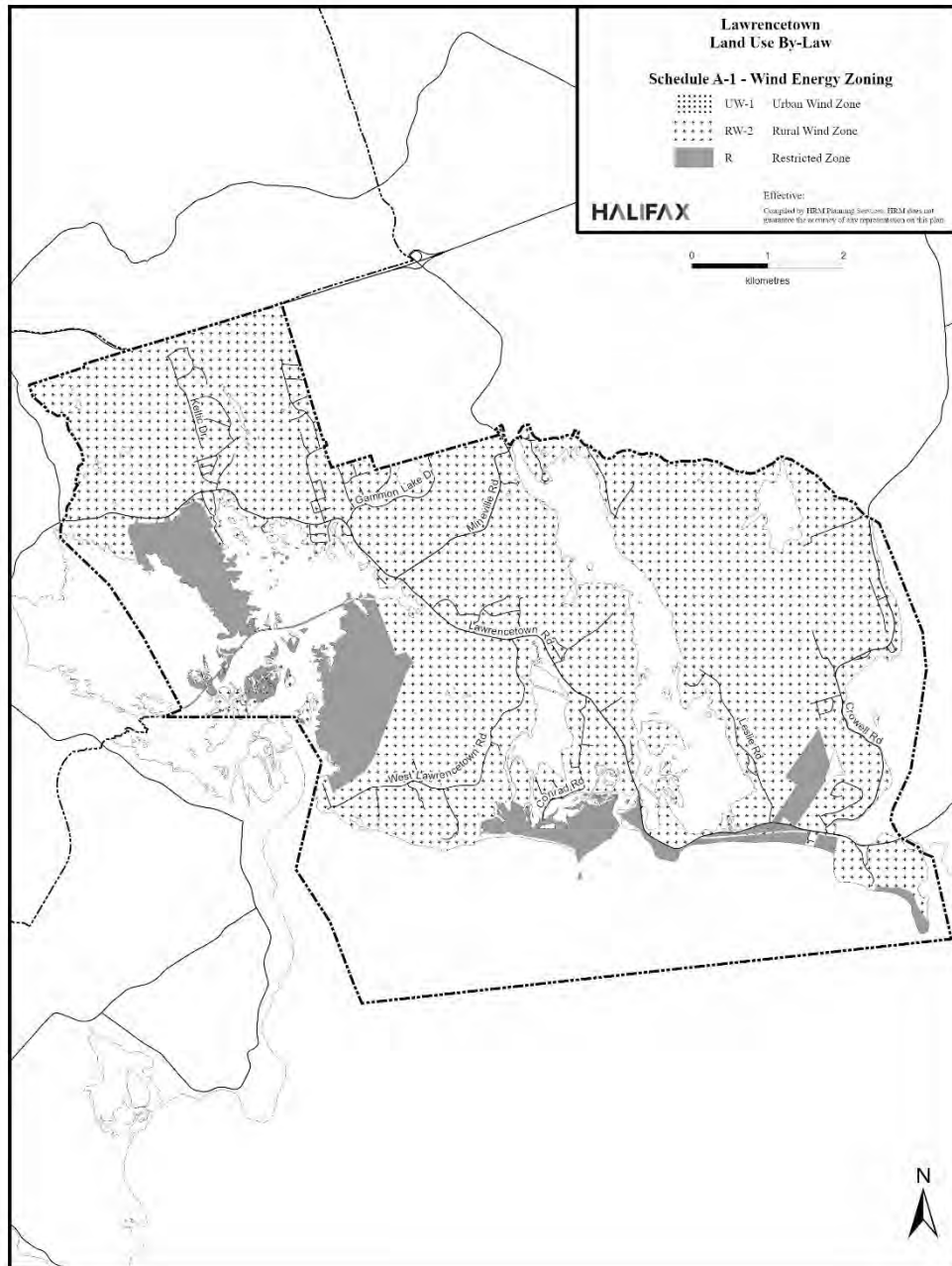
Ref.#	Case#	PID#s
1	Cases 22816 and 23245: Amendments to the Halifax MPS and Halifax Mainland LUB — Westerwald Street Study Area and Main Avenue and Titus Street, Halifax — Supplementary Report	PID #: 00198523, 00198531, 00198549, 00198564, 00198572, 00198580, 00198598, 00198606, 00198242, 00189795, 00189548, 00189761, 41260936, 00189571, 00189569, 00189597, 00189605, 00180489, 00180018, 00180026, 00180034
2	PLANAPP-2023-00484 (Case 24378): Main Avenue, Halifax	00180109, 00180091, 00180083, 40702185, 00180075, 00180067, 00180059, 00180042

Schedule C-16E – “ZM-1 Zoning” (North Section, Centre Section, South Section)”

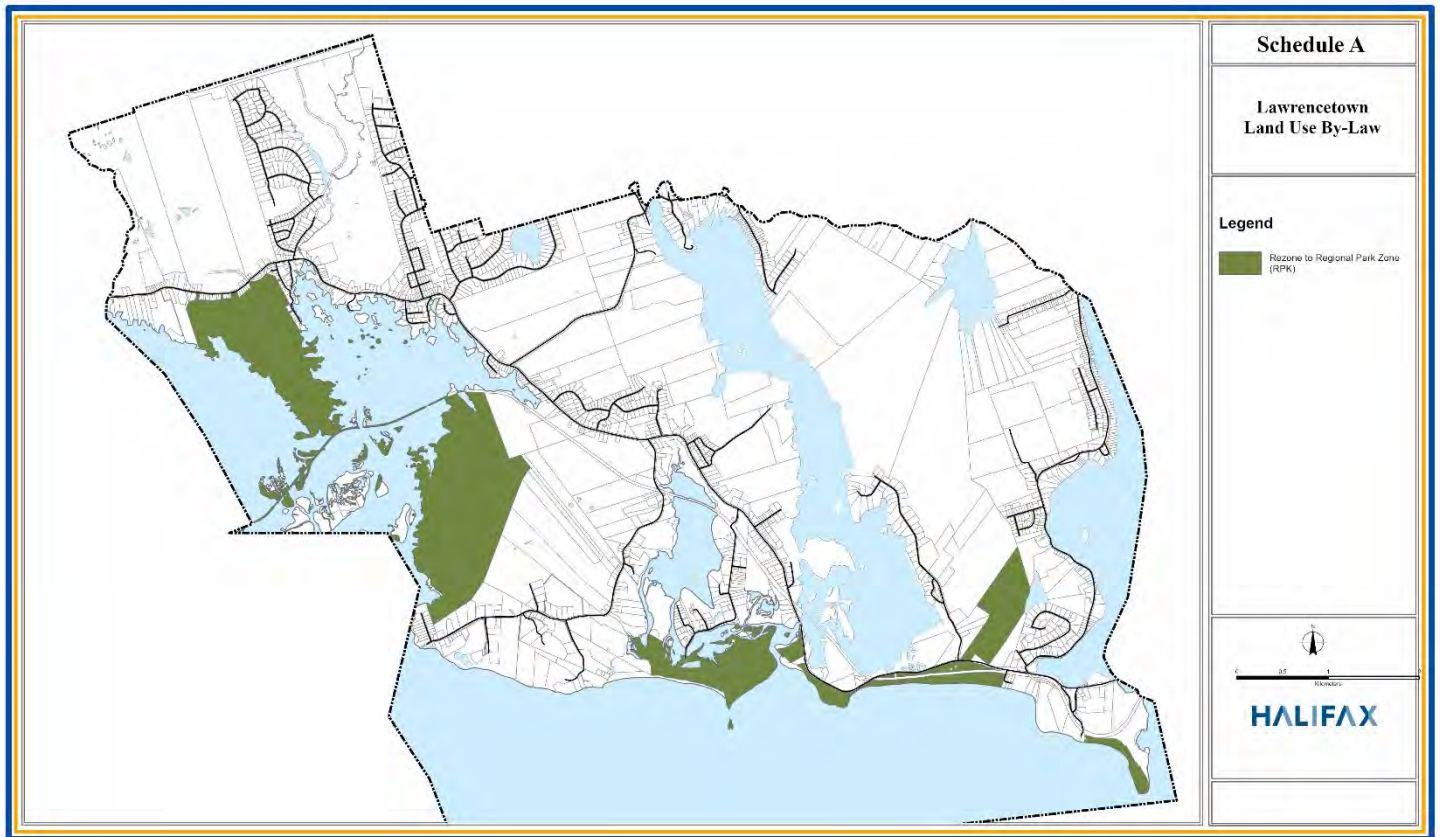


SCHEDULE C-18: LAWRENCETOWN LAND USE BY-LAW

Schedule C-18A – “Schedule A-1- Wind Energy Zoning”

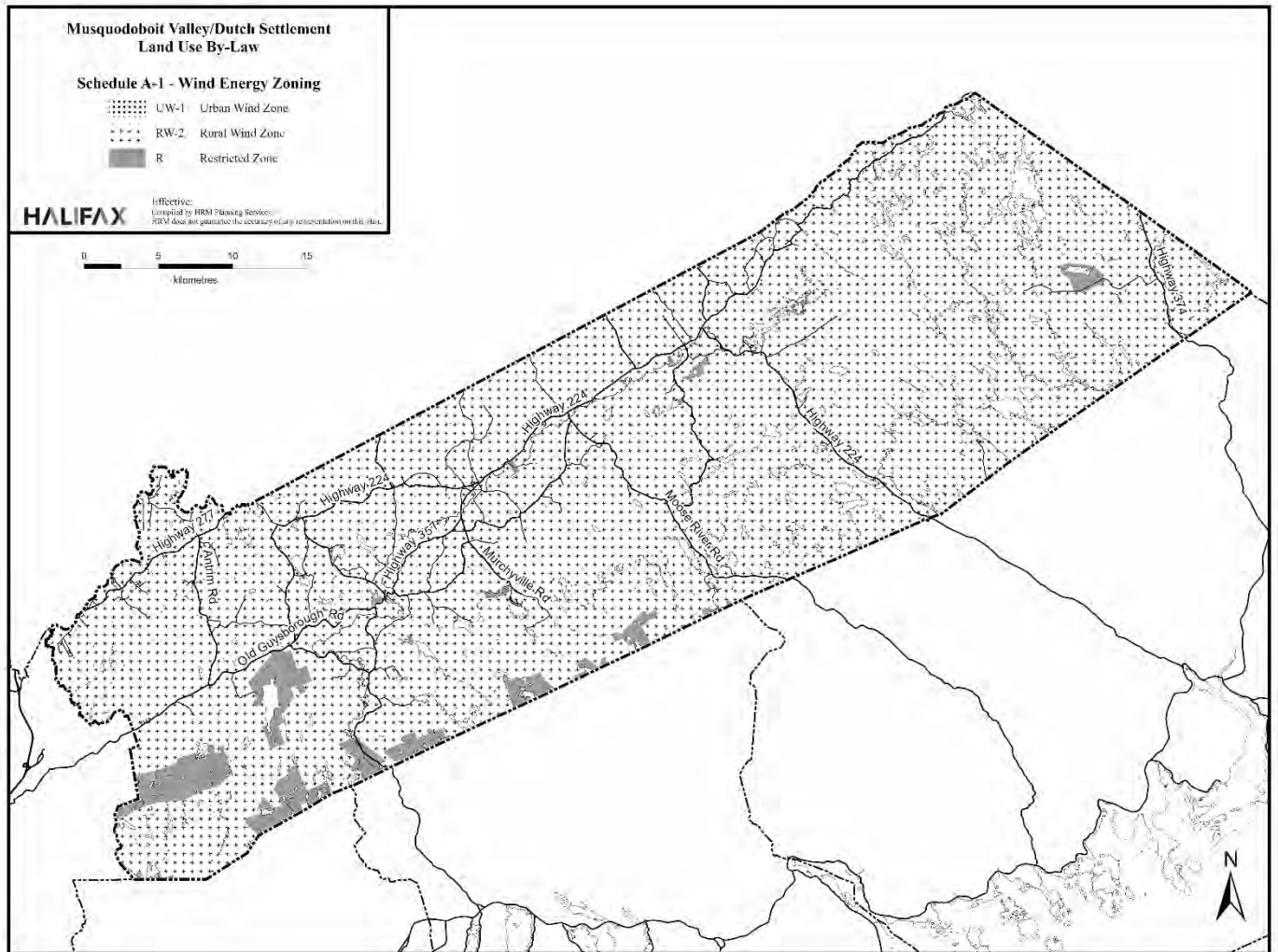


Schedule C-18B – “Schedule A: Lawrencetown Zoning Map”



SCHEDULE C-20: MUSQUODOBOIT VALLEY & DUTCH SETTLEMENT LAND USE BY-LAW

Schedule C-20A – “Schedule A-1- Wind Energy Zoning”



Schedule C-20B – “Schedule A: Zoning (“Schedule B- Dutch Settlement”, “Schedule C: Zoning Map for Middle Musquodoboit”, “Schedule D: Zoning Map for Musquodoboit” and “Schedule E: Zoning Map for Meaghers Grant”)



SCHEDULE C-22: NORTH PRESTON /LAKE MAJOR / LAKE LOON / CHERRY BROOK / EAST PRESTON AREA LAND USE BY-LAW

Schedule C-22A – “APPENDIX F: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix F and Schedule D the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables,

- fruits, herbs, sprouts, ornamental plants, and flowers;
- (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;
 - (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule D: Lands Subject to Interim Bonus Zoning Requirements.
3. Incentive or bonus zoning shall not be required for developments identified on Schedule D if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
 - (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor

#2, and then multiplying the product by Factor #3, where:

- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;**
 - (b) Factor #2 is 0.20; and**
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.**
- 8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.**
- (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.**
- (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.**
- (4) The cost of any appraisal shall be paid for by the applicant.**
- (5) The terms of reference for the appraisal shall be determined solely by the Municipality.**
- (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.**
- 9. The appraised market value for the purposes of the public benefit value is:**
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or**
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.**

Deadline to Complete Public Benefit

- 10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.**

Bonus Zoning Rate

- 11. The bonus zoning rate for the area identified on Schedule D is \$66/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.**

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conservation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

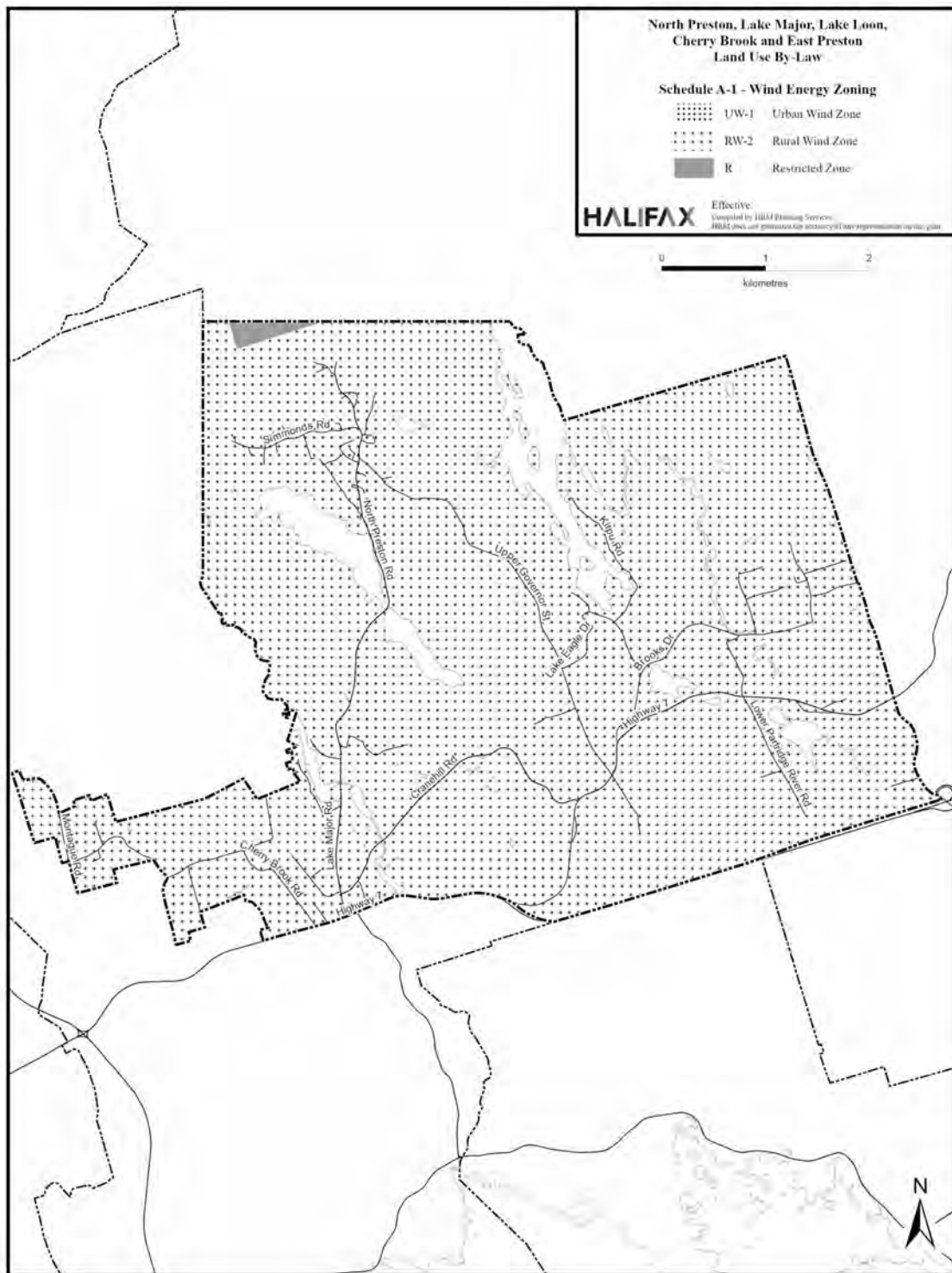
- 19. Where the required public benefit includes public art under Clause 16(h), the public art shall:**
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;**
 - (b) be designed by a professional artist; and**
 - (c) have a minimum cost of \$100,000.**
- 20. The following items shall not qualify as public art under Clause 16(h):**
- (a) interpretive, wayfinding, or other functional signage;**
 - (b) branding or promotional projects;**
 - (c) plaques and supporting infrastructure;**
 - (d) stock and mass-produced items;**
 - (e) memorials, where:**
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,**
 - (ii) the memorial has not been designed and created by a professional artist, or**
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or**
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.**

Incentive or Bonus Zoning Agreement

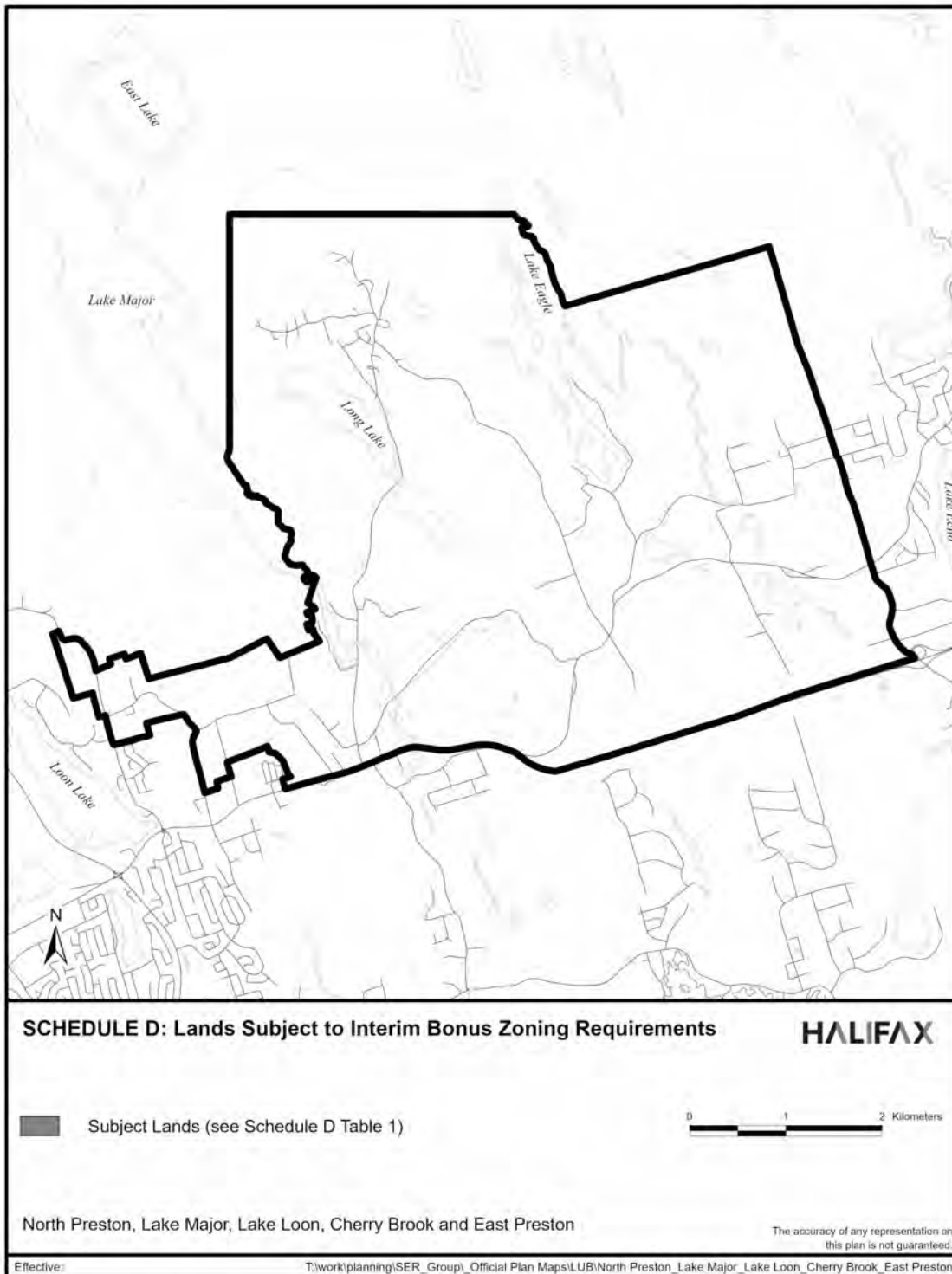
- 21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:**
- (a) the identification of the development site;**
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;**
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;**
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;**
 - (e) where required, provisions for the auditing and reporting of public benefits; and**
 - (f) any other terms or conditions the Development Officer requires.**

- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.**

Schedule C-22B – “Schedule A-1- Wind Energy Zoning”



Schedule C-22C – “Schedule D: Lands Subject to Interim Bonus Zoning Requirements”

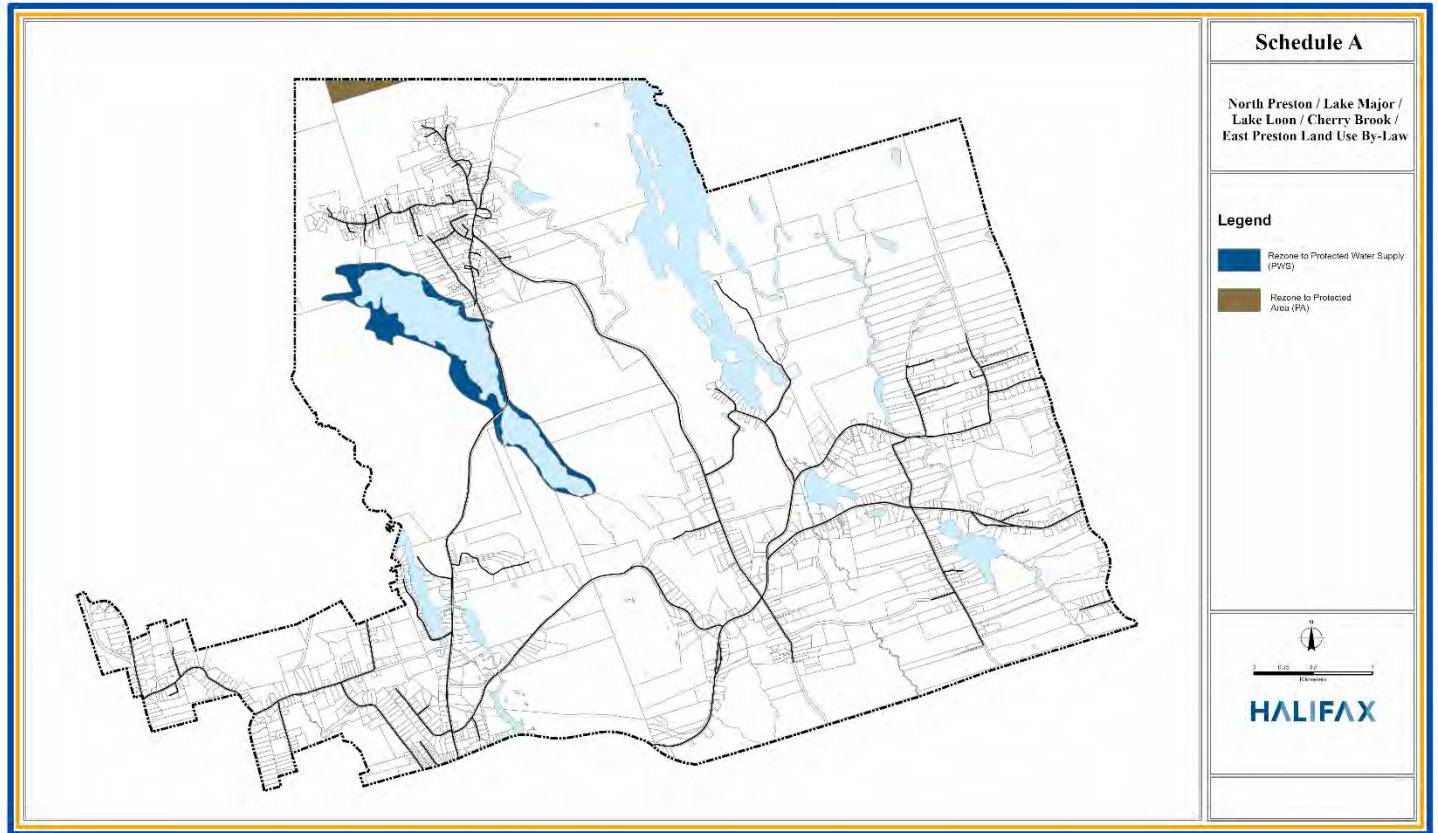


Schedule C-22D – “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements

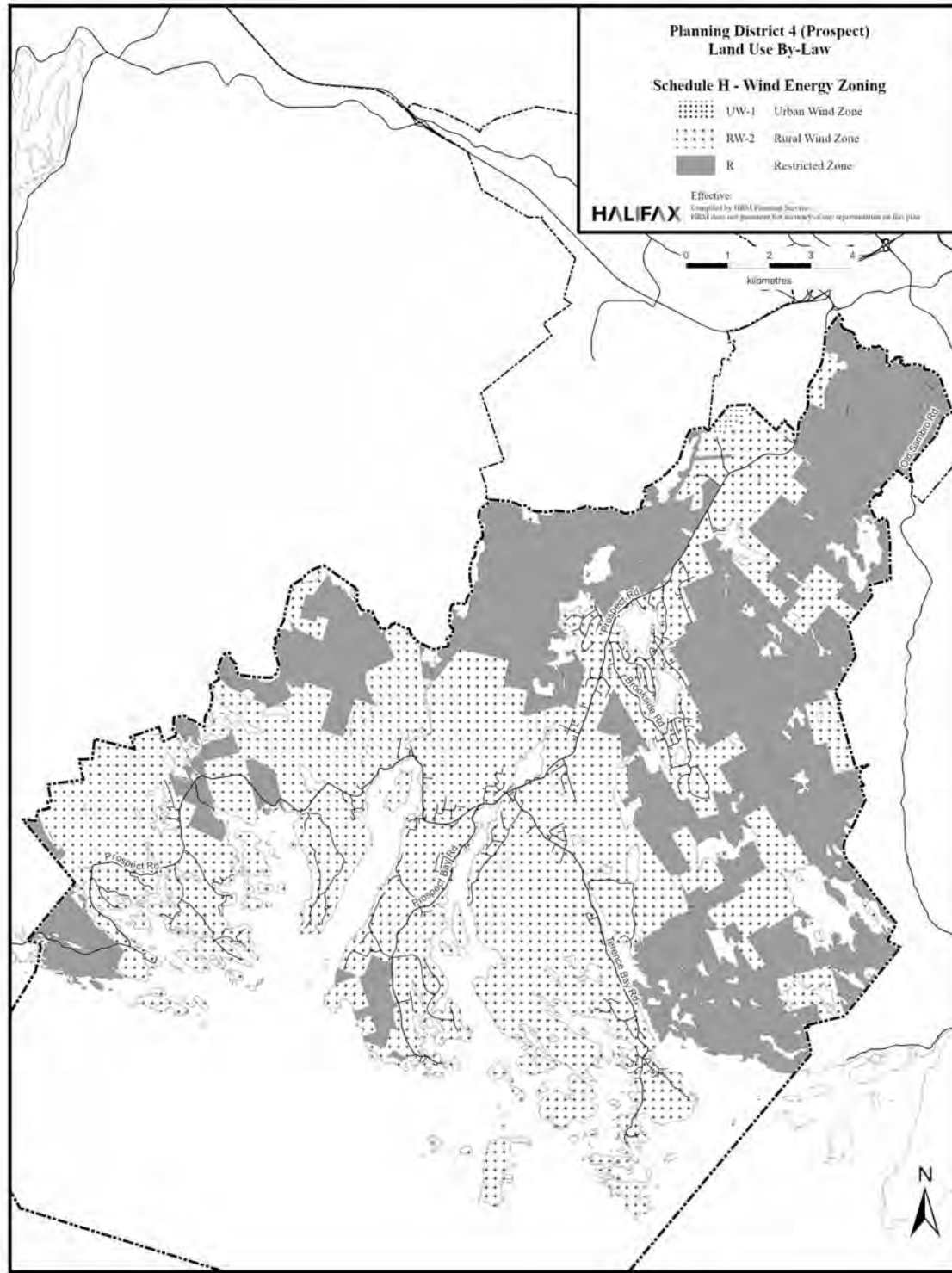
Ref. #	Case #	PIDs

Schedule C-22E – “Schedule A: North Preston, Cherry Brook, Lake Major, Lake Loon and East Preston Zoning Map”

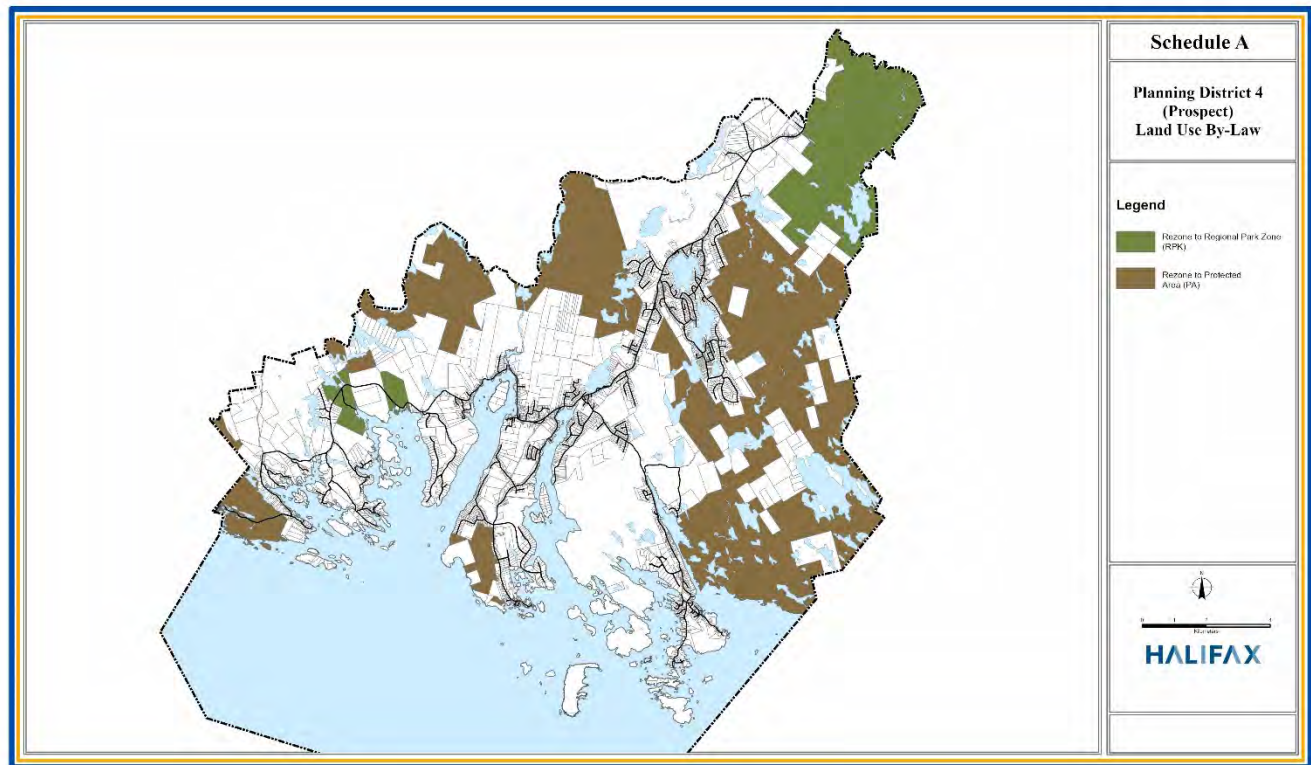


SCHEDULE C-24: PLANNING DISTRICT 4 (PROSPECT) LAND USE BY-LAW

Schedule C-24A – “Schedule H- Wind Energy Zoning”



Schedule C-24B – “Schedule A: Zoning Map”



SCHEDULE C-26: PLANNING DISTRICT 5 (CHEBUCTO PENINSULA)

Schedule C-26A – “APPENDIX D: Interim Bonus Zoning Requirements for Applications”

Definitions

1. For the purpose of Appendix D and Schedule G the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
 - (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

- or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule G: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule G if the Development Officer is satisfied that:
- (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality; (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square

- metres;
- (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
- (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule G is \$48/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made, the value of the public benefit shall be the increase in the bonus zoning rate from the expired permit to the new permit.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

(2) Money-in-lieu accepted for affordable housing shall be required to be used

within the Municipality for:

- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
- (b) the acquisition of buildings, housing units, or properties for affordable housing;
- (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
- (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
- (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:

- (a) additional money-in-lieu for affordable housing;
- (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
- (c) money-in-lieu for the conservation of a registered heritage building; or
- (d) the conservation of a building located within a heritage conservation district;
- (e) money-in-lieu for the acquisition or improvement of municipal parks;
- (f) money-in-lieu for affordable community or cultural indoor space;
- (g) money-in-lieu for public art; or
- (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.

18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conservation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

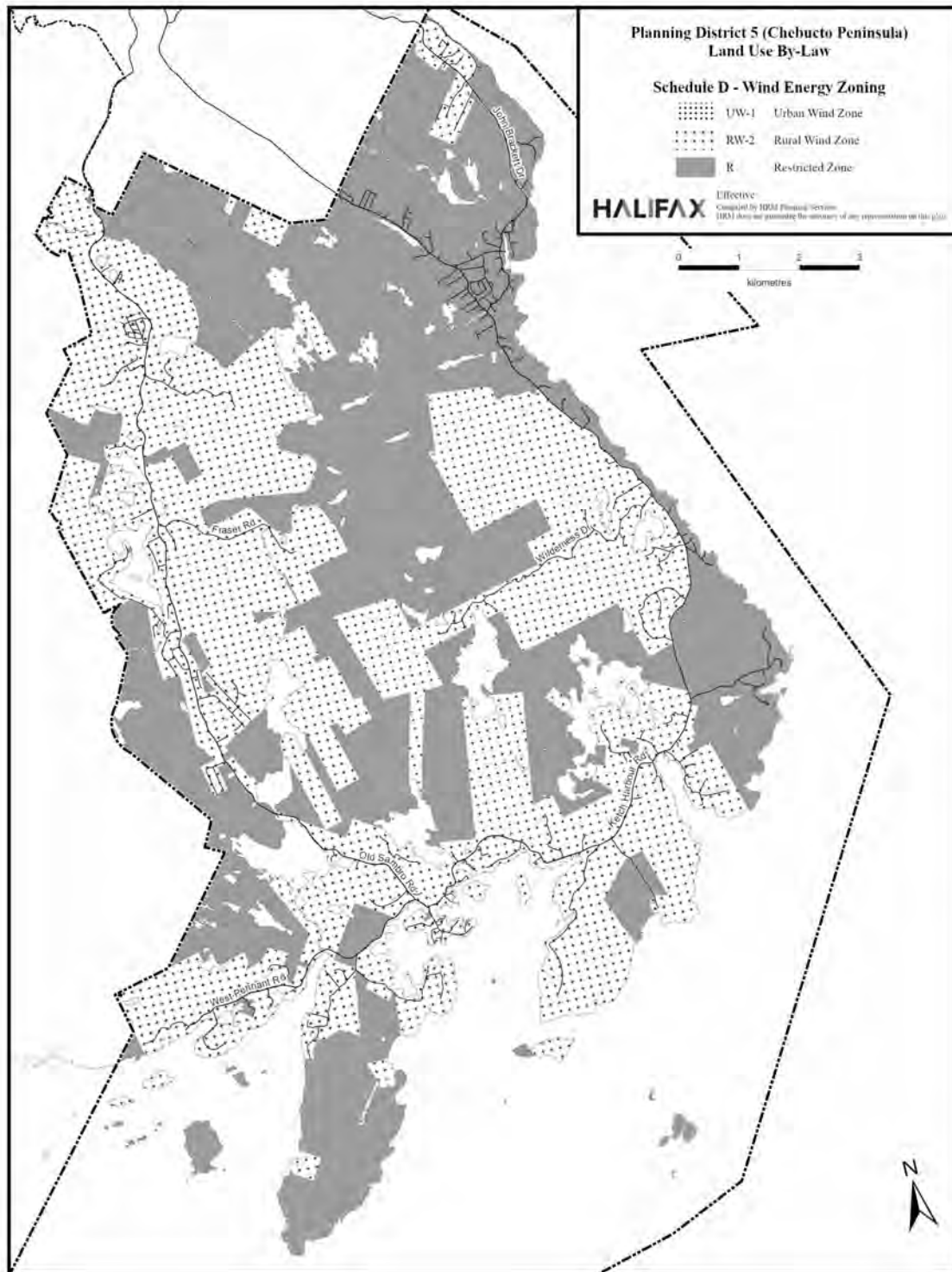
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits; and

- (f) any other terms or conditions the Development Officer requires.
- 22. An incentive or bonus zoning agreement shall be signed by the owner.
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

Schedule C-26B – “Schedule D- Wind Energy Zoning”



Schedule C-26C – “Schedule E- Areas Subject to Reduced Frontage Requirements”

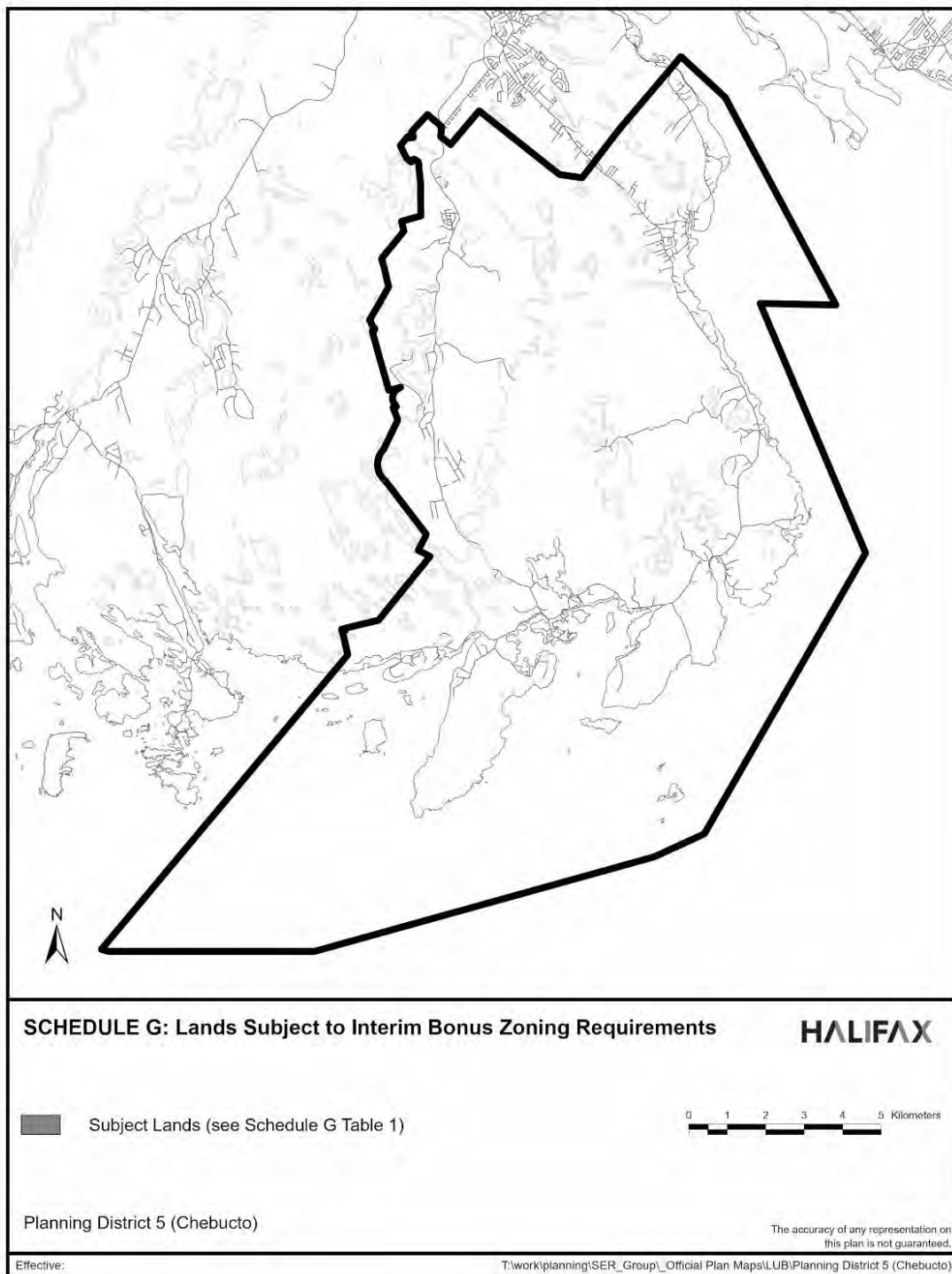


Schedule C-26D – “Schedule F: Shared Private Driveway Design Standards”

Where specifically required by LUB provisions, shared private driveways that provide vehicular access to four or more dwellings shall meet the following design standards.

1. All shared private driveways shall have a minimum clear width of 6 meters (19.7 feet) as follows:
 - (a) Travel lanes shall be a minimum of 3 meters (9.84 feet) for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with gravel or a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
2. All shared private driveways shall be constructed so as to prevent the accumulation of water and ice on any section of the driveway. Where the driveway grades are less than 0.5 percent, the shared private driveway shall be crowned in the center to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
3. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 6 meter (19.7 foot) driveway.
4. At least 4.26 meters (14 feet) nominal vertical clearance shall be provided and maintained over the full width of the shared private driveway.
5. Shared private driveways shall not have grades greater than 10 % with no change in grade over 8% in 15 meters (49.21 feet) of travel distance.
6. All cul-de-sacs shall be constructed with a minimum radius of 13 meters (42.65 feet) to the edge of asphalt and 15 meters (49.21 feet) to outside of shoulder.
7. All travel lane curves and turns at intersection, are to have a minimum 12 meter (39.37 feet) centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
8. The angle of approach and the angle of departure shall not exceed 8 degrees at any point on the driveway or its intersection with another driveway.
9. Sight distance shall be incorporated into the design of intersections.
10. If speed bumps are going to be constructed; acceptable warning signs shall be required.

Schedule C-26E – “Schedule G: Lands Subject to Interim Bonus Zoning Requirements”

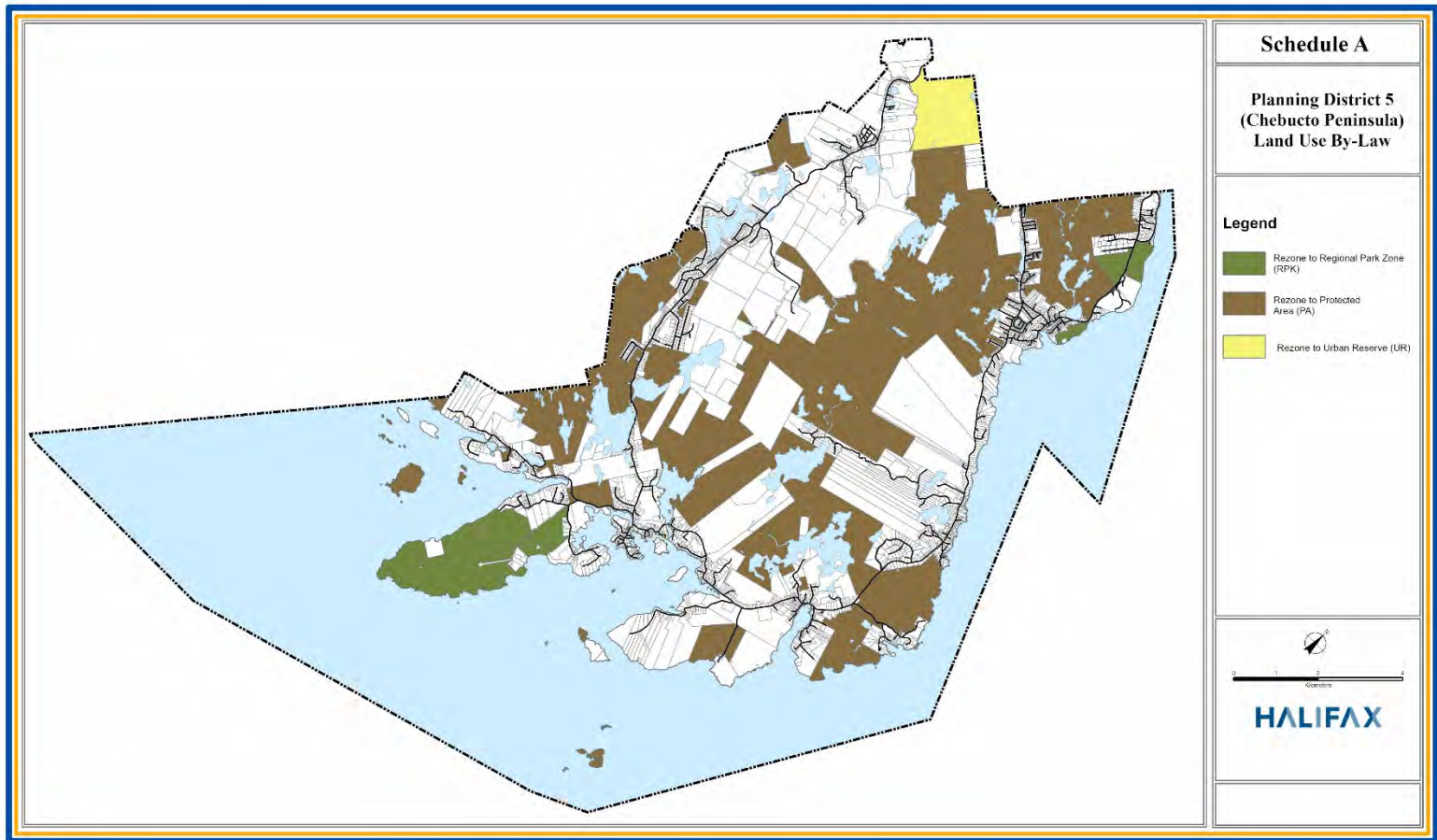


Schedule C-26F – “Schedule G, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

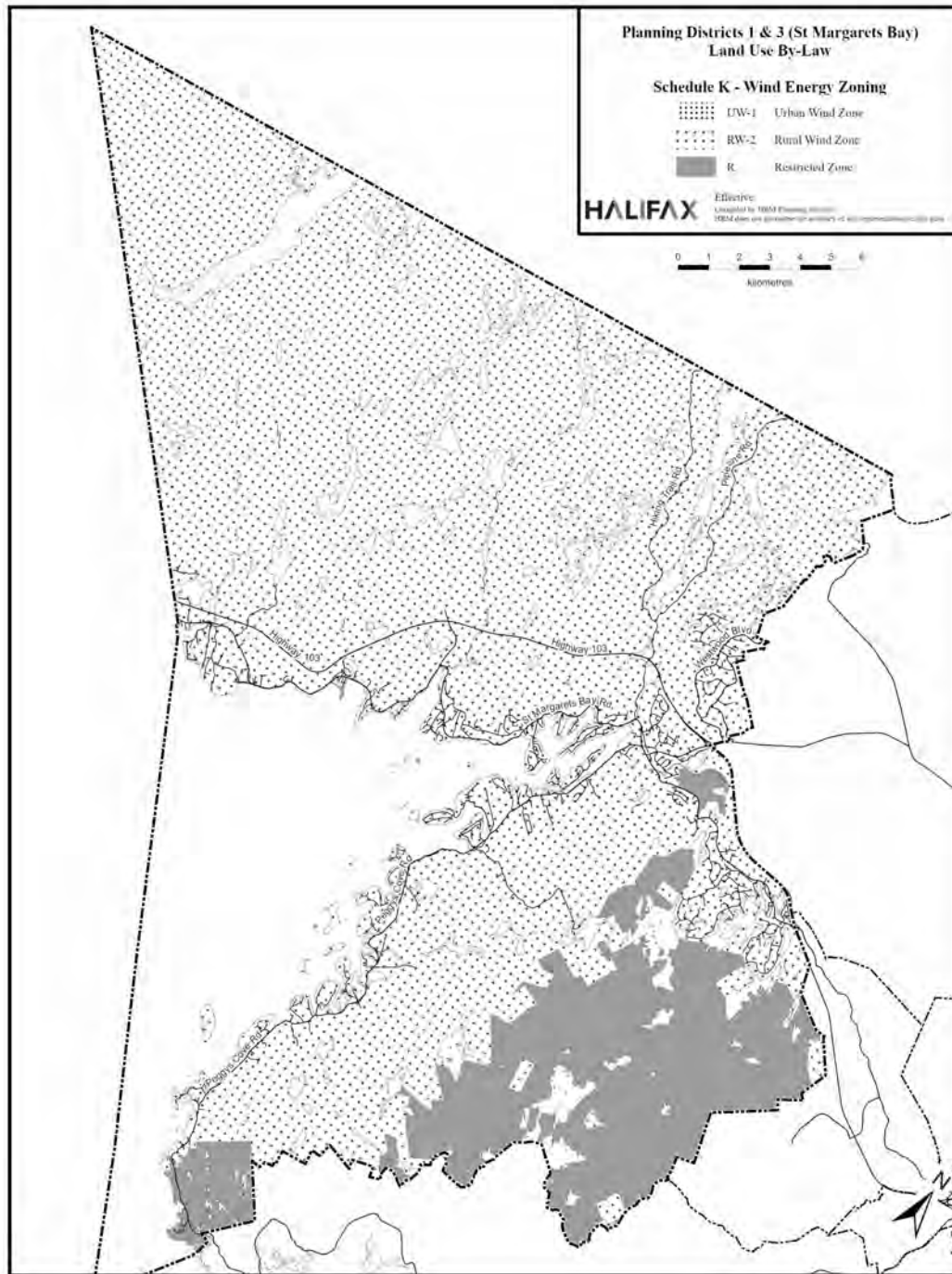
Schedule G, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs

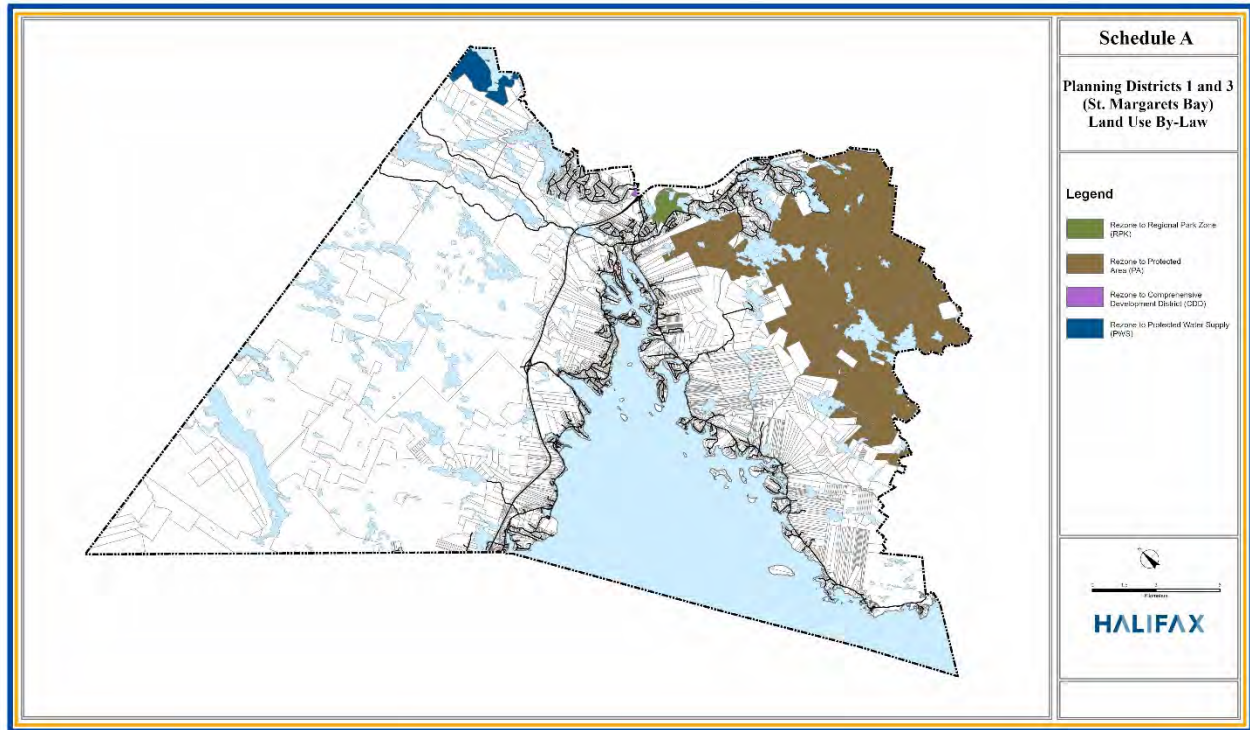
Schedule C-26G – “Schedule A: Chebucto Peninsula (Planning District 5) Zoning Map”



SCHEDULE C-28: PLANNING DISTRICTS 1 & 3 (ST. MARGARET'S BAY PLAN AREA) LAND USE BY-LAW Schedule
C-28A – “Schedule K- Wind Energy Zoning”

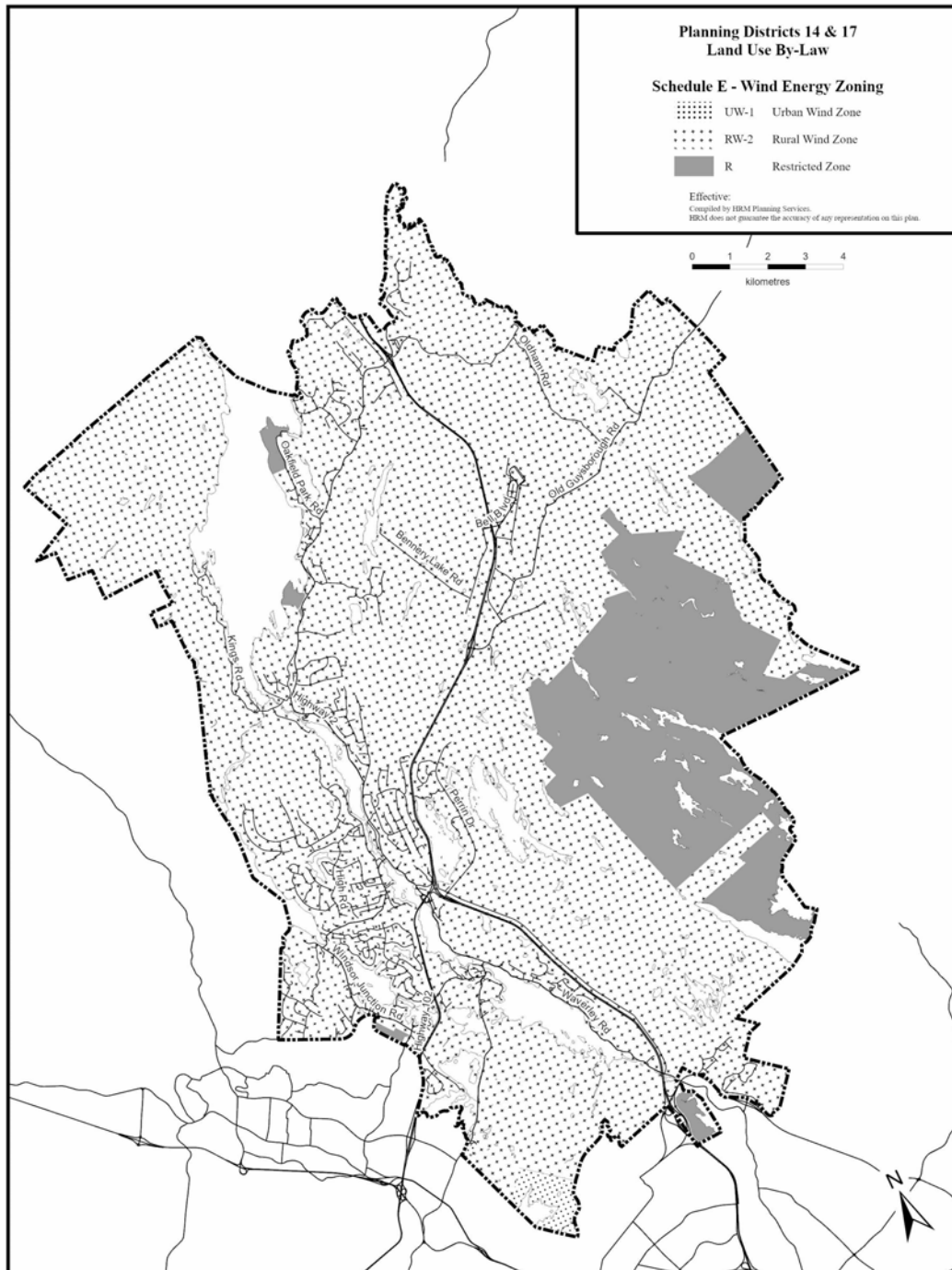


Schedule C-28B – “Schedule A- Zoning”

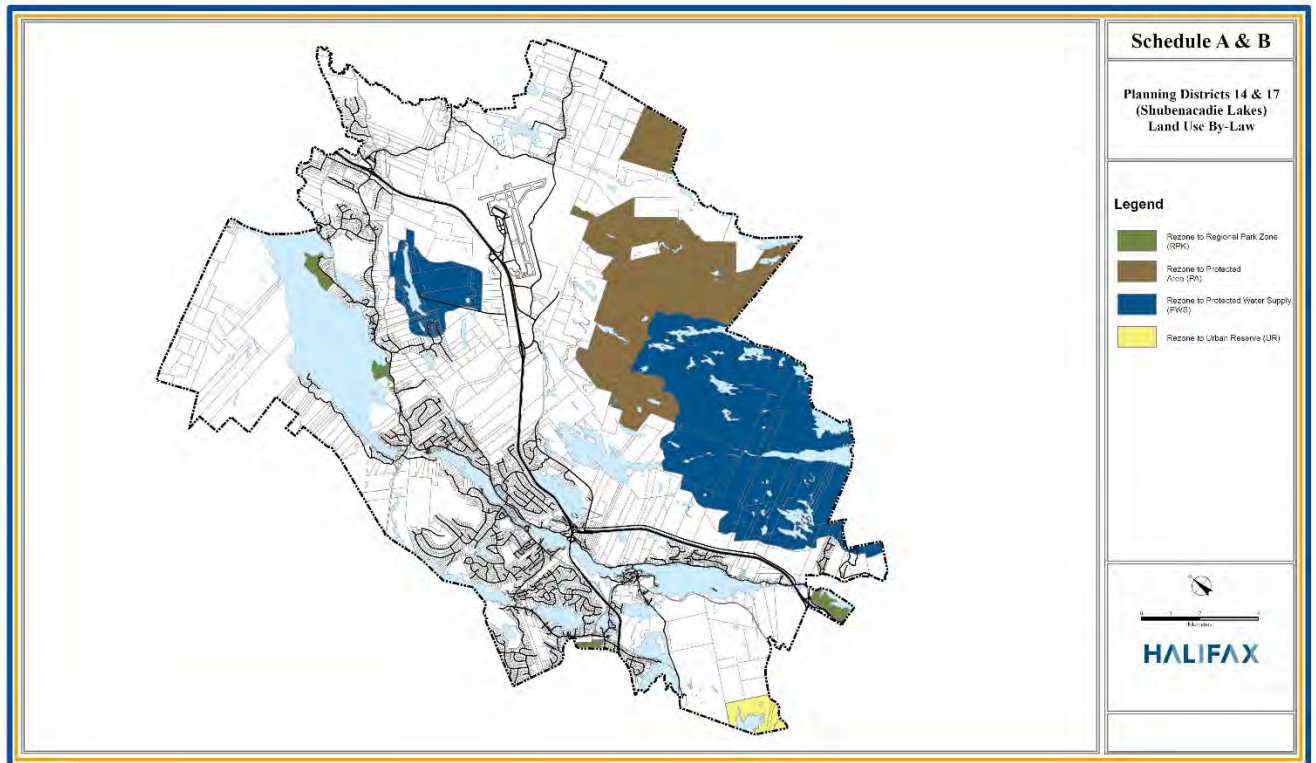


SCHEDULE C-30: PLANNING DISTRICTS 14 & 17 (SHUBENACADIE LAKES) LAND USE BY-LAW

Schedule C-30A – “SCHEDULE E- WIND ENERGY ZONING”

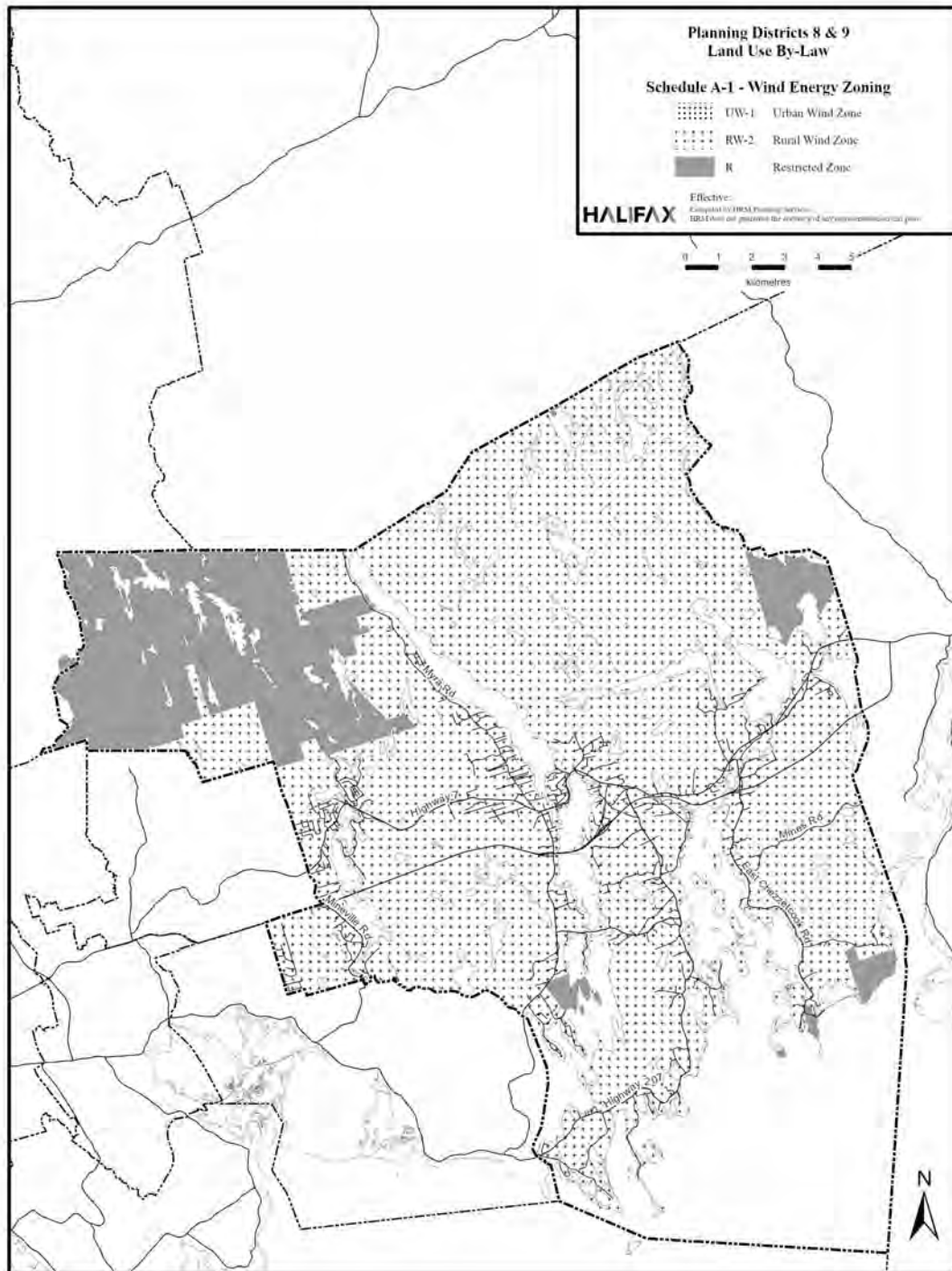


Schedule C-30B – “Zoning Schedule A and B”

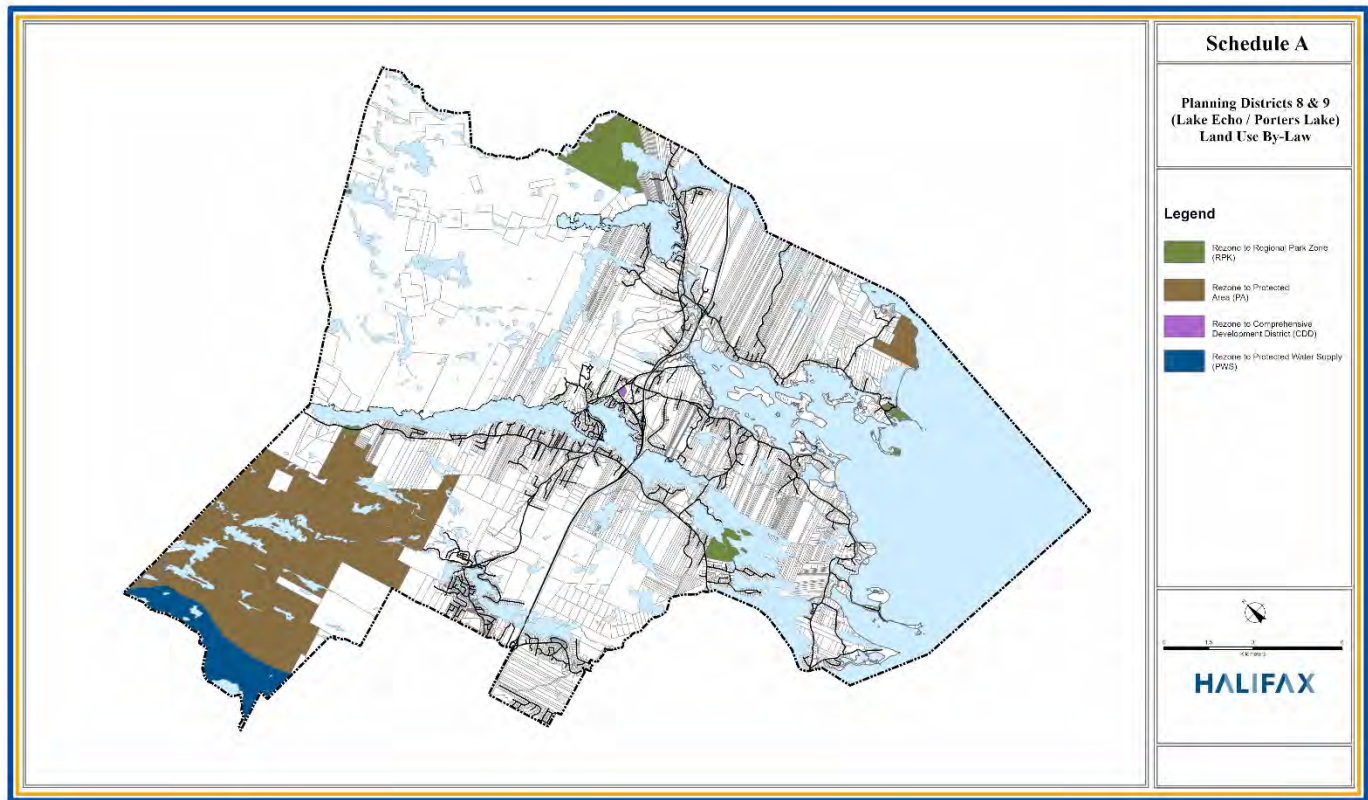


SCHEDULE C-32: PLANNING DISTRICTS 8 & 9 (LAKE ECHO / PORTERS LAKE) LAND USE-BY-LAW

Schedule C-32A – “Schedule A-1- Wind Energy Zoning”



Schedule C-32B – “Schedule A: Planning Districts 8 & 9”



SCHEDULE C-34: SACKVILLE DRIVE LAND USE BY-LAW

Schedule C-34A – “APPENDIX D: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix D and Schedule F the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
 - (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

- or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule F: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule F if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6.
 - (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
 - (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
 - (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and

- (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
- (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule F is \$162/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April

1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

- (a) using the formula:
 $(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$
- (b) where:
 - (i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and
 - (ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.
14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.
- (2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage

conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

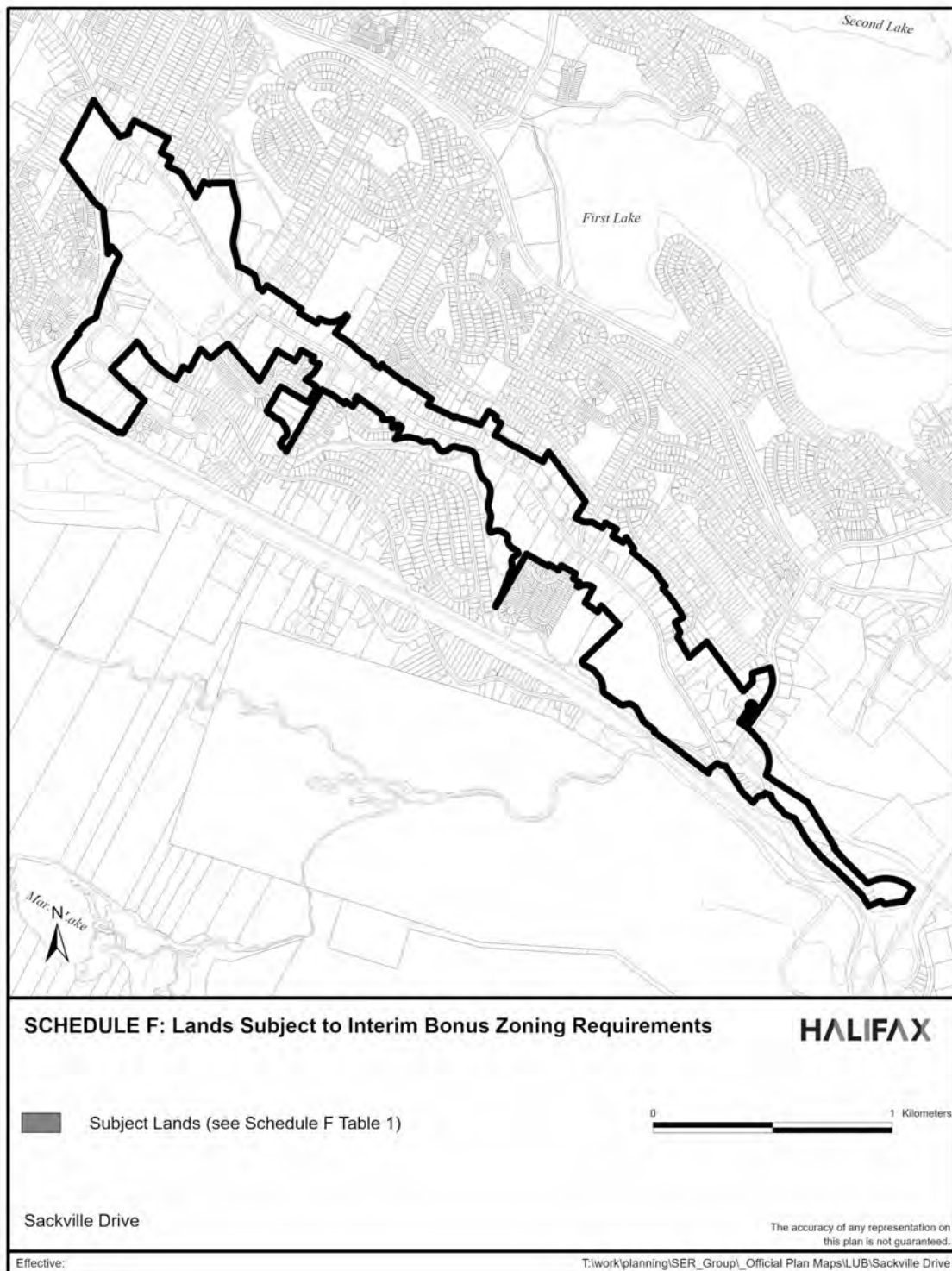
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the

- public benefit is accepted;**
 - (e) where required, provisions for the auditing and reporting of public benefits; and**
 - (f) any other terms or conditions the Development Officer requires.**
- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.**

Schedule C-34B – “SCHEDULE F: Lands Subject to Interim Bonus Zoning Requirements”



Schedule C-34C – “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs

SCHEDULE C-36: SACKVILLE LAND USE BY-LAW

Schedule C-36A – “APPENDIX ‘C’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix C and Schedule D the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;

- (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
- (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
- (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
- (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
- (m) **PREMISES** means a structure or portions of a structure occupied by a use;
- (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
- (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
- (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
- (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
- (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25

but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule F: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule F if the Development Officer is satisfied that:
 - (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6.
 - (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
 - (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:

- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
 - (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
- (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule F is \$135/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

- (2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

- (a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

- (b) where:

- (i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and
- (ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.
- (2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of

money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval

of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

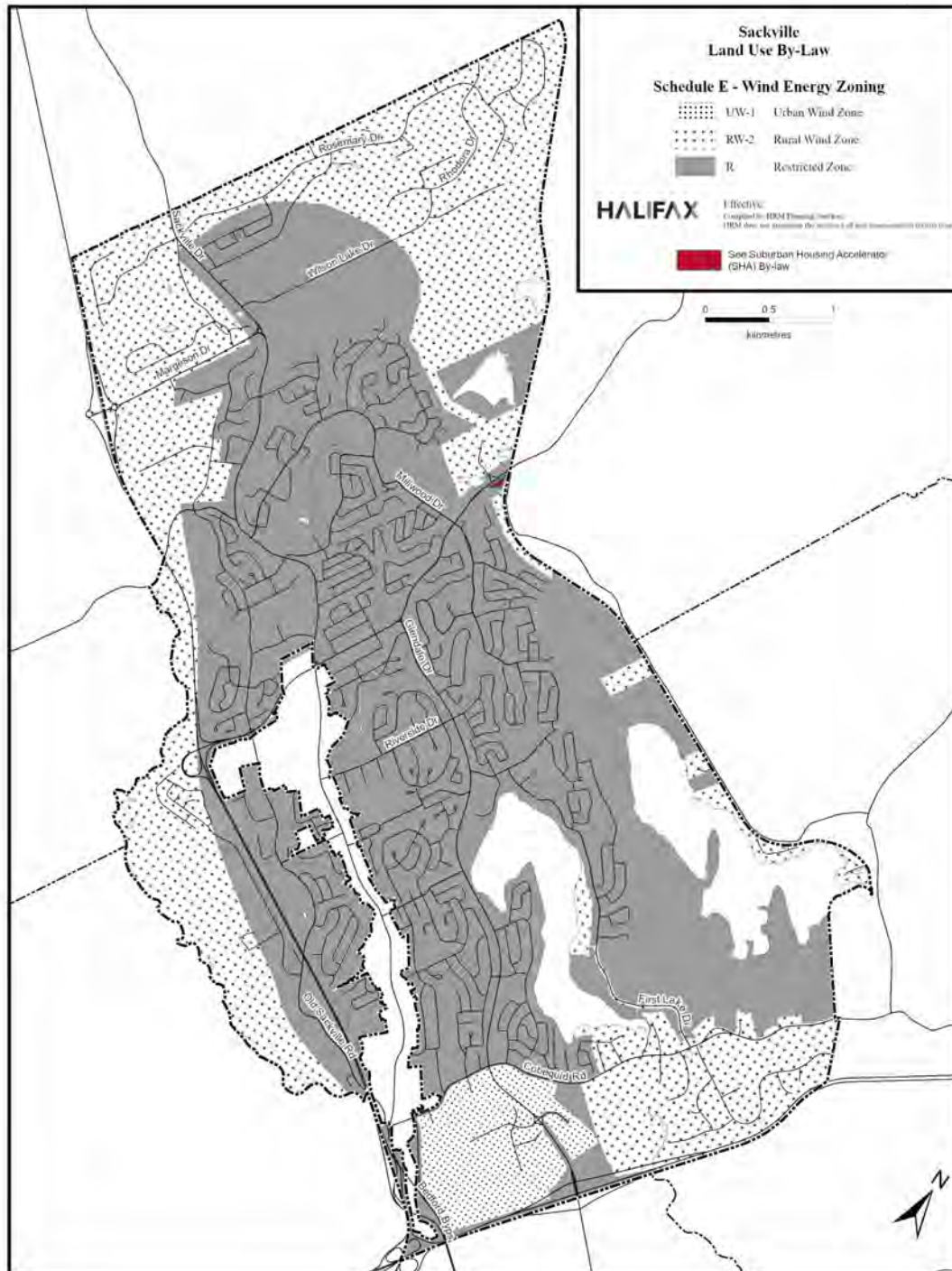
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

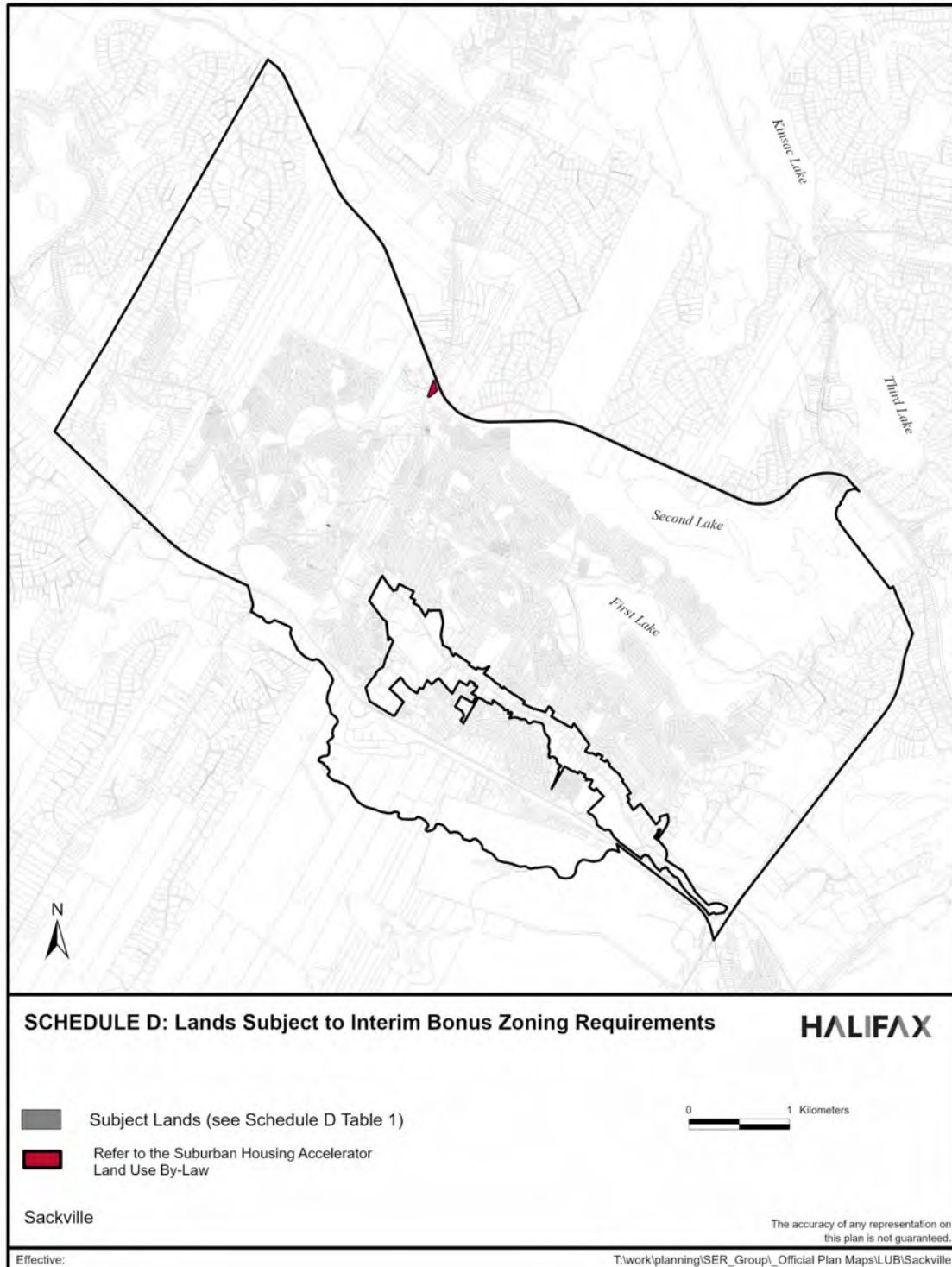
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;

- (d) the identification of any conditions required by the Municipality before the public benefit is accepted;
 - (e) where required, provisions for the auditing and reporting of public benefits; and
 - (f) any other terms or conditions the Development Officer requires.
- 22. An incentive or bonus zoning agreement shall be signed by the owner.
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

Schedule C-36B – “Schedule E: Wind Energy Zoning”



Schedule C-36C – “Schedule F: Lands Subject to Interim Bonus Zoning Requirements”

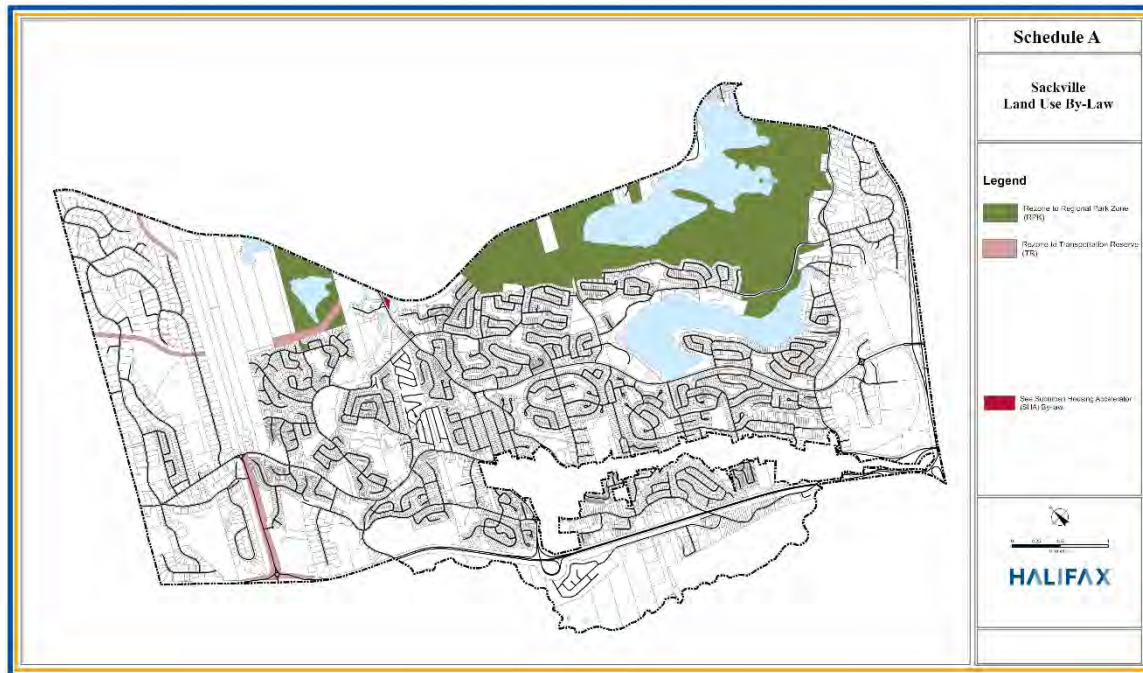


Schedule C-36D – “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs
SS110	2023-01065 (HAF)	40109183

Schedule C-36E – “Schedule A – Sackville Zoning Map”



SCHEDULE C-38: TIMBERLEA / LAKESIDE / BEECHVILLE LAND USE BY-LAW

Schedule C-38A – “APPENDIX ‘E’: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications”

Definitions

1. For the purpose of Appendix E and Schedule F the following definitions shall apply:
 - (a) **ACCESSORY STRUCTURE** means a structure that is:
 - (i) subordinate, incidental, and devoted to a main use or structure, and
 - (ii) not attached to any main building;
 - (b) **AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE** means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;
 - (c) **APPLICANT** means any person, including an owner, applying for a development permit, or development agreement;
 - (d) **APPRAISER** means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.
 - (e) **BUILDING** means every continuous enclosed area with exterior walls on a lot that:
 - (i) is built, erected, and framed of a combination of materials,
 - (ii) is either portable or fixed,
 - (iii) has a roof,
 - (iv) forms a structure for the shelter of persons, animals, or property, and
 - (v) is located, in whole or in part, above or below grade;
 - (ea) **CERTIFICATE OF OCCUPANCY** means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and the *Nova Scotia Building Code Act*;
 - (f) **FLOOR AREA** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
 - (i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,
 - (ii) any floor area below a ground floor of a building or parking structure,
 - (iii) elevator shafts,
 - (iv) accessory structures,
 - (v) rooftop greenhouses,
 - (vi) any space open to a floor below, and
 - (vii) pedways;
 - (g) **GREENHOUSE** means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
 - (h) **INCENTIVE OR BONUS ZONING** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

- or undertakes other action, in the public interest, as specified in the requirements;
- (i) **INCENTIVE OR BONUS ZONING AGREEMENT** means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;
 - (j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**
 - (i) a society incorporated pursuant to the Societies Act, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,
 - (iii) a non-profit association to which the Co-operative Associations Act applies,
 - (iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or
 - (v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;
 - (k) **PARKING STRUCTURE** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;
 - (l) **PEDWAY** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;
 - (m) **PREMISES** means a structure or portions of a structure occupied by a use;
 - (n) **PROFESSIONAL ARTIST** means an artist who:
 - (i) has proven, specialized training in an artistic field,
 - (ii) is recognized as a professional by their peers who are working in the same artistic tradition, and
 - (iii) has a history of public presentation or publication;
 - (o) **PUBLIC ART** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;
 - (p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;
 - (q) **REGISTERED HERITAGE BUILDING** means a building on a registered heritage property that:
 - (i) has been registered pursuant to the *Heritage Property Act*, and
 - (ii) contributes to the character-defining elements on the registered heritage property; and
 - (r) **REGISTERED HERITAGE PROPERTY** means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

Requirement to Provide a Public Benefit for Bonus Zoning

2. In accordance with the Regional Municipal Planning Strategy Policies H-19 to H-25 but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule F: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule F if the Development Officer is satisfied that:
- (a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
 - (b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
 - (c) a minimum of 60% of the development is for housing; and
 - (d) the property that is the subject of the application is solely owned by one or a combination of the following:
 - (i) the applicant,
 - (ii) the Municipality,
 - (iii) the Provincial Government,
 - (iv) the Federal Government, or
 - (v) an agent of the Provincial or Federal Government.
4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.
5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.
- 5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement.

Public Benefit Value

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.
- (2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.
7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:
- (a) Factor #1 is the new floor area in square metres that exceeds 2,000 square

- metres;
- (b) Factor #2 is 0.20; and
 - (c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.
- 8.
- (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
 - (2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
 - (3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
 - (4) The cost of any appraisal shall be paid for by the applicant.
 - (5) The terms of reference for the appraisal shall be determined solely by the Municipality.
 - (6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.
9. The appraised market value for the purposes of the public benefit value is:
- (a) where there is one appraisal, the monetary value of the land from that appraisal; or
 - (b) where there are two appraisals, the average monetary values of the land from the two appraisals.

Deadline to Complete Public Benefit

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement.

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule F is \$48/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:

$(A/B \times 100) \text{ minus } 100 = \text{percentage change in CPI}$

(b) where:

(i) “A” is the previous year’s Halifax All-Items Consumer Price Index, and

(ii) “B” is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

- (2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:
- (a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
 - (b) the acquisition of buildings, housing units, or properties for affordable housing;
 - (c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
 - (d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
 - (e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:
- (a) additional money-in-lieu for affordable housing;
 - (b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
 - (c) money-in-lieu for the conservation of a registered heritage building; or
 - (d) the conservation of a building located within a heritage conservation district;
 - (e) money-in-lieu for the acquisition or improvement of municipal parks;
 - (f) money-in-lieu for affordable community or cultural indoor space;
 - (g) money-in-lieu for public art; or
 - (h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:
- (a) a registered heritage building that is on the site of the development; or
 - (b) a building within a heritage conservation district that is on the site of the development.
- (2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.
18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage

conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

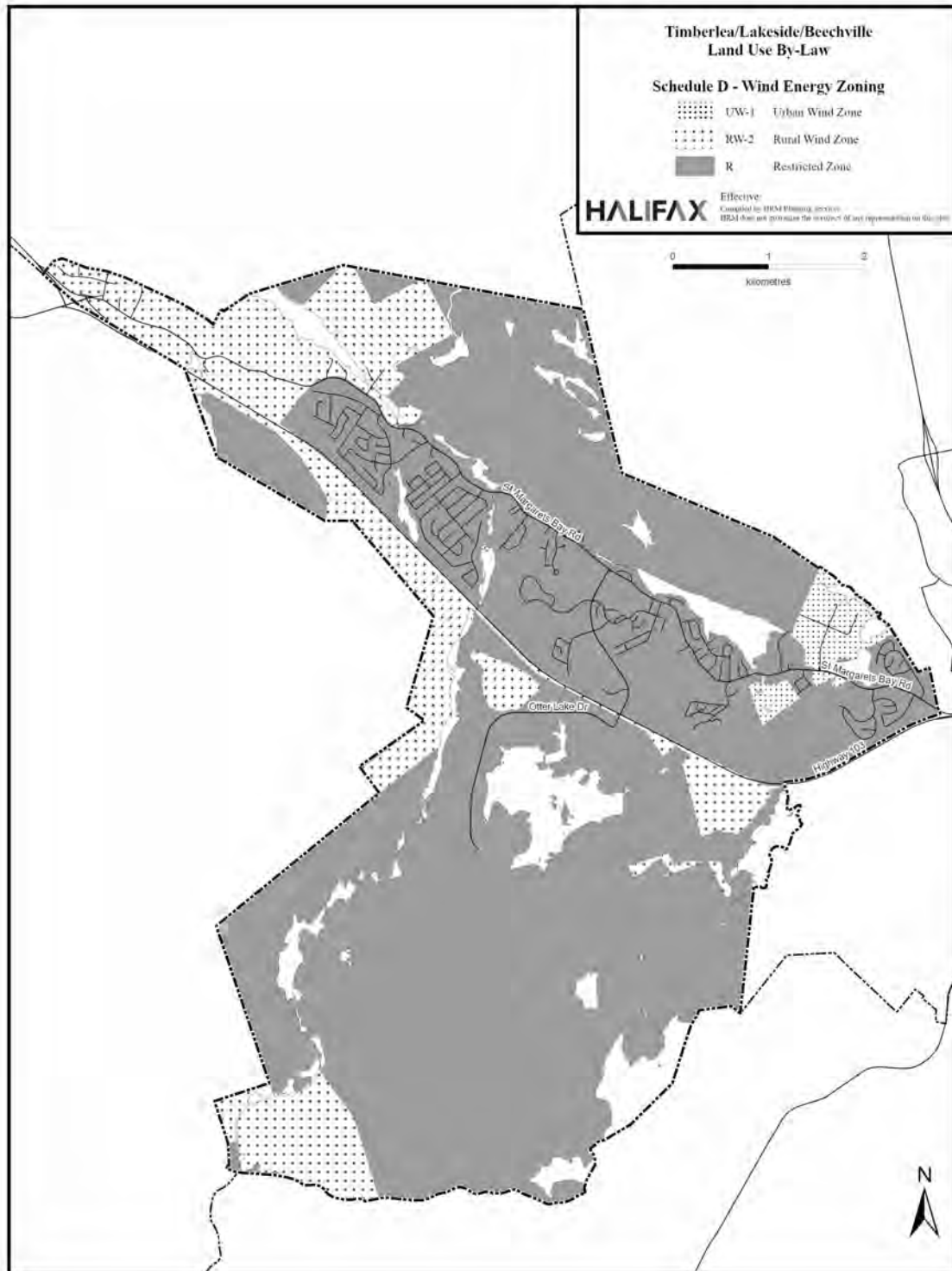
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. The following items shall not qualify as public art under Clause 16(h):
- (a) interpretive, wayfinding, or other functional signage;
 - (b) branding or promotional projects;
 - (c) plaques and supporting infrastructure;
 - (d) stock and mass-produced items;
 - (e) memorials, where:
 - (i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
 - (ii) the memorial has not been designed and created by a professional artist, or
 - (iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
 - (f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

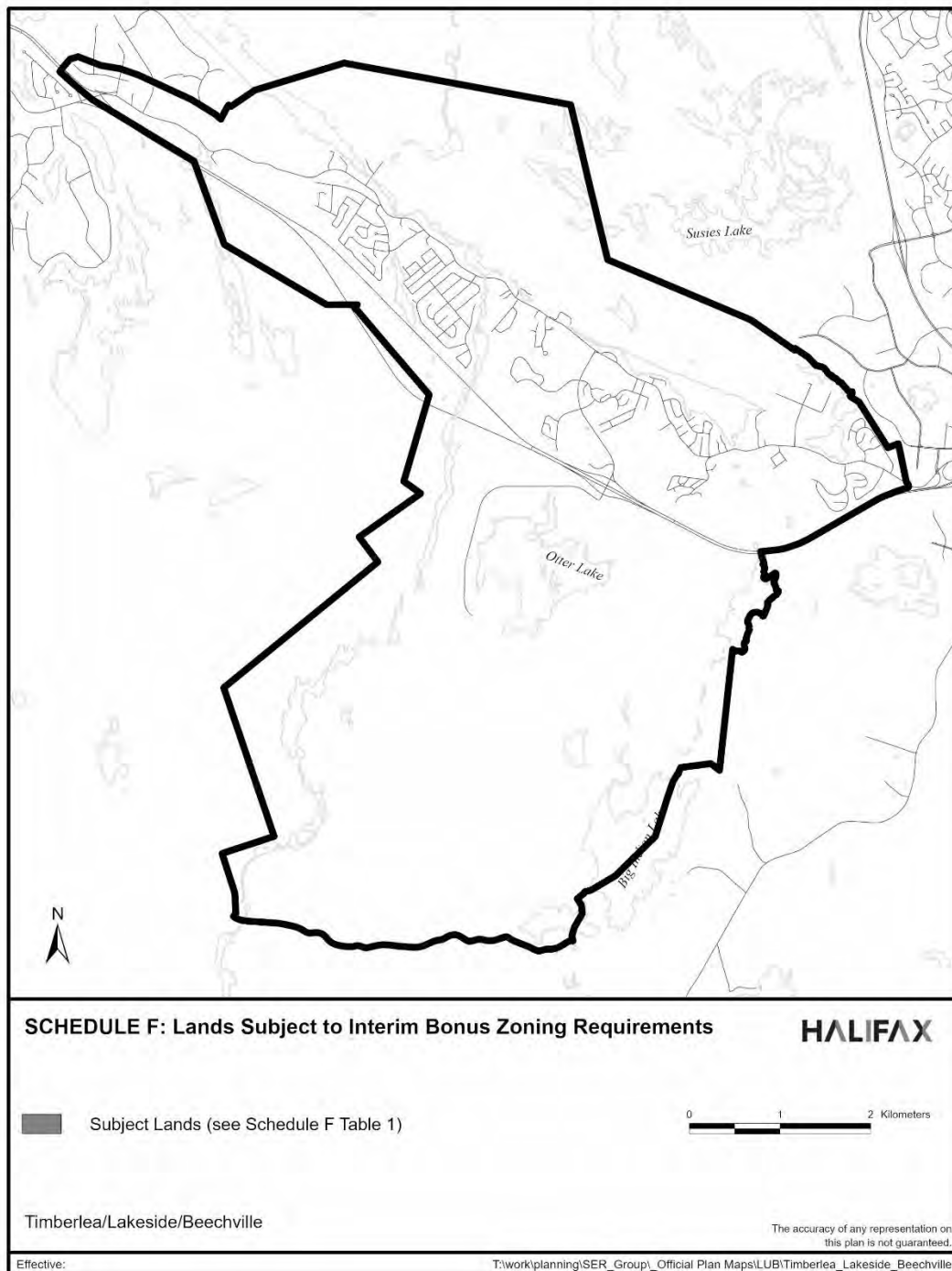
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
 - (d) the identification of any conditions required by the Municipality before the

- public benefit is accepted;**
 - (e) where required, provisions for the auditing and reporting of public benefits; and**
 - (f) any other terms or conditions the Development Officer requires.**
- 22. An incentive or bonus zoning agreement shall be signed by the owner.**
- 23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:**
 - (a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;**
 - (b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and**
 - (c) sign the discharge, including a discharge agreement, on behalf of the Municipality.**
- 24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.**
- 25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.**

Schedule C-38B – Schedule D- Wind Energy Zoning”



Schedule C-38C – “Schedule F: Lands Subject to Interim Bonus Zoning Requirements”

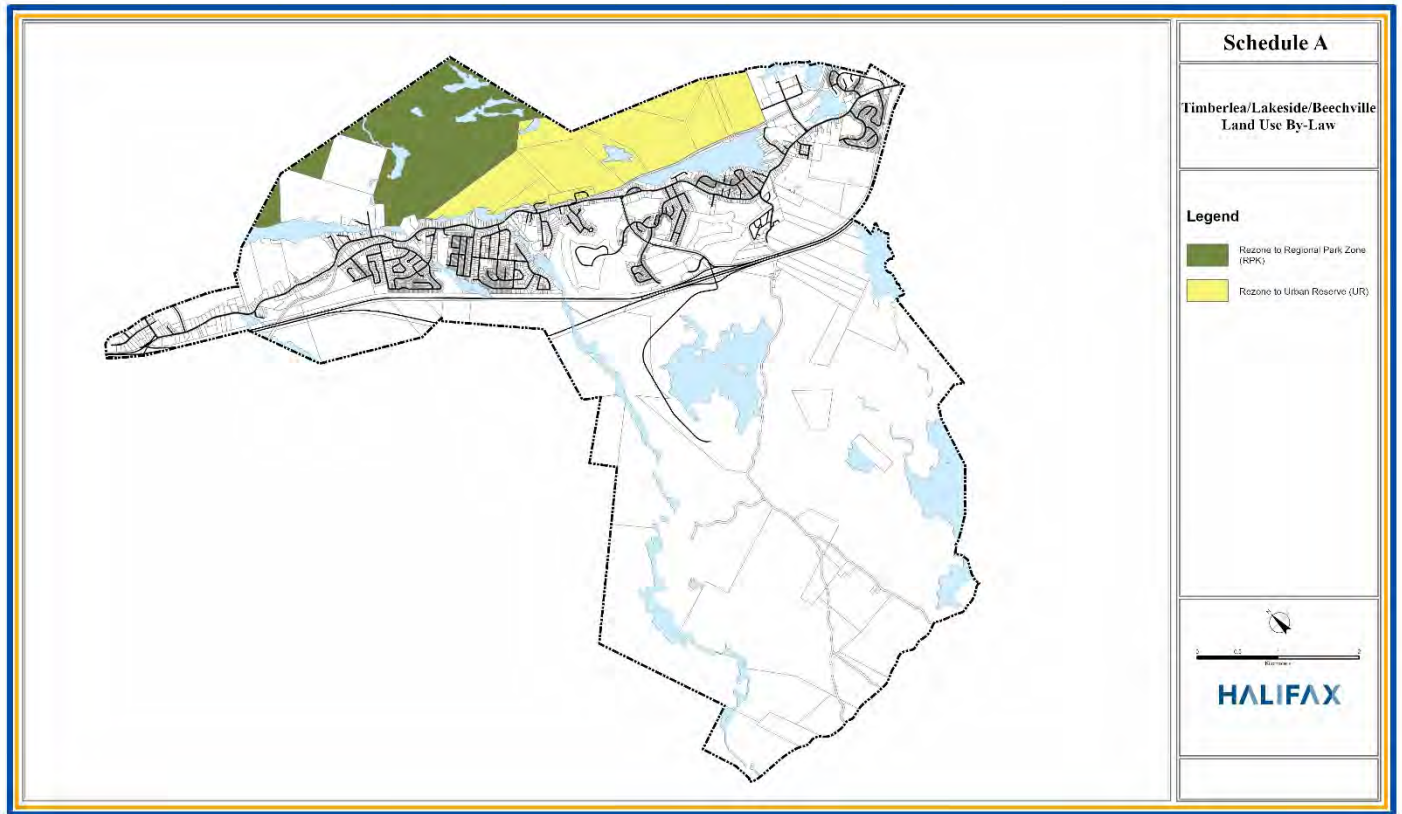


Schedule C-38D– “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements

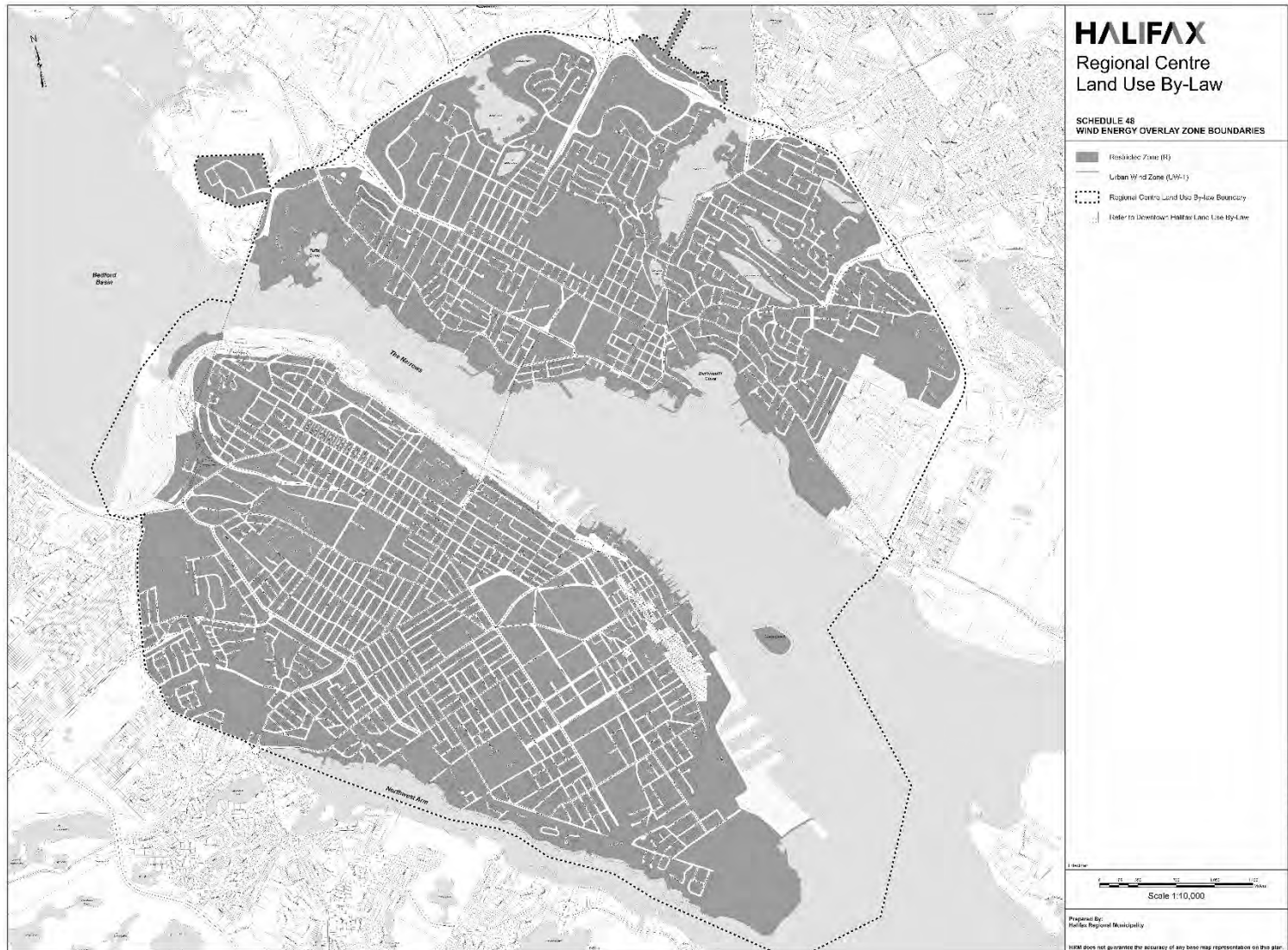
Ref. #	Case #	PIDs

Schedule C-38E – “Schedule A – Timberlea / Lakeside / Beechville Zoning Map”



SCHEDULE C-40: REGIONAL CENTRE LAND USE BY-LAW

Schedule C-40A – “Schedule 48- WIND ENERGY OVERLAY ZONE BOUNDARIES”



**ATTACHMENT D - PROPOSED AMENDMENTS TO SECONDARY MUNICIPAL PLANNING
STRATEGIES**

Table of Contents

Attachment D-1.....	4
Proposed Amendments to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville.....	4
Attachment D-2.....	6
Proposed Amendments to the Municipal Planning Strategy for Bedford	6
Attachment D-3.....	12
Proposed Amendments to the Municipal Planning Strategy for Cole Harbour/Westphal	12
Attachment D-4.....	14
Proposed Amendments to the Municipal Planning Strategy for Dartmouth.....	14
Attachment D-5.....	17
Proposed Amendments to the Municipal Planning Strategy for	17
Eastern Passage/Cow Bay	17
Attachment D-6.....	20
Proposed Amendments to the Municipal Planning Strategy for	20
Eastern Shore (East).....	20
Attachment D-7.....	22
Proposed Amendments to the Municipal Planning Strategy for	22
Eastern Shore (West).....	22
Attachment D-8.....	24
Proposed Amendments to the Municipal Planning Strategy for Halifax	24
Attachment D-9.....	25
Proposed Amendments to the Municipal Planning Strategy for Lawrencetown	25
Attachment D-10.....	27
Proposed Amendments to the Municipal Planning Strategy for Musquodoboit Valley/Dutch Settlement	27
Attachment D-11.....	29
Proposed Amendments to the Municipal Planning Strategy for North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston	29
Attachment D-12.....	31
Proposed Amendments to the Municipal Planning Strategy for Planning District 4 (Prospect).....	31
Attachment D-13.....	33
Proposed Amendments to the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula).....	33

Attachment D-14.....	36
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay).....	36
Attachment D-15.....	38
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 14/17 (Shubenacadie Lakes)	38
Attachment D-16.....	40
Proposed Amendments to the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo/Porters Lake).....	40
Attachment D-17.....	42
Proposed Amendments to the Secondary Planning Strategy for Sackville Drive.....	42
Attachment D-18.....	45
Proposed Amendments to the Municipal Planning Strategy for Sackville	45
Attachment D-19.....	47
Proposed Amendments to the Municipal Planning Strategy for the Timberlea/Lakeside/Beechville	47
Attachment D-20.....	49
Proposed Amendments to the Regional Centre Secondary Municipal Planning Strategy	49
Attachment D-21.....	53
Proposed Amendments to the Suburban Housing Accelerator Secondary Municipal Planning Strategy	53

Attachment D-1

Proposed Amendments to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains
and Upper Sackville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville is hereby amended as follows:

1. Amending Policy P-137 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement, or” after the text “agreements” before the text “amendments”;
 - b. Deleting the text “and” after the newly added text “or” and before the text “amendments”;
 - c. Deleting the text “Plan, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
 - d. Repealing Clauses (a) through (e), inclusively.

P-137 In considering development agreements, **amendments to a development agreement, or** ~~and~~ amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~Plan, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;~~
- ~~(b) that the proposal is not premature or inappropriate by reason of:~~
 - ~~the financial capability of the Municipality to absorb any costs relating to the development;~~
 - ~~(i) — the adequacy of central or on-site sewerage and water services;~~
 - ~~(ii) — the adequacy or proximity of school, recreation or other community facilities;~~
 - ~~(iii) — the adequacy of road networks leading or adjacent to or within the development; and~~
 - ~~(iv) — the potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(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;~~
 - ~~(v) — signs; and~~

- (vi) ~~any other relevant matter of planning concern.~~
- (d) ~~that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.~~
- (e) ~~Within any designation, where a holding zone has been established pursuant to Infrastructure Charges Policy P 81, 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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-2

Proposed Amendments to the Municipal Planning Strategy for Bedford

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

1. Amending Subsection (h) “Mainstreet Commercial Core” under the COMMERCIAL Section, as shown below in **bold**, by adding the text “These controls also present challenges for renovations and expansions to registered heritage properties. To encourage the conservation and adaptive re-use of heritage properties in the Mainstreet Commercial Designation, Council may consider a reduction of these standards in accordance with Policy C-20(a).” after the text “it shall be the intention of Council to consider a reduction of these standards for 1091 and 1095 Bedford Highway in accordance with Policy C-21.”

It is recognized that such limitations are difficult to achieve at 1091 and 1095 Bedford Highway. This particular property is relatively large in size, its lot configuration is long and narrow and a significant grade differential exists from the front property line, along the Bedford Highway, and the rear property line along the CN rail line. These characteristics are unlike those of the majority of properties which have been zoned Mainstreet Commercial. Therefore, it shall be the intention of Council to consider a reduction of these standards for 1091 and 1095 Bedford Highway in accordance with Policy C-21.

These controls also present challenges for renovations and expansions to registered heritage properties. To encourage the conservation and adaptive re-use of heritage properties in the Mainstreet Commercial Designation, Council may consider a reduction of these standards in accordance with Policy C-20(a).

2. Amending the COMMERCIAL Section, as shown below in **bold**, by adding the new policy, immediately following Policy C-20:

Policy C-20(a):

To encourage the conservation and adaptive re-use of heritage properties in the Mainstreet Commercial Designation, renovations and expansions to existing heritage buildings shall be considered by a development agreement in accordance with the Heritage Development Agreement Policies of the Regional Municipal Planning Strategy, and may consider modification of the requirements for height, lot coverage, setbacks, and maximum percentage of gross floor area occupied by residential dwelling units.

3. Amending “General Future Land Use” under the IMPLEMENTATION Section, as shown below in **bold**, by:
 - a. adding the text “A” after the text “Table III” and before the text (Appendix B) in

- the second paragraph; and
- b. adding the text “A” after the text “Table III” and before the text “in identifying” in the second paragraph.

These land uses are identified on the Generalized Future Land Use Map as referred to in Policy Z-1. Table IIIA (Appendix B) identifies in a matrix form the uses which are permitted through rezoning or development agreement procedures. Policy Z-2 refers to the role of Table IIIA in identifying permitted land uses.

4. Amending “Development Agreements” under the IMPLEMENTATION Section, as shown below in **bold**, by:
 - a. Adding the text “A” after the text “Table” and before the text “, may be considered” in the first paragraph.

Development Agreements

Except within existing residential areas, within any zone, a development that would not normally be permitted by the zone, but falls within the potentially permitted uses of the Generalized Land Use category as shown on Table IIIA, may be considered by Council through the application of development agreements as provided for under Section 55 of the Planning Act. Development agreements will also be applied in situations set forth elsewhere in this plan.

5. Amending “Municipal Planning Strategy Amendments Not Required” under the IMPLEMENTATION Section, as shown below in **bold**, by:
 - a. Adding the text “A” after the text “Table” and before the text “and the” in the first paragraph”.

Municipal Planning Strategy Amendments Not Required

An amendment to the municipal planning strategy shall not be required where rezoning and development agreements fall within the list of potentially permitted uses within the Generalized Land Use categories as shown on Table IIIA and the Generalized Future Land Use Map.

6. Amending Policy Z-2 in the IMPLEMENTATION Section, as shown below in **bold**, by:
 - a. Adding the text “A” after the text “Table III” and before the text “the land uses”; and
 - b. Adding the text “A” after the text “Table III” and before the text “may be considered”.

Policy Z-2:

It shall be the intention of Town Council to indicate on Table IIIA the land uses which may be permitted in each Generalized Future Land Use category as-of-right, or by rezoning or development agreement consistent with all other policies. Council shall consider these uses through the zoning amendment or development agreement process, subject to the criteria in Policy Z-3 and all other applicable policies in this Strategy. The procedure to be followed for all rezoning

applications or requests for development agreements is in accordance with the Planning Act. Except within residential areas, within any zone, a development that would not normally be permitted by the zone, but falls within the potentially permitted uses of the Generalized Future Land Use category as shown on Table IIIA may be considered by Town Council through the application of development agreements as provided for under Section 55 of the Planning Act.

7. Amending Policy Z-3 in the IMPLEMENTATION Section, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “It shall be the policy of Town Council when” and replacing it with the text “In” before the text “considering”;
 - b. Deleting the text “with the advice of the Planning Department, to have regard for all relevant” and replacing it with the text “amendments to a development agreement, or amendments to the land use bylaw, in addition to all other” after the text “development agreements,” and before the text “criteria”;
 - c. Deleting the text “plan as well as the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.” after the newly struck text “following matters”;
 - d. Repealing clauses 1 through 10, inclusively.

Policy Z-3 ~~It shall be the policy of Town Council when~~**In** considering ~~zoning amendments and~~ development agreements, [excluding the WFCDD area [excluding the WFCDD area and Bedford West Sub-Area 1 and 12 shown on schedule BW-9] ~~with the advice of the Planning Department, to have regard for all other relevant~~**amendments to a development agreement, or amendments to the land use bylaw, in addition to all other** criteria as set out in various policies of this ~~plan as well as the following matters:~~**Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~1. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By laws and regulations, and where applicable, Policy R-16 is specifically met;~~
- ~~2. That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;~~
- ~~3. That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;~~
- ~~4. That provisions are made for safe access to the project with minimal impact on the adjacent street network;~~
- ~~5. That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:~~
 - ~~i) the financial capability of the Town to absorb any capital or operating costs relating to the development;~~
 - ~~ii) the adequacy of sewer services within the proposed development and~~

- ~~the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;~~
 - ~~iii) the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;~~
 - ~~iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;~~
 - ~~v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;~~
 - ~~vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;~~
 - ~~vii) the adequacy of recreational land and/or facilities;~~
 - ~~viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;~~
 - ~~ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;~~
 - ~~x) the presence of significant natural features or historical buildings and sites;~~
 - ~~xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;~~
 - ~~xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,~~
 - ~~xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.~~
6. ~~Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:~~
- ~~i) type of use, density, and phasing;~~
 - ~~ii) traffic generation, access to and egress from the site, and parking;~~
 - ~~iii) open storage and landscaping;~~
 - ~~iv) provisions for pedestrian movement and safety;~~
 - ~~v) provision and development of open space, parks, and walkways;~~
 - ~~vi) drainage, both natural and subsurface;~~
 - ~~vii) the compatibility of the structure(s) in terms of external design and external appearance with adjacent uses; and,~~
 - ~~viii) the implementation of measures during construction to minimize and mitigate adverse impacts on watercourses.~~
7. ~~Any other matter enabled by Sections 73 and 74 of the Planning Act.~~
8. ~~In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:~~
- ~~i) provide Council with a clear indication of the nature of the proposed development; and~~

- ~~ii) permit staff to assess and determine the impact such development would have on the proposed site and the surrounding community.~~
- ~~9. To assist in the evaluation of applications to enter into development agreements, Council shall encourage proponents to provide the following information:~~
 - ~~a) a plan to a scale of 1":100' or 1":40' showing such items as:~~
 - ~~i) an overall concept plan showing the location of all proposed land uses;~~
 - ~~ii) each residential area indicating the number of dwelling units of each type and an indication of the number of bedrooms;~~
 - ~~iii) description, area, and location of all proposed commercial, cultural, mixed use projects proposed;~~
 - ~~iv) location, area, shape, landscaping and surface treatment of all public and private open spaces and/or park areas;~~
 - ~~v) plan(s) showing all proposed streets, walkways, sidewalks, bus bays and bike routes;~~
 - ~~vi) a description of any protected viewplanes; and,~~
 - ~~vii) an indication of how the phasing and scheduling is to proceed.~~
 - ~~b) For individual phases of a development more detailed concept plans are to be provided indicating such items as maximum building heights, location and configuration of parking lots, landscaping plans, and any additional information required to be able to assess the proposal in terms of the provisions of the Municipal Planning Strategy.~~
 - ~~c) Plans to the scale of 1":100' showing schematics of the proposed sanitary and storm sewer systems and, water distribution system.~~
- ~~10. 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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20____.

GIVEN under the hand of the Municipal

Clerk and under the Corporate
Seal of the said Municipality this _____ day
of

_____, A.D., 20_____.

Municipal Clerk

Attachment D-3

Proposed Amendments to the Municipal Planning Strategy for Cole Harbour/Westphal

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Cole Harbour/Westphal is hereby amended as follows:

1. Amending Policy IM-11 in the IMPLEMENTATION Section, as shown below in **bold** and ~~strikeout~~, by,
 - a. Adding the text “or amendments to a development agreement,” after the text “development agreements,” and before the text “in addition to”;
 - b. Deleting the text “planning strategy, Cole Harbour/Westphal Community Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
 - c. Repealing Clauses (a) to (f), inclusively.

IM-11 In considering amendments to the land use by-law or development agreements, **or amendments to a development agreement**, in addition to all other criteria as set out in various policies of this ~~planning strategy,~~ Cole Harbour/Westphal Community Council shall have appropriate regard ~~to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

~~(a) that the proposal is in conformity with the intent of this planning 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 of school, recreation and 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 destruction of designated historic buildings and sites.~~

~~(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;~~
- ~~(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; and~~
~~(e) any other relevant matter of planning concern.~~
~~(f) 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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-4

Proposed Amendments to the Municipal Planning Strategy for Dartmouth

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

1. Amending Policy H-14, as shown below in **bold** and ~~strikeout~~, by deleting the text “Policy IP-1©” and replacing it with the text “Policy IP-1(c)” after the text “listed in” and before the text “, are addressed” in Clause (h).

*(h) any other matters, including criteria listed in ~~Policy IP-1©~~ **Policy IP-1(c)**, are addressed.*

2. Amending Policy H-15, as shown below in **bold** and ~~strikeout~~, by deleting the text “Policy IP-1©” and replacing it with the text “Policy IP-1(c)” after the text “set out in” and before the text “in considering any”.

*Policy H 15 It shall be the intention of Council to require development of lands known as Craigwood Estates (PID # 40380396 & 40740037) by development agreement. The lands shall be developed for single unit residential dwellings on lots with a minimum of 75 feet of frontage and minimum lot area of 7500 square feet. Best management practices shall be used to address environmental concerns relating to storm water discharge to Lake Charles. Council shall have regard for the Land Use By-law amendment criteria as set out in ~~Policy IP-1©~~ **Policy IP-1(c)** in considering any development agreement application.*

3. Amending Policy IP-1(c) in the IMPLEMENTATION Chapter, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “In considering zoning amendments and contract zoning, Council shall have regard to the following:” after the text “processed as zoning amendments” in the second paragraph;
 - b. Repealing subsections (1) through (10) inclusive; and
 - c. Adding the text “In considering development agreements, amendments to a development agreement or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.” after the text “processed as zoning amendments.”

(c) Zoning By-law

The Zoning By-law is the principal mechanism by which land use policies shall be implemented. It shall set out zones, permitted uses and development standards which shall reflect the policies of the Municipal Development Plan as per Section 33 (3) of the Planning Act. The zoning by-law may use site plan approval as a mechanism to regulate various uses.

It shall recognize that certain areas are premature for specific zoning classifications by reason of lack of services, public facilities or other constraints. Council shall use the H-zone (Holding Zone). In the H Zone the permitted types of uses shall be limited in accordance with the Reserve classification in Table 4 (As amended by By-law C-475, Sept. 20, 1983). In this manner, Council can maintain a comparatively high degree of control, and major development proposals contemplated for such areas shall be processed as zoning amendments.

~~In considering zoning amendments and contract zoning, Council shall have regard to the following:-~~

- ~~(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan~~
- ~~(2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal~~
- ~~(3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries~~
- ~~(4) that the proposal is not premature or inappropriate by reason of:~~
 - ~~(i) the financial capability of the City is to absorb any costs relating to the development~~
 - ~~(ii) the adequacy of sewer and water services and public utilities~~
 - ~~(iii) the adequacy and proximity of schools, recreation and other public facilities~~
 - ~~(iv) the adequacy of transportation networks in adjacent to or leading to the development~~
 - ~~(v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas~~
 - ~~(vi) preventing public access to the shorelines or the waterfront~~
 - ~~(vii) the presence of natural, historical features, buildings or sites~~
 - ~~(viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized~~
 - ~~(ix) the detrimental economic or social effect that it may have on other areas of the City.~~
- ~~(5) that the proposal is not an obnoxious use~~
- ~~(6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:~~
 - ~~(i) type of use, density, and phasing~~
 - ~~(ii) emissions including air, water, noise~~
 - ~~(iii) traffic generation, access to and egress from the site, and parking~~
 - ~~(iv) open storage and landscaping~~
 - ~~(v) provisions for pedestrian movement and safety~~
 - ~~(vi) management of open space, parks, walkways~~
 - ~~(vii) drainage both natural and sub-surface and soil stability~~
 - ~~(viii) performance bonds~~

- ~~(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock outcroppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors~~
- ~~(8) that in addition to the public hearing requirements as set out in the Planning Act and City by laws, all applications for amendments may be aired to the public via the "voluntary" public hearing process established by City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council~~
- ~~(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:~~
- ~~(i) Council with a clear indication of the nature of proposed development, and~~
 - ~~(ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community~~
- ~~(10) 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.~~

In considering development agreements, amendments to a development agreement or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment D-5
Proposed Amendments to the Municipal Planning Strategy for
Eastern Passage/Cow Bay

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Passage/Cow Bay is hereby amended as follows:

1. Amending SECTION II under the heading RURAL AREA DESIGNATION and the subheading Tourist Accommodation, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “bed and breakfast operations” after the text “short-term bedroom rentals” and before the text “are allowed”; and
 - b. Adding the text “and short-term rentals” after the text “While tourist cottages” and before the text “are a generally acceptable use”.

Tourist Accommodation

Given the proximity of the plan area to the metropolitan area, the availability of outdoor recreation and sightseeing opportunities, and the success of the Fisherman’s Cove project as a tourism destination, there is a need to provide a broad range of accommodation options for tourists and the travelling public. While small scale short-term bedroom rentals ~~bed and breakfast operations~~ are allowed throughout the communities, there is also a demand for campground facilities and tourist cottages. Due to potential concerns over large scale tree clearing, traffic, noise, visual intrusion, scale of the development, and environmental matters, such uses would best be permitted only through the development agreement process. While tourist cottages **and short-term rentals** are a generally acceptable use, there are community concerns relative to the location of such developments, the potential number of rental units, and the potential for their conversion to permanent dwellings. These concerns must be addressed, in addition to other issues which are also applicable to campgrounds.

2. Amending Policy RA-4a, as shown below in **bold**, by adding the text “and short-term rental” after the text “consider permitting tourist cottage” and before the text “developments outside of the serviceable area”.

RA-4a It shall be the intention of Council to consider permitting tourist cottage **and short-term rental** developments outside of the serviceable area, and only on Dyke Road, Cow Bay Road, Bissett Road and Old Dyke Road (Rainbow Haven Lane) pursuant to the development agreement provisions of the Municipal Government Act. In considering any such proposal, Council shall have regard to the following:

3. Amending policy IM-11 in the IMPLEMENTATION in SECTION II, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement, or” after the text “development agreements,” before the text “and amendments to the land use by-law”;

- b. Deleting the text “and” after the newly added text “or” and before the text “amendments to the land use by-law”;
- c. Deleting the text “planning strategy, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
- d. Repealing Clauses (a) through (e), inclusive.

IM-11 In considering development agreements, **amendments to a development agreement, or** ~~and~~ amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~planning strategy, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this planning 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 sewerage and water services;~~
 - ~~(iii) the adequacy or proximity of 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.~~~~
- ~~(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;~~
 - ~~(v) signs; and~~
 - ~~(vi) any other relevant matter of planning concern.~~~~
- ~~(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, 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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-6
Proposed Amendments to the Municipal Planning Strategy for
Eastern Shore (East)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Shore (East) is hereby amended as follows:

1. Amending Policy IM-10 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “and” and replacing it with the text “amendments to a development agreement, or” after the text “agreements,” and before the text “amendments to”;
 - b. Adding the text “Planning” after the text “policies of this” and before the text “Strategy”;
 - c. Deleting the text “Council shall have appropriate regard to the following matters:” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - d. Repealing Clauses (a) through (f) inclusive.

IM-10 In considering development agreements, **and amendments to a development agreement, or** amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this **Planning** Strategy, ~~Council shall have appropriate regard to the following matters:~~ **the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(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 central or on-site sewerage and water services;~~
 - ~~(iii) the adequacy or proximity of 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.~~
- ~~(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~~
- ~~(v) — signs.~~
- ~~(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and~~
- ~~(e) any other relevant matter of planning concern.~~
- ~~(f) 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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-7
Proposed Amendments to the Municipal Planning Strategy for
Eastern Shore (West)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Shore (West) is hereby amended as follows:

1. Amending Policy MU-16, as shown below in **bold**, by adding the text “short term rentals,” after the text “rooms to let” and before the text “commercial uses permitted”.

MU-16 It shall be the intention of Council to consider permitting convenience stores, garden centers, medical and veterinary clinics, offices, short-term bedroom rentals with more than five (5) rooms to let, **short-term rentals**, commercial uses permitted in the R-6 Zone and FV Zone (excluding existing kennels) where the floor area is greater than two thousand (2,000) square feet, institutional uses, and recreation uses in accordance with the development agreement provisions of the Planning Act.

2. Amending Policy IM-10 in SECTION V, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “and” and replacing it with the text “amendments to a development agreement, or” after the text “agreements,” and before the text “amendments to”;
 - b. Adding the text “Planning” after the text “policies of this” and before the text “Strategy”;
 - c. Deleting the text “Council shall have appropriate regard to the following matters:” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - d. Repealing Clauses (a) through (f) inclusive.

IM-10 In considering development agreements, ~~and~~ **amendments to a development agreement, or** amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this **Planning** Strategy, ~~Council shall have appropriate regard to the following matters:~~ **the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(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 central or on-site sewerage and water services;~~
 - ~~(iii) the adequacy or proximity of 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.~~
- (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~~
 - (v) ~~signs.~~
- (d) ~~that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and~~
- (e) ~~any other relevant matter of planning concern.~~
- (f) ~~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.~~

This is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-8

Proposed Amendments to the Municipal Planning Strategy for Halifax

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

1. Amending Map 9F to redesignate the lands to Major Community Open Space (OS) and Low Density Residential (LDR), as shown on Schedule D-8A, attached hereto.
2. Amending Map 9F to redesignate the lands to Major Community Open Space (OS) as shown on Schedule D-8B, attached hereto.
3. Amending Map 1: Bedford Highway Area Plan Boundary to include lands within the Bedford Highway Secondary Planning Strategy, as shown on Schedule D-8C, attached hereto.
4. Amending Map 9: Generalized Future Land Use to include lands within the Bedford Highway Secondary Planning Strategy as shown on Schedule D-8C, attached hereto.
5. Amend Map 9Dd: Generalized Future Land Use – Bedford Highway as illustrated on Schedule D-8C, attached hereto.
6. Amend Map 9De: Generalized Future Land Use – Bedford Highway as illustrated on Schedule D-8C, attached hereto.
7. Amend Map 9Df: Seton Ridge Neighbourhood Plan to change the designations as illustrated on Schedule D-8C, attached hereto.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment D-9

Proposed Amendments to the Municipal Planning Strategy for Lawrencetown

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

1. Amending the first paragraph in SECTION II before Policy P-8, as shown below in **bold**, by adding the text “short-term rentals,” after the text “campgrounds, lodges,” and before the text “and short-term bedroom rentals”.

Given the recreational and aesthetic qualities of Lawrencetown, the abundance of large tracts of vacant land, and the existence of land with frontage on bodies of salt water, certain tourist related accommodations and certain water-related recreation uses could potentially be integrated within the semi-rural environment supported by the Lawrencetown Designation. The types of tourist related accommodations that would be acceptable would be limited to campgrounds, lodges, **short-term rentals**, and short-term bedroom rentals such as, but not limited to, bed and breakfast operations of a larger scale than permitted under the land use by-law provisions. The types of water-related recreational uses that would be acceptable would be limited to facilities located on property with frontage on a body of salt water allowing for activities such as canoeing, kayaking windsurfing, surfing and other non-motorized means of movement on water.

2. Amending Policy P-61 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “and” and replacing it with the text “amendments to a development agreement, or” after the text “agreements,” and before the text “amendments to”;
 - b. Deleting the text “planning strategy, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - c. Repealing Clauses (a) through (f) inclusive.

P-61 In considering development agreements ~~and~~ **amendments to a development agreement, or** amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~planning strategy, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

~~(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 on-site sewerage and water services;~~
- ~~(iii) — the adequacy or proximity of 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.~~
- ~~(c) that in development agreements 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;~~
 - ~~(v) — signs; and~~
 - ~~(vi) — any other relevant matter of planning concern.~~
- ~~(d) that the proposed site is suitable with respect to the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and~~
- ~~(e) any other relevant matter of planning concern.~~
- ~~(f) 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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____,

_____, A.D., 20_____.

Municipal Clerk

Attachment D-10

Proposed Amendments to the Municipal Planning Strategy for Musquodoboit Valley/Dutch Settlement

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Musquodoboit Valley/Dutch Settlement is hereby amended as follows:

1. Amending Policy IM-10 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement,” after the text “agreements” and before the text “or amendments to”;
 - b. Deleting the text “Council shall have appropriate regard to the following matters:” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - c. Repealing Clauses (a) through (f) inclusive.

IM-10 In considering development agreements, **amendments to a development agreement**, or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, ~~Council shall have appropriate regard to the following matters:~~ **the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this Planning 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 on-site sewerage and water services;~~
 - ~~(iii) — the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;~~
 - ~~(iv) — the adequacy of road networks leading to or within the development; and~~
 - ~~(v) — the potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(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;~~
 - ~~(v) — signs; and~~
 - ~~(vi) — any other relevant matter of planning concern.~~
- ~~(d) that the proposed site is suitable with respect to the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and~~
- ~~(e) any other relevant matter of planning concern.~~
- ~~(f) 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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of

_____, A.D., 20_____.

Municipal Clerk

Attachment D-11

Proposed Amendments to the Municipal Planning Strategy for North Preston / Lake Major /
Lake Loon / Cherry Brook / East Preston

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston is hereby amended as follows:

1. Amending SECTION IV, as shown below in **bold** and ~~strikeout~~, by repealing Policy IM-9 and replacing it with Policy IM-9A.
 - a. Adding the text “, amendments to a development agreement,” after the text “agreements” and before the text “or amendments to”;
 - b. Deleting the text “strategy, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.” after the text “policies of this”.
 - c. Repealing Clauses (a) through (f) inclusive.

IM-9 In considering development agreements, **amendments to a development agreement**, or amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~strategy, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal by laws and regulation;~~
- ~~(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 of school, recreation and other community facilities;~~
 - ~~(iv) the adequacy of road networks leading or adjacent to or within the development;~~
 - ~~(v) the potential for the contamination of watercourses, potable water supply sources such as Lake Major and Long Lake, or for the creation of erosion and sedimentation;~~
 - ~~(vi) the potential for damage to or destruction of designated historic buildings and sites;~~
 - ~~(vii) the provision of access to community facilities and schools.~~
- ~~(c) that, in development agreements, 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;~~
- (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; and~~
- (e) ~~any other relevant matter of planning concern.~~
- (f) ~~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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of

_____, A.D., 20_____.

Municipal Clerk

Attachment D-12

Proposed Amendments to the Municipal Planning Strategy for Planning District 4 (Prospect)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 4 (Prospect) is hereby amended as follows:

1. Amending Policy RRD-6 in SECTION III, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “and” and replacing it with the text “short-term rentals,” after the text “tourist cottages” and before the text “commercial entertainment uses”.

RRD-6 Notwithstanding Policy RRD-2, within the Rural Residential D Designation, Council may consider permitting service stations, motels and tourist cottages, **short-term rentals**, ~~and~~ commercial entertainment uses and commercial recreation uses in accordance with the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

2. Amending Policy IM-11 in SECTION III, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement,” after the text “agreements,” and before the text “or amendments to”;
 - b. Deleting the text “Council shall have appropriate regard to the following matters:” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - c. Repealing Clauses (a) through (e) inclusive.

IM-11 In considering development agreements, **amendments to a development agreement**, or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, ~~Council shall have appropriate regard to the following matters: the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.~~

- ~~(a) that the proposal is in conformity with the intent of this Planning 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 on-site sewerage and water services;~~
 - ~~(iii) the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;~~
 - ~~(iv) the adequacy of road networks leading to or within the development; and~~
 - ~~(v) the potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(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;~~
- ~~(v) — signs; and~~
- ~~(vi) — any other relevant matter of planning concern.~~
- ~~(d) that the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, 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)~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____,

A.D., 20_____.

Municipal Clerk

Attachment D-13

Proposed Amendments to the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

1. Amending SECTION III under the heading RESIDENTIAL DESIGNATION, as shown below in ~~strikeout~~, by deleting the text “such as, but not limited to, bed and breakfasts outlets” after the text “bedroom rentals” and before the text “may also be accommodated” in the eleventh paragraph.

Short-term bedroom rentals ~~such as, but not limited to, bed and breakfast outlets~~ may also be accommodated within a residential environment without visual and traffic impact on neighbouring properties. These outlets provide desired business opportunities which are considered complementary to the residential use of the property. In order to ensure that undesired effects are not realized, however, the land use by-law will limit the maximum rental of bedrooms to three (3) rooms and establish restrictions on the use of signage, as provided for larger home occupations.

2. Amending SECTION III under the heading VILLAGE CENTRE DESIGNATION and the subheading Herring Cove, as shown below in ~~strikeout~~, by deleting the text “such as, but not limited to, bed and breakfasts,” after the text “short-term bedroom rentals” and before the text “and uses related to” in the sixth paragraph.

While the older sections of the village act as a focal point for the surrounding community, it is felt that the physical Character of the Cove would suffer if this area was to be considered as the principle service centre for adjacent residential developments. As a result, major commercial development will not be encouraged in Herring Cove. Only those land uses which are felt to complement and enhance the physical character of Herring Cove's village centre will be considered. These uses include fishery support uses, medical and dental services, public facilities, short-term bedroom rentals ~~such as, but not limited to, bed and breakfasts~~, and uses related to art and crafts shops.

3. Amending SECTION III under the heading VILLAGE CENTRE DESIGNATION and subheading Ketch Harbour, as shown below in ~~strikeout~~, by deleting the text “such as, but not limited to, bed and breakfasts” after the text “short-term bedroom rentals” and before the text “. General industrial” in the third paragraph.

Concerns have been expressed by many Ketch Harbour residents about the need to preserve the character and village-like qualities of the community, while retaining the village's focus as a service centre. This is supported in the Plan by accommodating home businesses, local convenience stores, and local tourism related uses such as arts and crafts studios and short-term bedroom rentals ~~such as, but not limited to, bed and~~

~~breakfasts.~~ General industrial services will be limited to those presently existing.

4. Amending policy IM-10 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by
 - a. Adding the text “, amendments to a development agreement, or” after the text “agreements,”;
 - b. Deleting the text “and” after the text “agreement, or” and before the text “amendments to”;
 - c. Deleting the text “Plan, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
 - d. Repealing Clauses (a) through (e) inclusive.

IM-10 In considering development agreements, **amendments to a development agreement, or** ~~and~~ amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Plan, ~~Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this Plan 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 on site sewerage and water services;~~
 - ~~(iii) — the adequacy or proximity of school, recreation or other Community facilities;~~
 - ~~(iv) — the adequacy of road networks leading or adjacent to or within the development;~~
 - ~~(v) — pedestrian safety; and~~
 - ~~(vi) — the potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(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;~~
 - ~~(v) — signs; and~~
 - ~~(vi) — any other relevant matter of planning concern.~~
- ~~(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility of 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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of

_____, A.D., 20_____.

Municipal Clerk

Attachment D-14

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay) is hereby amended as follows:

1. Amending Policy MU-17A, as shown below in **bold**, by adding the text “of the Regional Municipal Planning Strategy” after the text “Policy IM-9” and before the text “within the”.

MU-17A Notwithstanding Policy MU-2 and subsection (a) of Policy IM-9 of the **Regional Municipal Planning Strategy** within the Mixed Use “A” Designation, it shall be the intention of Council to apply the tourist industry zone to 8646 and 8650 Peggys Cove Road (PID 40037327) recognizing that the structures located on the property on or before the date of Council’s first notice to adopt this section may not meet all the requirements of the tourist industry zone. The application of the tourist industry zone would permit the use of the property as a resort and future expansion of the resort in accordance with the tourist industry zone.

2. Amending policy IM-9 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement, or” after the text “agreements,”;
 - b. Deleting the text “and” after the text “agreement, or” and before the text “amendments to”
 - c. Deleting the text “strategy, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
 - d. Repealing Clauses (a) through (f) inclusive.

IM-9 In considering development agreements, **amendments to a development agreement, or** ~~and~~ amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~strategy, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(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 on-site sewerage and water services;~~
 - ~~(iii) — the adequacy or proximity of 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 destruction of designated historic buildings and sites.
- (c) that in development agreement 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;
 - (v) — signs; and
 - (vi) — any other relevant matter of planning concern.
- (d) that the proposed site is suitable with respect to the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and
- (e) any other relevant matter of planning concern.
- (f) Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges – Policy p 79F”, 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.

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment D-15

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 14/17
(Shubenacadie Lakes)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14/17 (Shubenacadie Lakes) is hereby amended as follows:

1. Amending Policy P-155 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by repealing Policy P-155 and replacing it with Policy P-155A.
 - a. Adding the text “, amendments to a development agreement, or” after the text “agreements,”;
 - b. Deleting the text “and” after the text “agreement, or” and before the text “amendments to”;
 - c. Deleting the text “Plan, Council shall have appropriate regard to the following matters:” and replacing it with the text “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”
 - d. Repealing Clauses (a) through (f) inclusive.

P-155 In considering development agreements, **amendments to a development agreement, or and** amendments to the land use by-law, in addition to all other criteria as set out in various policies of this ~~Plan, Council shall have appropriate regard to the following matters:~~ **Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this Plan 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 central or on-site sewerage and water services;~~
 - ~~(iii) — the adequacy or proximity of school, recreation or other community facilities;~~
 - ~~(iv) — the adequacy of road networks leading or adjacent to or within the development; and~~
 - ~~(v) — potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(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;~~
 - ~~(v) — signs; and~~
 - ~~(vi) — any other relevant matter of planning concern.~~
- ~~(d) that the proposed site is suitable in terms of the steepness of grades, soil and~~

~~geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.~~

- ~~(e) Within any designation, where a holding zone has been established pursuant to Infrastructure Charges Policy P-64F, 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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of

_____, A.D., 20____.

Municipal Clerk

Attachment D-16

Proposed Amendments to the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo/Porters Lake)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 8 & 9 (Lake Echo/Porters Lake) is hereby amended as follows:

1. Amending the second paragraph after Policy P-67 in SECTION III under the heading LAKE ECHO COMMUNITY DESIGNATION and the subheading Commercial Development, as shown below in **bold**, by adding the text “, short-term rentals” after the text “hotels, motels” and before the text “and motor inns”.

The need to encourage job creating opportunities has been previously identified as an important issue. Tourism is a vital industry in this regard as the community is situated in close proximity to both a provincial coastal heritage park and the largest metropolitan centre in Atlantic Canada. The Designation while supporting the development of general commercial activities, restricts them to a location at the intersection of Highway No. 107 and Mineville Road 80 as to minimize potential intrusive effects on the residential areas of Lake Echo.

An exception is made for hotels, motels, **short-term rentals**, and motor inns as it is felt that businesses serving the accommodation and food needs of tourists and other members of the travelling public will benefit from having a greater choice of location. Control over the location and intrusive effects of such activities will be effectively controlled by a development agreement.

2. Amending Policy P-89 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “, amendments to a development agreement, or” after the text “agreements,”;
 - b. Deleting the text “and” after the text “agreement, or” and before the text “amendments to”;
 - c. Adding the text “Planning” after the text “policies of this” and before the text “Strategy”;
 - d. Deleting the text “Council shall have appropriate regard to the following matters:” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - e. Repealing Clauses (a) through (f) inclusive.

P-89 In considering development agreements, **amendments to a development agreement, or** ~~and~~ amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this **Planning** Strategy, ~~Council shall have appropriate regard to the following matters:~~ **the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(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 central or on-site sewerage and water services;~~
 - ~~(iii) the adequacy or proximity of 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.~~
- ~~(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~~
 - ~~(v) signs.~~
- ~~(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding; and~~
- ~~(e) any other relevant matter of planning concern.~~
- ~~(f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges – Policy P-79F", 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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____,

_____, A.D., 20____.

Municipal Clerk

Attachment D-17

Proposed Amendments to the Secondary Planning Strategy for Sackville Drive

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Secondary Planning Strategy for Sackville Drive is hereby amended as follows:

1. Amending Section 5.3.1 in PART 5, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “short-term” after the text “hotels, motels,” in the fourth paragraph;
 - b. Deleting the text “bedroom” after the text “short-term” in the fourth paragraph;
 - c. Adding the text “rentals” after the deleted text “bedroom” in the fourth paragraph; and
 - d. Deleting the text “such as, but not limited to, bed and breakfasts,” after the text “rentals” and before the text “wilderness” in the fourth paragraph.

Tourism or recreation-based uses within the Pedestrian Retail Designation should also be encouraged. Such uses reflect the tremendous recreational and educational opportunities that natural resources like the Little Sackville River and Trail System provide in this area. Specifically, hotels, motels, **short-term** ~~bedroom~~ **rentals** ~~such as, but not limited to, bed and breakfasts,~~ wilderness, hiking, canoeing, fishing and other outdoor outfitter uses should be encouraged to capitalize on Sackville’s natural assets and to facilitate greater tourism and recreation based pedestrian activities.

2. Amending Policy PR-2, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “short-term” after the text “bakeries”;
 - b. Deleting the text “bedroom” after the text “short-term”; and
 - c. Adding the text “rentals,” after the deleted text “bedroom”.

Policy PR-2

Within the Pedestrian Retail Designation, a Pedestrian Retail Zone shall be established and applied to the lands shown on Schedule B. The Zone shall permit a range of pedestrian oriented uses, including but not limited to, retail, offices, service and personal service shops, restaurants (full service, take-out), bakeries, **short-term** ~~bedroom~~ **rentals**, motels, and institutional and community developments, with footprints less than 5,000 square feet. One and two residential units, and Multiple Dwelling uses shall be permitted within the Zone where street front commercial is provided. All uses in existence as of May 7, 2002 with the exception of any existing pawn shops, shall be permitted within the Zone.

3. Amending Policy I-5 in PART 10: IMPLEMENTATION, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “a development agreement or rezoning, Council shall have regard to the following matters” and replacing it with the text “development agreements, amendments to a development agreement, or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this

- Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.” after the text “In considering”; and
- b. Repealing Clauses (a) through (c), inclusive.

Policy I-5 In considering ~~a development agreement or rezoning, Council shall have regard to the following matters:~~ **development agreements, amendments to a development agreement, or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) the proposal furthers the intent of the streetscape guidelines established within the Land Use By law and Schedule D relating to signage, architecture, landscaping, parking and driveway entrances;~~
- ~~(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 of school, recreation and other community facilities;~~
 - ~~(iv) the adequacy of road networks leading or next to, or within the development; and~~
 - ~~(v) the potential for damage to or for destruction of designated historic buildings and sites.~~
- ~~(c) that controls are placed on the proposed development 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;~~
 - ~~(v) maintenance; and~~
 - ~~(vi) any other relevant matter of planning concern.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day

of
_____, A.D., 20_____.

Municipal Clerk

Attachment D-18

Proposed Amendments to the Municipal Planning Strategy for Sackville

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

1. Amending Policy IM-13 in SECTION IV, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “development agreements, amendments to a development agreement, or” after the text “In considering” and before the text “amendments to the”;
 - b. Deleting the text “or development agreements” after the text “land use by-law” and before the text “in addition”;
 - c. Deleting the text “planning strategy” and replacing it with “Planning Strategy,” after the text “policies of this”;
 - d. Deleting the text “the Sackville Community Council shall have appropriate regard to the following matters” after the text “Planning Strategy,” and replacing it with the text “the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - e. Repealing Clauses (a) through (f), inclusive.

IM-13 In considering **development agreements, amendments to a development agreement, or** amendments to the land use by-law ~~or development agreements~~, in addition to all other criteria as set out in various policies of this ~~planning strategy~~ **Planning Strategy**, ~~the Sackville Community Council~~ shall have appropriate regard to ~~the following matters:~~ **the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(a) that the proposal is in conformity with the intent of this planning 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 of school, recreation and 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.~~
- ~~(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;~~
 - ~~(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) any other relevant matter of planning concern; and~~
- ~~(f) 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 of Policies of this MPS.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment D-19
Proposed Amendments to the Municipal Planning Strategy for the
Timberlea/Lakeside/Beechville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Amending Policy IM-12 in the IMPLEMENTATION section, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “development agreements, amendments to a development agreement, or” after the text “In considering” and before the text “amendments to the”;
 - b. Deleting the text “or development agreements,” after the text “land use by-law” and before the text “, in addition”;
 - c. Deleting the text “strategy, Council shall have appropriate regard to the following:” after the words “policies of the”, and replacing with the words “Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - d. Repealing Clauses (a) through (e), inclusive.

IM-12 In considering **development agreements, amendments to a development agreement, or** 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: Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- ~~(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.~~

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of

_____, A.D., 20_____.

Municipal Clerk

Attachment D-20

Proposed Amendments to the Regional Centre Secondary Municipal Planning Strategy

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

1. Amending Section 9.12 of the “Table of Contents” by adding the text “9.12.6 Lake Banook Paddler’s Cove (LB-PC) Special Area” .
2. Amending Section 2.7 in Part 2: Urban Structure, as shown below in **bold** and ~~strikeout~~, by deleting the text “neighbourhoods” and replacing it with the text “neighbourhoods” after the text “residential” and before the text “. It supports” in the second bullet point.
 - The Higher-Order Residential 1 (HR-1) Zone is applied to areas that are located next to low-rise residential ~~neighbourhoods~~ **neighbourhoods**. It supports the development of low to mid-rise buildings, with tall mid-rise buildings permitted in certain locations. The HR-1 zone also permits a more limited scale and range of commercial uses.
3. Amending Section 2.8 in PART 2: Urban Structure, as shown below in **bold** and ~~strikeout~~, by deleting the text “is” and replacing it with the text “was” after the text “Zone” and before the text “primarily” in the third bullet point.
 - At the time this Plan was adopted, the Established Residential 1 (ER-1) Zone ~~is~~ **was** primarily applied to areas that predominately contain single-unit dwelling and that did not traditionally permit other housing forms under former planning documents. To retain the character and scale of these existing neighbourhoods, the ER-1 Zone limits permitted uses to single-unit dwellings. While this Zone exists in this Plan, the land use by-law no longer applies it to any of the lands in the Regional Centre due to the increased growth in population and recognized housing shortage in the Municipality.
4. Amending Section 2.8 in Part 2: Urban Structure, as shown below in **bold** and ~~strikeout~~, by deleting the text “four” and replacing it with the text “six” after the text “up to” and before the text “units” in the last bullet point.
 - The Cluster Housing 1 (CH-1) Zone is applied to limited areas to provide opportunities to cluster a variety of low-rise residential buildings on a single property where the development of a new public street is not practical or needed to support pedestrian connectivity. The CH-1 Zone permits the clustering of dwellings containing up to ~~four~~ **six** units per building on the same lot, and may be applied to additional areas through a Land Use By-law amendment process.

5. Amending Policy E-1(e) in Part 2: Urban Structure, as shown below in **bold** and ~~strikeout~~, by deleting the text “four” and replacing it with the text “six” after the text “up to” and before the text “units”.

e) The Cluster Housing 1 (CH-1) Zone shall apply to limited areas to provide opportunities to cluster a variety of low-density residential buildings on a single property in areas where the development of new public streets is not practical or needed to support pedestrian connectivity. The CH-1 Zone shall permit a maximum of 24 dwelling units on a lot, consisting of dwellings containing up to ~~four~~ **six** units per building.

6. Amending Policy UD-9(n) in Part 3: Urban Design, as shown below in **bold**, by:
- a. Adding the text “stepback,” after the text “streetwall” and before the text “side”;
 - and
 - b. Adding the text “stepback,” after the text “side” and before the text “and rear”

n) establishing minimum streetwall **stepback**, side **stepback**, and rear stepback requirements for mid-rise, tall mid-rise, and high-rise buildings where the building typology is enabled by the zone, as follows:

7. Amending Policy IM-7 in Part 9: IMPLEMENTATION, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “proposals to amend” and replacing it with the text “development agreements, amendments to a development agreement, or amendments to” after the text “considering” and before the text “the Land Use”;
 - b. Deleting the text “amend the zoning boundaries, or enter into development agreements, Council shall consider that:” and replacing it with the text “in addition to all other criteria as set out in various policies of this Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.”; and
 - c. Repealing Clauses a) through d), inclusive.

Policy IM-7 In considering ~~proposals to amend~~ **development agreements, amendments to a development agreement, or amendments to** the Land Use By-law, ~~amend the zoning boundaries, or enter into development agreements, Council shall consider that:~~ **in addition to all other criteria as set out in various policies of this Planning Strategy, the provisions of Policy IM-9 of the Regional Municipal Planning Strategy shall apply.**

- a) ~~the proposal is consistent with the Vision, Core Concepts, Urban Design Goals, and all applicable objectives and policies set out in the Regional Plan and this Plan;~~
- b) ~~the proposal is appropriate and not premature by reason of:~~
 - i) ~~the financial capacity of the Municipality to absorb any costs relating to~~

- ~~the development,~~
- ~~ii) the adequacy of municipal wastewater facilities, stormwater systems or water distribution systems,~~
- ~~iii) the proximity of the proposed development to schools, parks, and community facilities, and the capability of these services to absorb any additional demands,~~
- ~~iv) the adequacy of transportation infrastructure for pedestrians, cyclists, public transit and vehicles for travel to and within the development, and~~
- ~~v) the impact on registered heritage buildings, heritage streetscapes, and heritage conservation districts;~~
- ~~e) the subject lands are suitable for development in terms of the steepness of grades, soil and geological conditions, locations of watercourses, wetlands, and susceptibility to flooding;~~
- ~~d) that development regulations in the proposed rezoning or development agreement will adequately mitigate potential conflict between the proposed development and nearby land uses, by reason of:~~
 - ~~i) type of use(s),~~
 - ~~ii) built form of the proposed building(s),~~
 - ~~iii) impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, community facilities, and railway operations,~~
 - ~~iv) traffic generation, safe access to and egress from the site, and parking,~~
 - ~~v) open storage and signage, and~~
 - ~~vi) impacts of lighting, noise, fumes and other emissions.~~

8. Amending Part 9, Section 9.12, Site Specific Development Agreement Policies, as shown below in **bold**, by:
 - a. Adding Section 9.12.4 – Lake Banook Paddler’s Cove (LB-PC) Special Area; and
 - b. Adding Policy IM-47.

9.12.4 LAKE BANOOK PADDLER’S COVE (LB-PC) SPECIAL AREA

This plan establishes the Lake Banook Paddler’s Cove (LB-PC) Special Area at 300 Prince Albert Road, Dartmouth (PID 00209544). The property is the site of Paddler’s Cove, a commercial building with a variety of tenants. The land was previously infilled and the shoreline altered before riparian buffer regulations were introduced. The result is a large outdoor space in the rear yard supported above the shoreline by a rock retaining wall. This site is one of the few properties zoned for commercial uses on Lake Banook, and the open space is directly adjacent to an HRM-owned paved walking path that extends around the lake.

Given the opportunities for enhancing the commercial and pedestrian realm at this site with minimal impact on the existing natural shoreline of Lake Banook, this plan establishes an option for a development agreement at the property to allow certain recreational and commercial uses in the riparian buffer area.

Policy IM-47

In the Lake Banook Paddler's Cove (LB-PC) Special Area at 300 Prince Albert Road (PID 00209544), Council may consider a development agreement to permit certain recreational uses and commercial uses in the watercourse buffer.

(1) A development agreement for these lands must meet the following criteria:

- a) within the watercourse buffer, only the following uses are permitted: local commercial uses, local drinking establishment uses and club recreation uses;**
- b) the proposed development shall not encroach on municipal land;**
- c) the dimensions of the existing shoreline retaining rock wall shall not be increased or expanded.**

(2) In considering a development agreement for these lands, Council shall consider:

- a) whether the proposed development is designed in an environmentally sensitive manner, with consideration for natural green space and vegetation, including but not limited to permeable landscaping and trees;**
- b) water quality protection and mitigation measures to ensure that no polluting runoff or drainage from the site will impact the water quality of Lake Banook;**
- c) whether proposed structures or uses will negatively impact the use of the Lake Banook Canoe Course; and**
- d) Policy IM-7 in Part 9 of this Plan.**

This is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____,

A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment D-21

Proposed Amendments to the Suburban Housing Accelerator Secondary Municipal Planning Strategy

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Suburban Housing Accelerator Secondary Municipal Planning Strategy is hereby amended as follows:

1. Amending Section 1.7.1, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “Regional Plan Urban Service Designation” and replacing it with the text “Urban Area,”; and
 - b. Adding the text “, as identified in the Regional Municipal Planning Strategy” after the text “Regional Centre”.
 - Suburban Area means lands within the ~~Regional Plan Urban Service Designation~~ **Urban Area**, but outside the Regional Centre, **as identified in the Regional Municipal Planning Strategy**.
2. Amending Policy UD-5(c), as shown below in **bold** and ~~strikeout~~, by:
 - a. deleting the text “and” after the text “built form” and the semi-colon in subclause vii);
 - b. deleting the text “.” and replacing it with the text “; and” after the text “shipping containers” in subclause viii); and
 - c. adding subclause ix) after subclause viii).

vii) prohibiting drive-throughs as a built form; ~~and~~

viii) establishing setback and massing requirements for accessory structures, backyard suites, and shipping containers-; **and**

ix) establishing minimum streetwall setback, and side setback and rear setback requirements for mid-rise, tall mid-rise, and high-rise buildings, as follows:

 - (i) **streetwall setback of 2.0 metres for a mid-rise building, 3.0 metres for a tall mid-rise building, and 4.5 metres for a high-rise building, if building height transition requirements are not applied;**
 - (ii) **streetwall setback of 2.5 metres for a mid-rise building, and 6.0 metres for a tall mid-rise building and a high-rise building, if building height transition requirements are applied;**
 - (iii) **side setback of 2.5 metres and rear setback of 4.5 metres for a tall mid-rise building, if building height transition requirements are not applied; and**
 - (iv) **side and rear setbacks of 3.0 metres for a mid-rise building, and 6.0 metres for a tall mid-rise building and a high-rise building, if building height transition requirements are applied.**

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of _____,

A.D., 20_____.

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Clerk and under the Corporate
Seal of the said Municipality this ____ day
of

_____, A.D., 20_____.

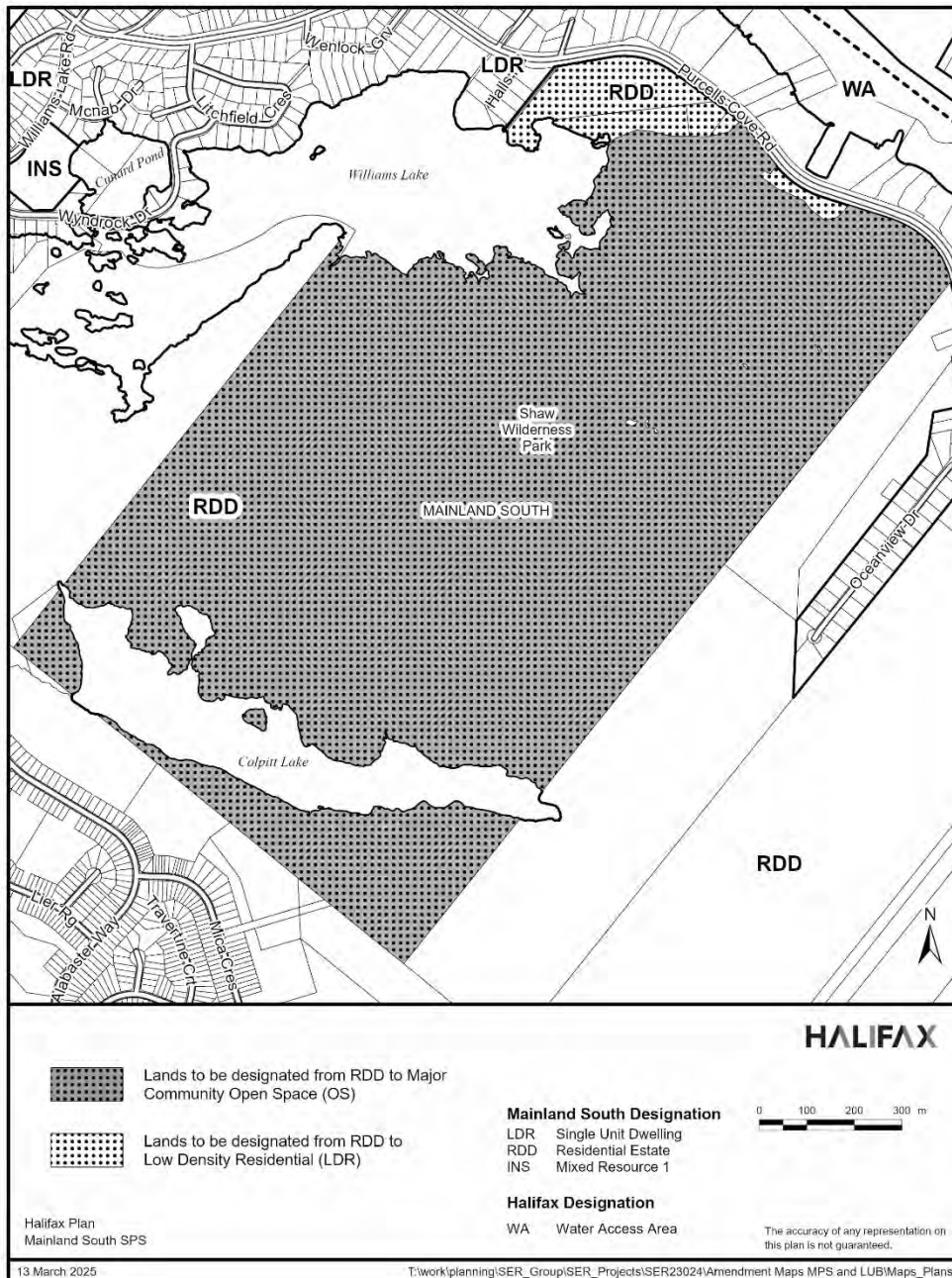
Municipal Clerk

SCHEDULE D

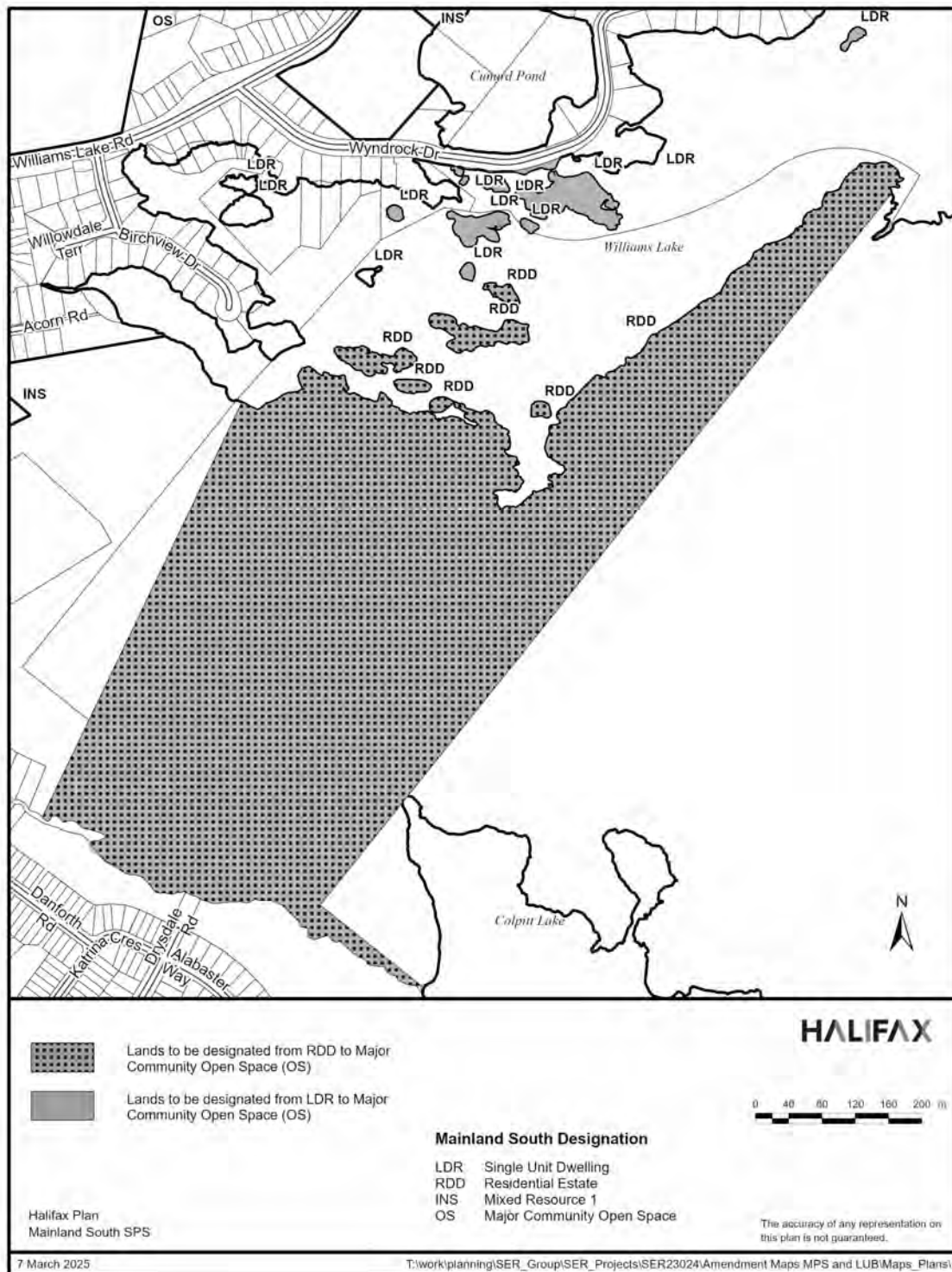
AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY SCHEDULES

SCHEDULE D-8: HALIFAX MUNICIPAL PLANNING STRATEGY

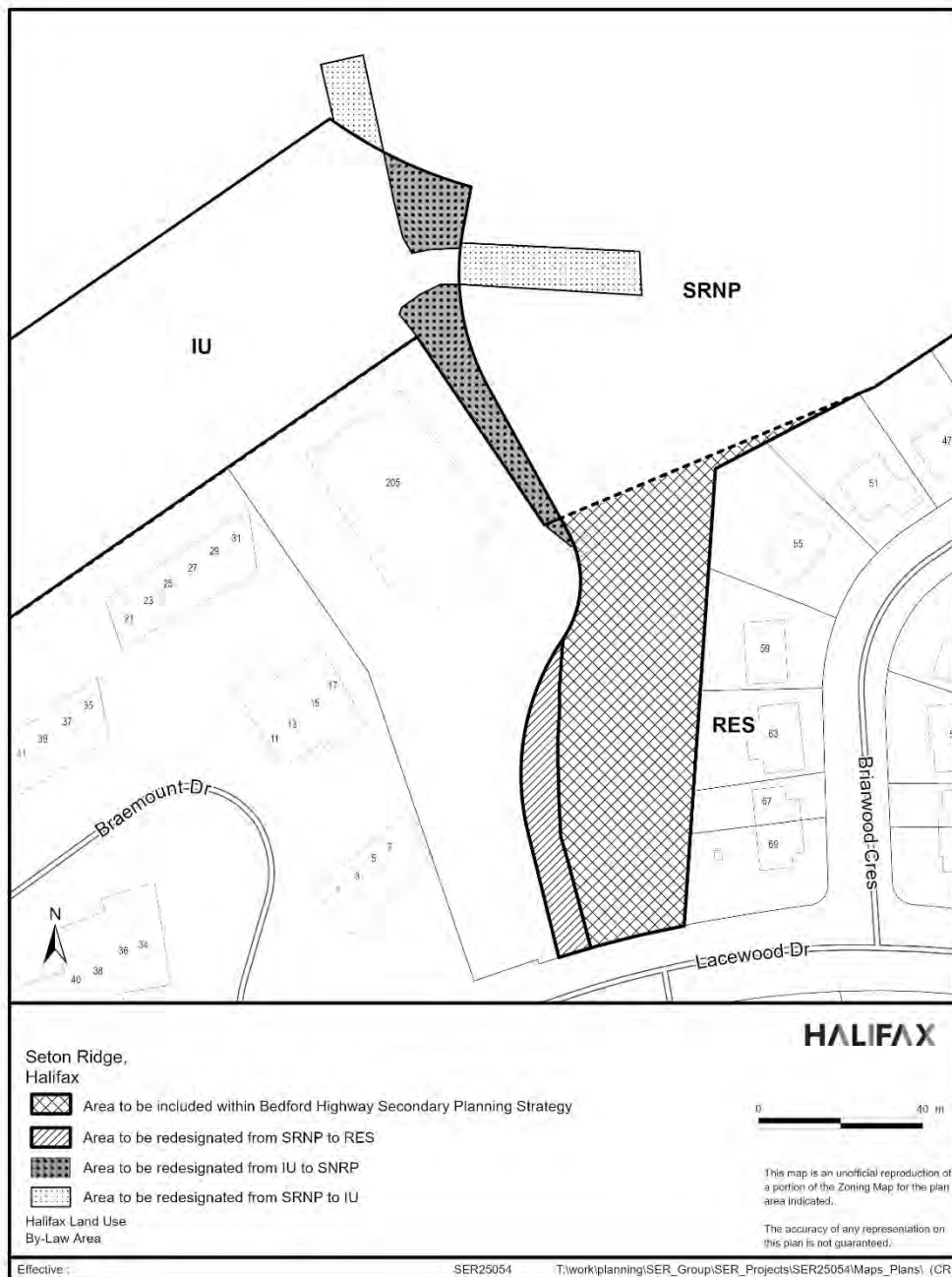
Schedule D-8A: "Map 9F- Mainland South Generalized Future Land Use"



Schedule D-8B: “Map 9F- Mainland South Generalized Future Land Use”



Schedule D-8C: “Map 1 Bedford Highway Area Plan Boundary; Map 9 Generalized Future Land Use; Map 9Dd Generalized Future Land Use - Bedford Highway; Map 9De - Generalized Future Land Use Bedford Highway, and Map 9Df: Seton Ridge Neighbourhood Plan”



ATTACHMENT E - PROPOSED AMENDMENTS TO LAND USE BY-LAWS

Table of Contents

Attachment E-1	4
Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville ...	4
Attachment E-2	16
Proposed Amendments to the Land Use Bylaw for Bedford.....	16
Attachment E-3	27
Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal.....	27
Attachment E-4	38
Proposed Amendments to the Land Use Bylaw for Dartmouth	38
Attachment E-5	48
Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay	48
Attachment E-6	60
Proposed Amendments to the Land Use Bylaw for Eastern Shore (East).....	60
Attachment E-7	71
Proposed Amendments to the Land Use Bylaw for Eastern Shore (West).....	71
Attachment E-8	82
Proposed Amendments to the Land Use Bylaw for Halifax Mainland	82
Attachment E-9	92
Proposed Amendments to the Land Use Bylaw for Lawrencetown	92
Attachment E-10	103
Proposed Amendments to the Land Use Bylaw for.....	103
Musquodoboit Valley & Dutch Settlement	103
Attachment E-11	114
Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area.....	114
Attachment E-12	126
Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)	126
Attachment E-13	142
Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)	142
Attachment E-14	155
Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margarets Bay).....	155
Attachment E-15	167
Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes).....	167
Attachment E-16	180
Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)....	180
Attachment E-17	192
Proposed Amendments to the Land Use Bylaw for Sackville Drive.....	192

Attachment E-18..... 199
 Proposed Amendments to the Land Use Bylaw for Sackville..... 199
Attachment E-19..... 211
 Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville..... 211
Attachment E-20..... 223
 Proposed Amendments to the Regional Centre Land Use Bylaw 223
Attachment E-21 228
 Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw 228

Attachment E-1

Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville Plan Area is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.18A WETLANDS” immediately after the text “4.18 WATERCOURSES”.
3. Amending the “Table of Contents”, by adding the text “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.28 LOADING SPACE REQUIREMENTS”.
4. Amending the “Table of Contents”, by adding the text “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” and immediately after the deleted text “4.31 SCHEDULE G – WETLANDS”.
5. Amending the “Table of Contents” by adding the text “4.37 RESIDENTIAL PRODUCE SALE” and “4.38 FARMERS’ MARKET” after 4.35 SHORT-TERM RENTALS.
6. Amending the “Table of Contents” by adding the text “SCHEDULE K: LANDS SUBJECT TO PROVISION 7B.3 (PID 00468694)” immediately after the text “SCHEDULE J: LANDS SUBJECT TO INTERIM BONUS ZONING REQUIREMENTS”,
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.5A AMENITY SPACE” after Section 2.5.

2.5A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

8. Amending Section 2.9 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or

equipment and includes any vessel or **shipping** container used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definition “2.11A COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.11.

2.11A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.20A ELECTRIC VEHICLE”, “2.20B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.20C ENERGIZED OUTLET” after Section 2.20.

2.20A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.20B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.20C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.25B FARMERS’ MARKET” after Section 2.25A.

2.25B FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.29A GREENHOUSE”, after Section 2.29.

2.29A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.30 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.30 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.32A INDOOR AGRICULTURE” after Section 2.32.

2.32A INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Section 2.38 in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “and” and replacing it with the text “or” after the text “in a plan” and before the text “deed”; and
 - Adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.38 LOT means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the effective date of this By-law, or is described in a plan ~~and or~~ deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.45A MARINE DEPENDENT USE” after Section 2.45.

2.45A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.72B(a) SHIPPING CONTAINER” after Section 2.72B.

2.72B(a) SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.77A WETLAND” after Section 2.77.

2.77A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes

as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending Section 3.6 in PART 3, as shown below in bold, by adding clause (k) after the text “per year by development agreement” and before Section 3.7.

(k) Alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policy EN-43 of the Regional Municipal Planning Strategy.

20. Amending PART 3, as shown below in bold, by adding Section “3.11 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.12 DEVELOPMENT AGREEMENTS FOR SOLAR ENERGY FACILITIES”.

3.11 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.12 DEVELOPMENT AGREEMENTS FOR SOLAR ENERGY FACILITIES

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

21. Amending PART 4, as shown below in **bold**, by adding Sections 4.1F and 4.1G after Section 4.1E.

4.1E **Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.**

4.1F **An accessory beekeeping use is exempt from the requirement to obtain a development permit.**

4.1G **A residential produce sale use is exempt from the requirement to obtain a development permit.**

22. Amending Section 4.5 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law” in Clause (a);
 - b. Deleting the text “vacant” after the text “Bylaw, a” and before the text “lot” in Clause (a);
 - c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it

- with the text “which was in existence” after the text “lot” and before the text “on the effective date” in Clause (a);
- d. Deleting the text “, depth” after the text “minimum frontage” and before the text “or area” in Clause (a);
 - e. Deleting the text “PART 14” and replacing it with the text “Sections 41 or 42” after the text “pursuant to” and before the text “of the” in Clause (b); and
 - f. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Clause (b).
- (a) Notwithstanding **the lot area and frontage requirements** ~~anything else~~ in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.
 - (b) Further to Subsection 4.5(a) above, the Development Officer may issue a development permit for a lot approved pursuant to **PART 14 Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.
23. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “the reduced frontage or area requirements” and replacing it with the text “Section 40” after the text “pursuant to” and before the text “of the” in Clause (a);
 - b. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Clause (a);
 - c. Deleting the text “Part 14” and replacing it with the text “Section 38” in Clause (b); and
 - d. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Clause (b).
- (a) Any lot created pursuant to ~~the reduced frontage or area requirements~~ **Section 40** of the **Regional** Subdivision By-law may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
 - (b) With the exception of the R-1, P-2, and any commercial or industrial zones, or lots serviced by central sewer and/or water services, the Development Officer may issue a development permit for a lot approved pursuant to ~~Part 14~~ **Section 38** of the **Regional** Subdivision By-law, provided that all other applicable provisions of this By-law are satisfied.
24. Amending PART 4, as shown below in **bold**, by adding Section “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except the Protected Water Supply Zone and the Floodplain Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

25. Amending Subclause 4.12(a)(v) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the text “a footprint of” after the text “exceed” and before the text “one thousand”; and
 - b. Deleting the text “in gross floor area” after the text “(93 square metres) in” and before the text “or 25”.
- (v) exceed **a footprint of** one thousand (1000) square feet (93 square metres) ~~in gross floor area~~ or 25 feet (7.7 metres) in height in any R-1 (Single Unit Dwelling) Zone or R-2 (Two Unit Dwelling) Zone;
26. Amending Section 4.12(d) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed or”;
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “the maximum” and before the text “requirements”.
- (d) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.
27. Amending Section 4.14 in PART 4, as shown below in **bold**, by:
- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “nor a structure”;
 - b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.14 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

28. Amending Section 4.17 in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “solar collectors or home satellite dishes.”

4.17 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, solar collectors or home satellite dishes. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

29. Amending PART 4, as shown below in **bold**, by adding Section “4.18A WETLANDS” after Section 4.18A.

4.18A WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Subject to subsections (3) through (6) inclusive, wetlands designated as a Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.**

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) **Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.**
- (b) **Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.**

USES PERMITTED WITHIN THE WETLAND BUFFER

(4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) marine dependent uses, fisheries uses, conservation uses;**
- (ii) fences, wharfs, boat ramps;**
- (iii) driveway crossings;**
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;**
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and**
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².**

(5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures.**

(6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.28.

4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided :

- (i) For Single Unit Dwelling or Two Unit Dwelling uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) for Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided,**

capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

(a) For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” after deleted Section 4.31.

4.31A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Mixed Use Zones, Resource Zones, Commercial Zones, and Industrial Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and

(f) **Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.**

32. Amending PART 4, as shown below in **bold**, by adding Section “4.37 RESIDENTIAL PRODUCE SALE” and Section “4.38 FARMERS’ MARKET” .

4.37 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Water Supply Zone and Floodplain Zone, subject to the following provisions:

- (a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;**
- (b) Any accessory structures devoted to the sale of plants and food products:**
 - (i) shall not exceed 5 m2 of footprint; and**
 - (ii) notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard; and**
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.38 FARMERS’ MARKET

- (a) A farmers’ market use shall be permitted in any Comprehensive Development District Zone, Special Area Zone, Mixed Use One Zone, Mixed Use Two Zone, General Use Zone, Resource Zones, Commercial Zones, Industrial Zones and Community Facility Zone, provided all other land use by-law requirements are satisfied.**
- (b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.11 and 4.12.**

33. Amending PART 7B, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “J” and replacing it with the text “K” after the text “Schedule” in the heading of Section 7B.3;
 - b. Deleting the text “J” and replacing it with the text “K” after the text the area identified” in the paragraph below the heading of Section 7B.3.

7B.3 MAXIMUM NUMBER OF SINGLE UNIT DWELLINGS ON THE AREA IDENTIFIED ON SCHEDULE ~~J~~ K

A maximum of 228 single unit dwellings shall be permitted on the area identified on Schedule ~~J~~ K.

34. Amending Section 13.1 in PART 13, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text

“Business uses in conjunction with permitted dwellings”.

Business uses in conjunction with permitted dwellings

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

35. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

All uses permitted in the MU-1 Zone

Existing Senior Citizens Housing on properties listed in Appendix A-1

All uses permitted in the C-4 Zone

All uses permitted in the I-1 (Mixed Industrial) Zone

Composting operations (see section 4.29)

Cannabis production facilities

Indoor agriculture uses

36. Amending Section 14.12 in PART 14, as shown below in ~~strikeout~~, by deleting the text “or watercourse” after the text “(R-1, RR-1) zone” and before the text “and in no case”.

14.12 OTHER REQUIREMENTS: SEPARATION

Notwithstanding the provisions of Section 14.3 and 14.4, where the gross floor area of all industrial or commercial uses on a lot exceeds 2,000 square feet, no industrial or commercial building or associated storage area shall be less than one hundred (100) feet from any residential (R-1, RR-1) zone ~~or watercourse~~ and in no case shall an associated storage area be less than one hundred (100) feet from a watercourse.

37. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “- Indoor agriculture uses” below the text “- Composting Operations” under the Heading “Industrial Uses”.

- Composting Operations

- **Indoor agriculture uses**

38. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities” under the Heading “Industrial Uses”.

Commercial and office uses accessory to permitted industrial uses

Cannabis production facilities

Indoor Agriculture uses

39. Amending Section 21.1 in PART 21, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Recreation uses

Composting operations (see section 4.29)
Cannabis production facilities
Indoor agriculture uses

40. Amending Section 26A.3 in PART 26A, as shown below in ~~strikeout~~, by repealing subclause (iii).
- (a) any building or structure shall meet the following separation distances:
- | | | |
|------------------|--|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |
41. Adding “SCHEDULE K: LANDS SUBJECT TO PROVISION 7B.3 (PID 00468694)” after Schedule J as shown on Schedule E-1A, attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-2
Proposed Amendments to the Land Use Bylaw for Bedford

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

1. Amending the “Table of Contents”, by deleting the text “12. Truck, Bus, and Coach Bodies” immediately after the repealed text “11. Mobile Homes”.
2. Amending the “Table of Contents”, by adding the text “12E. RESIDENTIAL PRODUCE SALE”, and “12F. FARMERS’ MARKET”, immediately after the text “12D. Short-Term Rentals”.
3. Amending the “Table of Contents”, by deleting the text “Vacant”, as shown in ~~strikeout~~, in the text “16. Existing ~~Vacant~~ Undersized Lots” immediately after the text “15. One Main Building On A Lot”.
4. Amending the “Table of Contents”, by adding the text “21B. Wetlands” immediately after the text “21A. Coastal Areas”.
5. Amending the “Table of Contents”, by deleting the text “29A. Shipping Containers as Accessory Buildings” and replacing it with the text “29AB. Shipping Containers” immediately after the text “29. Accessory Buildings”.
6. Amending the “Table of Contents”, by adding the text “29D. Accessory Beekeeping Use” immediately after the text “29C. Accessory Hen Use”.
7. Amending the “Table of Contents”, by adding the text “37AA. Electric Vehicle Ready Parking Requirements” immediately after the text “37. Loading Spaces”.
8. Amending PART 2, as shown below in **bold**, by adding the definition “Agricultural Use – Intensive” after the definition “Adult Entertainment Use”.

Agricultural Use – Intensive - means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

9. Amending PART 2, as shown below in **bold**, by adding the definition “Amenity Space”, after the definition “Alter”.

Amenity Space - means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport

courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

10. Amending the definition “Building” in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “vessel or vehicle” and before the text “used for”.

Building - means any structure, whether temporary or permanent, used or built for the shelter, support, accommodation or enclosure of persons, animals, material, vehicles, or equipment. Any tent, awning, deck, patio or platform, vessel or vehicle **or shipping container** used for any of the said purposes shall be deemed to be a building.

11. Amending PART 2, as shown below in **bold**, by adding the definition “Electric Vehicle”, “Electric Vehicle Supply Equipment”, and “Energized Outlet” after the definition “Dwelling Unit”.

Electric Vehicle - means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor.

Electric Vehicle Supply Equipment - means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

Energized Outlet - means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment which must be located.

12. Amending PART 2, as shown below in **bold**, by adding the definition “Farmers’ Market” after the definition “Family or Household”.

Farmers’ Market - means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

13. Amending PART 2, as shown below in **bold**, by adding the definition “Greenhouse”, after the definition “Garden Markets”.

Greenhouse - means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

14. Amending PART 2, as shown below in **bold**, by adding the definition “Indoor Agriculture” after the definition “Ice Cream Stand”.

Indoor Agriculture - means the production of food, water, fibre or flora or the

breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending PART 2, as shown below in **bold**, by adding the definition “Marine Dependent Use” after the definition “Main Building”.

Marine Dependent Use - means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

16. Amending PART 2, as shown below in **bold**, by adding the definition “Wetland” after the definition “Watercourse”.

Wetland - means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

17. Amending PART 4, as shown below in **bold** by adding Section 7, Section 8, Section 9, and Section 10 after Section 6.

7. Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Commercial.

8. Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

9. Pursuant to Policy EN-43 and EN-53 of the Halifax Regional Municipal Planning Strategy, alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement.

10. Pursuant to Policy C-20(a), modification of the Mainstreet Commercial requirements for height, lot coverage, setbacks, and maximum percentage of gross floor area occupied by residential dwelling units may be considered by development agreement for renovations and expansions to existing heritage buildings.

18. Amending PART 5, as shown below in **bold**, by adding Section 3BA. and 3BB. after Section 3B.

3B. An accessory hen use is exempt from the requirement to obtain a development permit.

3BA. An accessory beekeeping use is exempt from the requirement to obtain a development permit.

3BB. A residential produce sale use is exempt from the requirement to obtain a development permit.

19. Amending Subclause 8k)ix) in PART 5, as shown below in **bold**, by add adding the text “and accessory beekeeping use” after the text “except for an accessory hen use” and before the text “any use involving”.

ix) except for an accessory hen use **and accessory beekeeping use** any use involving the care of animals

20. Amending Section 12 in PART 5, as shown below in **bold**, by:
- Adding the text “, shipping container” after the text “mobile home” and before the text “or dwelling unit”; and
 - Adding the text “For clarity, a shipping container is not considered a vehicle body.” after the text “mounted on wheels”.

12. Truck, Bus, and Coach Bodies

No truck, bus, coach or streetcar body, or railway car, or structure of any kind other than a mobile home, **shipping container** or dwelling unit erected and used in accordance with this and all other By-laws of the Town shall be used for human habitation within the Town of Bedford, whether or not it is mounted on wheels. **For clarity, a shipping container is not considered a vehicle body.**

21. Amending PART 5, as shown below in **bold**, by adding Sections “12E. RESIDENTIAL PRODUCE SALE” and “12F. FARMERS’ MARKET” after Section “12C. Cannabis-Related Uses”.

12E. RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Floodway Zone, subject to the following provisions:

- For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- Any accessory structures devoted to the sale of plants and food products:**
 - shall not exceed 5 m2 of footprint; and**
 - notwithstanding any other provision of this bylaw, shall be permitted to be located in any front yard.**
- Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

12F. FARMERS’ MARKET

- a) **A farmers' market use shall be permitted in any Residential Multiple Dwelling Unit Zone, Residential Comprehensive Development District, Commercial Zone, Light Industrial Zone, Heavy Industrial Zone, Bedford West Business Campus Zone, Institutional Zone, Waterfront Comprehensive Development District Zone, provided all other land use by-law requirements are satisfied.**
- b) **An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Section 29.**

22. Amending Section 16 in PART 5, as shown below in **bold** and ~~strikeout~~ by:

- a. Deleting the text "vacant" after the text "Existing" and before the text "Undersized Lots" in the heading;
- b. Deleting the text "anything else" and replacing it with the text "the lot area and frontage requirements" after the text "Notwithstanding" and before the text "in this By-law";
- c. Deleting the text "regarding lot area and frontage" after the text "this By-law" and before the text ", a";
- d. Deleting the text "vacant" after the text "a" and before the text "lot";
- e. Deleting the text "held in separate ownership," and replacing it with the text "which was in existence" after the text "lot" and before the text "prior to September";
- f. Deleting the text "Developments located in areas where municipal central sewer and water services are not available shall be referred to the Town of Bedford Board of Health" after the text "By-law are satisfied."

16. Existing ~~Vacant~~ Undersized Lots

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law ~~regarding lot area and frontage~~, a ~~vacant lot held in separate ownership, which was in existence~~ prior to September 1982, from adjoining parcels having frontage on a public street which is less than the minimum frontage or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this By-law are satisfied. ~~Developments located in areas where municipal central sewer and water services are not available shall be referred to the Town of Bedford Board of Health.~~

23. Amending Section 17 in PART 5, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text "Section 11.2.3" and replacing it with the text "Sections 41, 42, 66, 67, or 68" after the text "criteria as per" and before the text "of the";
- b. Adding the text "Regional" after the text "of the" and before the text "Subdivision By-law."

17. Reduced Lot Frontage and Area Requirements

Lots which have been granted Subdivision approval under the following criteria as per ~~Section 11.2.3~~ **Sections 41, 42, 66, 67, or 68** of the **Regional** Subdivision By-law may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

24. Amending Clause 29(a)(v) in PART 5, as shown below in **bold** and ~~strikeout~~, by:
- Adding the text “a footprint of” after the text “exceed” and before the text “1000 square feet”; and
 - Deleting the text “in gross floor area” after the text “(93 square metres) in” and before the text “in any”.
- (v) exceed **a footprint of** 1000 square feet (93 square metres) ~~in gross floor area~~ in any Residential Zone, except for public buildings and uses and swimming pools;
25. Amending Clause 29(e) in PART 5, as shown below in **bold** and ~~strikeout~~, by:
- deleting the text “Notwithstanding anything else in the bylaw” and replacing it with the text “An” before the text “enclosed”; and
 - deleting the text “floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (e) ~~Notwithstanding anything else in this by-law,~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~floor area~~ **footprint** requirements for accessory buildings or structures.
26. Amending PART 5, as shown below in **bold**, by adding Section “21B. Wetlands” after Section 21A.

21B. WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.**

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

27. Amending Section 25 in PART 5, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “chimneys or clock towners.”

25 Height Regulations

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, solar panels, ventilators, skylights, satellite dishes, chimneys, or clock towers. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

28. Amending Part 5, as shown below in **bold** and ~~strikeout~~, by repealing Section “29A. Shipping Containers as Accessory Buildings” and replacing it with Section “29AB. Shipping

Containers” after Section 29.

~~29A. Shipping Containers as Accessory Buildings~~

- ~~a) Shipping containers may not be used as accessory buildings to a residential use or in a commercial zone, with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial zone, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Where a shipping container intended for nonrecreational or non-residential use is to be placed on a property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.~~
- ~~b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~

29AB. Shipping Containers

- (a) Shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.
- (b) Shipping containers may be used as a building for indoor agriculture, subject to the applicable zone standards for main buildings.
- (c) Shipping containers are not permitted as accessory buildings in any zone except for industrial zones, and must meet the following requirements:
- (i) Shipping containers must meet all applicable requirements for accessory buildings.
 - (ii) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.
 - (iii) Where the shipping container is to be placed on a property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.
- (d) Notwithstanding subsection 29AB(c), shipping containers are permitted as an accessory building in a residential zone when used as a backyard suite, subject to the applicable requirements for backyard suites.

29. Amending PART 5, as shown below in **bold**, by adding Section “29D. ACCESSORY BEEKEEPING USE” after Section 29C.

29D. ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Floodway Zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:
 - i. two beehives on lots of less than 2,000 square metres in area; or
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.
- (b) Beehives shall:
 - i. not be located in any front yard; and
 - ii. be located no less than 3.0 metres from any lot line.

30. Amending Clause 34 a) in PART 5, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the text “and” after the text “hotels, motels” and before the text “staff houses”; and
 - b. Deleting the text “, and short-term bedroom rentals” after the text “staff houses”.
 - c. Adding the text “One (1) parking space per dwelling unit to be rented” below the text “One (1) parking space per room to be rented”.

Hotels, motels, and staff houses, and short-term bedroom rentals	One (1) parking space per tourist cabins, guest houses bedroom <u>plus</u> parking spaces as per the listed requirements for accessory uses such as restaurants, lounges, retail space, etc.
--	--

31. Amending PART 5, as shown below in **bold**, by adding Section “37AA Electric Vehicle Ready Parking Requirements” after Section “37. LOADING SPACES”.

37AA. Electric Vehicle Parking Ready Requirements

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

- (a) For new residential uses, where parking spaces are provided:
 - (i) for single detached, semi-detached, duplex, linked, rowhouse/townhouse dwelling uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
 - (ii) For multiple unit dwellings containing three or four dwelling uses, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
 - (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electric Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either SAE J1772 or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.

32. Amending PART 17, as shown below in **bold**, by adding Clause qd) after Clause qc).

- qb) Service stations and gas bars on properties identified on Schedule C-3
- qc) cannabis production facilities
- qd) indoor agriculture uses**

33. Amending Clause 26.3 a) in PART 26, as shown below in ~~strikeout~~, by repealing subsection iii) after subsection ii).

a) any building or structure shall meet the following separation distances:

- | | | |
|--|----------------------|------------------------|
| i) from any property line | 30 metres | (98.4 feet) |
| ii) from the nearest residential dwelling or institutional use | 60 metres | (196.9 feet) |
| iii) from a watercourse | 30 metres | (98.4 feet) |

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20____.

GIVEN under the hand of the Municipal Clerk and

under the Corporate
Seal of the said Municipality this _____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-3

Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour /Westphal is hereby amended as follows:

1. Amending the “Table of Contents”, by deleting the text “4.11A Shipping Containers” and replacing it with the text “4.11AB Shipping Containers” after the text “4.11 Accessory Buildings”.
2. Amending the “Table of Contents”, by adding the text “4.10B ACCESSORY BEEKEEPING USE” immediately after the text “4.10A ACCESSORY HEN USE.”
3. Amending the “Table of Contents”, by adding the text “4.17B WETLANDS” immediately after the text “4.17A COASTAL AREAS”.
4. Amending the “Table of Contents”, by adding the text “4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.31 SCHEDULE C – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.36 RESIDENTIAL PRODUCE SALE” and “4.37 FARMERS’ MARKET” immediately after the text “4.35 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section 2.6 and replacing it with Section 2.6A.

2.6 ~~AMENITY AREA means an area of land set aside for purposes of visual improvement or relaxation except where an amenity area is required for any multiple unit dwelling, in which case the area may also include that portion of the building which is devoted to relaxation such as games rooms and balconies.~~

~~(a) Common Amenity Area means an amenity area for the common use and enjoyment of all occupants of a building or development.~~

~~(b) Private Amenity Area means an amenity area for the enjoyment of occupants of an individual dwelling unit.~~

2.6A AMENITY AREA means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

- (a) **Common Amenity Area means an amenity area for the common use and enjoyment of all occupants of a building or development.**
- (b) **Private Amenity Area means an amenity area for the enjoyment of occupants of an individual dwelling unit.**

8. Amending Section 2.10 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “vessel” and before the text “used for”.

2.10 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definition “2.12A COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.12.

2.12A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.17A ELECTRIC VEHICLE”, “2.17B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.17C ENERGIZED OUTLET” after Section 2.17.

2.17A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.17B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.17C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.22AA FARMERS’ MARKET” after Section 2.22.

2.22AA FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.24A GREENHOUSE” after Section 2.24.

2.24A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.25 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.25 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and rooftop greenhouses; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.39A MARINE DEPENDENT USE” after Section 2.39.

2.39A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.70AC WETLAND” after Section 2.70AB.

2.70AC WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

16. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding Clause (af) after Clause (ae).

(af) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

17. Amending PART 3, as shown below in **bold**, by adding Section “3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.9 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.7.

3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy,

internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.9 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, Commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

18. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (iv) and (v) after Clause 4.1(d)(iii).

- (iii) An accessory hen use.
- (iv) An accessory beekeeping use.**
- (v) A residential produce sale use.**

19. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law”;
 - b. Deleting the text “vacant” after the text “Bylaw, a” and before the text “lot”;
 - c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “lot” and before the text “on the effective date”;
 - d. Deleting the text “, depth” after the text “minimum frontage” and before the text “or area”;
 - e. Deleting the text “PART 14” and replacing it with the text “Sections 41 or 42” after the text “pursuant to” and before the text “of the”; and
 - f. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.

4.6 EXISTING UNDERSIZED LOTS

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

Furthermore, the Development Officer may issue a development permit for a lot approved pursuant to ~~PART 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.

20. Amending Subsection 4.7(a) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “Section 98” and replacing it with the text “Section 40” after the text

- “pursuant to” and before the text “of the”; and
- b. Deleting the text “Planning Act” and replacing it with the text “Regional Subdivision By-law” after the text “of the” and before the text “may be used for”.
- (a) Any lot created pursuant to ~~Section 98~~ **Section 40** of the ~~Planning Act~~ **Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
21. Amending Subsection 4.7(d) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the text “and area” after the text “lot frontage” and before the text “requirements of this”;
 - b. Deleting the text “Part 14” and replacing it with the text “Sections 38, or 47(A)” after the text “pursuant to” and before the text “of the”;
 - c. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”;
 - d. Deleting the text “14.1” and replacing it with the text “38” after the text “pursuant to Section” and before the text “of the”; and
 - e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.
- (d) Notwithstanding the lot frontage **and area** requirements of this By-law, development permits may be issued for lots approved pursuant to ~~Part 14~~ **Sections 38, or 47(A)** of the **Regional** Subdivision By-law—as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to Section ~~14.1~~ **38** of the **Regional** Subdivision By-law except for business uses in conjunction with a permitted dwelling.
22. Amending PART 4, as shown below in **bold**, by adding Section “4.10B ACCESSORY BEEKEEPING USE” after Section 4.10A.

4.10B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Protected Water Supply Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
 - (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**
23. Amending Clause 4.11(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the

text “maximum” and before the text “requirements”.

- (c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.
24. Amending PART 4, as shown below in **bold** and ~~strikeout~~, by repealing Section “4.11A Shipping Containers” and replacing it with Section “4.11AB Shipping Containers” after Section 4.11.

4.11A SHIPPING CONTAINERS

- (a) ~~Shipping containers:~~
 - (i) ~~shall not be used as accessory buildings in a residential zone with the exception of backyard suites.~~
 - (ii) ~~may be used as accessory buildings in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping.~~
 - (iii) ~~intended for non-recreation or non-residential use on any property which abuts a residential, park or institutional zone shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.~~
 - (iv) ~~shall not be stacked within 100' of any residential, park or institutional zone~~
- (b) ~~Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- (c) ~~Deleted~~

4.11AB SHIPPING CONTAINERS

- (a) **Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:**
 - (i) **shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;**
 - (ii) **shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and**
 - (iii) **shipping containers intended for non-recreation or non-residential use on any property which abuts a residential, park or institutional zone shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.**
- (b) **Notwithstanding subsection (a), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.**

- (c) **Notwithstanding subsection (a), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.**

25. Amending Section 4.13 in PART 4 as shown below in **bold** by:
- Adding the text “motor home, or camper trailer,” after the text “No truck, bus, coach or streetcar body.” and before the text “nor a structure”; and
 - Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.13 VEHICLE BODIES

No truck, bus, coach or streetcar body, **motor home, or camper trailer**, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

26. Amending Section 4.16 in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “solar collectors attached to the principal structures.”

4.16 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors attached to the principal structures. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

27. Amending PART 4, as shown below in **bold**, by adding Section “4.17B WETLANDS” after Section 4.17A.

4.17B WETLANDS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that**

permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia..

(b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

28. Amending Subsection 4.25(a) in PART 4, as shown below in **bold**, by:
- a. Adding the text “Short-term rentals” below the text “Motels, hotels, and short-term bedroom rentals; and

- b. Adding the text “One (1) parking space per dwelling unit to be rented” below the text “1 space per sleeping unit plus requirements for restaurants or other facilities contained therein.”

Motels, hotels and short-term bedroom rentals

1 space per sleeping unit plus requirements for restaurants or other facilities contained therein

Short-term rentals

One (1) parking space per dwelling unit to be rented

29. Amending PART 4, as shown below in **bold**, by adding Section “4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.27.

4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single-unit, semi-detached, two unit, and rowhouse or townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772, excluding visitor parking spaces;**
- (ii) For multiple unit dwellings containing three unit and four unit uses, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.**

30. Amending PART 4, as shown below in **bold**, by adding Section “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” after repealed Section 4.31.

4.31A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in the MOD Zone, any Neighbourhood Zones and any Industrial Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;**
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;**
- c) Fencing shall be installed to screen views from abutting properties;**
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;**
- e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and**
- f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.**

31. Amending PART 4, as shown below in bold, by adding Sections “4.36 RESIDENTIAL PRODUCE SALE”, and “4.37 FARMERS’ MARKET” after Section 4.35.

4.36 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Water Supply Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**

- b) Any accessory structures devoted to the sale of plants and food products:
 - (i) shall not exceed 5 m2 of footprint; and
 - (ii) notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.37 FARMERS' MARKET

- a) A farmers' market use shall be permitted in any Multiple Unit Dwelling Zone, Mixed Opportunity District Zone, Neighbourhood Zone, Industrial Zone, Community Facility Zone and Comprehensive Development District, provided all other land use by-law requirements are satisfied.
- b) An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Sections 4.10 and 4.11.

32. Amending Subsection 24A.3(a) in PART 24A, as shown below in ~~strikeout~~, by deleting clause (iii).

- (a) any building or structure shall meet the following separation distances:
 - (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
 - (iii) ~~from a watercourse~~ 30 metres (98.4 feet)

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-4
Proposed Amendments to the Land Use Bylaw for Dartmouth

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

1. Amending the “Table of Contents”, by adding the text “PART 38: US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE” immediately after the text “PART 37: PA (PROTECTED AREA) ZONE”.
2. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition, “(ab) AGRICULTURAL USE – INTENSIVE” and “(ac) AMENITY AREA” after Subsection 1(aa).
 - (ab) **AGRICULTURAL USE - INTENSIVE** means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.
 - (ac) **AMENITY AREA** means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.
3. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definitions “(qaa) ELECTRIC VEHICLE”, “(qab) ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “(qac) ENERGIZED OUTLET” after Subsection 1(q).
 - (qaa) **ELECTRIC VEHICLE -** means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;
 - (qab) **ELECTRIC VEHICLE SUPPLY EQUIPMENT -** means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.
 - (qac) **ENERGIZED OUTLET -** means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.
4. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(raa) FARMERS’ MARKET” after Subsection 1(r).

- (raa) **FARMERS' MARKET** means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.
5. Amending "SECTION 1: DEFINITIONS", as shown below in **bold** and ~~strikeout~~, by repealing and replacing the definition "(saa) GREENHOUSE" after the definition "(sa) Front Yard".
- (saa) ~~GREENHOUSE means a building whose roof and sides are made of glass or other transparent or translucent material, and in which the temperature and humidity can be regulated for the cultivation of delicate or out of season plants as a community enterprise or for subsequent sale.~~
- GREENHOUSE** means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
6. Amending "SECTION 1: DEFINITIONS", as shown below in **bold**, by adding the definition "(ua) INDOOR AGRICULTURE" after Subsection 1(u).
- (ua) **INDOOR AGRICULTURE** means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.
7. Amending "SECTION 1: DEFINITIONS", as shown below in **bold**, by adding the definition "(zaaa) MARINE DEPENDENT USE" after Subsection 1(za).
- (zaaa) **MARINE DEPENDENT USE** means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.
8. Amending "SECTION 1: DEFINITIONS", as shown below in **bold**, by adding the definition "(aiaa) SOFT LANDSCAPING", after the definition "(ai) SINGLE-FAMILY DWELLING".
- (aiaa) **SOFT LANDSCAPING** means covered by permeable material or vegetation, such as trees, hedges, shrubs, flowers, grass, mulch, fruit and vegetable plants, sod, planter boxes, or another vegetative groundcover. A permeable vegetated grid system and water feature, excluding a swimming pool, hot tub, or a water fountain, are considered soft landscaping.
9. Amending "SECTION 1: DEFINITIONS", as shown below in **bold**, by adding the definition "(at) WETLAND" after Subsection 1(as).

- (at) **WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.**
10. Amending Section 11 in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding the text “and an accessory beekeeping use,” after the text “Except for an accessory hen use” and before the text “Horses, cattle, sheep”.
11. Except for an accessory hen use **and an accessory beekeeping use**, Horses, cattle, sheep, swine, and domestic fowl shall not be kept on those lands in the City of Dartmouth described in Schedule 1 – Zoning Map for Dartmouth hereto, nor in an R-1, R-1M, R-1A, R-2, R-3, R-4, Tor TH Zone.
11. Amending Subsection 14(h) in “SECTION 2: GENERAL PROVISIONS”, as shown below in ~~strikeout~~, by deleting the text “, short-term bedroom rentals” after the text “tourist homes” and before the text “and buildings”.
- (h) for hotels, tourist homes, ~~short-term bedroom rentals~~ and buildings of a similar nature, one parking space shall be provided for each of the first 20 rooms, one parking space for every 4 rooms over 20 and one parking space for each 100 square feet of floor area for any restaurant therein;
12. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “16A. ELETRIC VEHICLE READY PARKING REQUIREMENTS” after Section 16.

16A. ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) Where parking spaces are provided:

- (i) for single-family, duplex, two-family and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For apartment building uses containing three unit and four unit uses, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for apartment building uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.**

13. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold** by adding Section 18(Za), Section 18(Zb), and Section 18(Zc) after Section 18Z.

18(Za) Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Commercial.

18(Zb) Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

18(Zc) Pursuant to policies EN-43 and EN-53 of the Halifax Regional Municipal Planning Strategy, alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement, as applicable.

14. Amending Section 27A in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold** and ~~strikeout~~, by deleting the text “floor area” and replacing it with the text “footprint” after the text “square feet in”.

27A. No accessory building in any R-1, R-1M, R-1A, R-2, R-3, R-4, TH or T Zone shall be

greater than 25 feet in height nor greater than 1000 square feet in ~~floor area~~ **footprint**.

15. Amending Section 27BC in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”;
 - Deleting the text “floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

27BC ~~Notwithstanding anything else in this by law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~floor area~~ **footprint** requirements for accessory buildings or structures.

16. Amending “SECTION 2: GENERAL PROVISION”, as shown below in **bold** and ~~strikeout~~, by repealing Section “27C. SHIPPING CONTAINERS AS ACCESSORY BUILDINGS” and replacing it with Section “27CA. SHIPPING CONTAINERS” after Section 27BD.

27C. SHIPPING CONTAINERS

~~(1) Shipping containers:~~

~~(i) shall not be used as accessory buildings to a residential use with the exception of backyard suites.~~

~~(ii) may be used as accessory buildings in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping.~~

~~(iii) intended for non-recreation or non-residential use on any property which abuts a residential, park or institutional zone shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.~~

~~(iv) shall not be stacked within 100' of any residential, park or institutional zone.~~

~~(2) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~

~~(3) Deleted~~

~~(4) Where shipping containers are used in conjunction with a permitted industrial use in the CI Zone or BGI Zone, subsections 27C (1) and (2) shall not apply.~~

27CA. Shipping Containers

(1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:

(i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;

(ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and

(iii) Shipping containers intended for non-recreation or non-residential use on any

property which abuts a residential, park or institutional zone shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.

(2) Where shipping containers are used in conjunction with a permitted industrial use in the CI Zone or BGI Zone, subsection 27CA (1) shall not apply.

(3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.

(5) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.

17. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “32BA WETLANDS” after Section 32B.

32BA WETLANDS

WETLANDS – PERMIT REQUIREMENTS

(1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.

(b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

(2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.

(b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

(3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.

- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) marine dependent uses, fisheries uses, conservation uses;
- (ii) fences, wharfs, boat ramps;
- (iii) driveway crossings;
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

18. Amending “SECTION 2: GENERAL PROVISION”, as shown below in ~~strikeout~~, by repealing Subsections 31(1), (2), and (3).

~~31(1) No building in an industrial zone shall be located less than fifty (50) feet from the ordinary high water mark of any watercourse. Further, excepting for the purpose of driveways, walkways and trails, no infilling, alteration of grade or removal of natural vegetation shall be permitted within fifty (50) feet of the ordinary high water mark of any watercourse or shoreline. No parking, storage, loading or other similar activities shall be permitted within this area. For lots in existence on the effective date of this section, and where the fifty foot yard is prohibitive of development, the Development Officer may consider reducing the required yard through the minor variance process.~~

~~(2) Existing buildings within the required setback shall be permitted to be repaired, renovated, replaced or expanded provided that such work does not further reduce the setback.~~

~~(3) Notwithstanding the foregoing, uses within the I-1, I-2 or I-3 Zones shall not be required to meet the setback or buffer requirements where access to the water is~~

~~required as an integral part of the use.~~

19. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding clauses (d) and (e) after clause (c) in Section 33.

33 Development Permit Exemptions

- (a) An accessory hen use is exempt from the requirement to obtain a development permit.
- (b) A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.
- (c) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (d) **An accessory beekeeping use is exempt from requirement to obtain a development permit.**
- (e) **A residential produce sale is exempt from requirement to obtain a development permit.**

20. Amending “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding Sections 35 and 36 after Section 34.

35 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Area Zone, subject to the following provisions:

- a) **For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- b) **Any accessory structures devoted to the sale of plants and food products:**
 - (i) **shall not exceed 5 m2 of footprint; and**
 - (ii) **notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.**
- c) **Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

36 FARMERS’ MARKET

- a) **A farmers’ market use shall be permitted in any Multiple Family Residential Zone, Neighbourhood Live-Work Zone, Local Business Zone, Neighbourhood Commercial Zone, Mixed Use Commercial Zone, General Business Zone, Light Industrial Zone, General Industrial Zone, Institutional Zone, General Commercial Zone, Service Commercial Zone, Comprehensive Development District, Burnside Comprehensive Development District, Business Park Zone, Commercial Industrial Zone and Burnside General Industrial Zone, provided**

all other land use by-law requirements are satisfied.

- b) An accessory structure associated with a farmers' market use shall meet the accessory structure built form and siting requirements of Sections PG-138 to PG-144.**

21. Amending Section 31 in "SECTION 3: ZONES", as shown below in **bold**, by adding the text "US-E Urban Settlement-Employment Zone" below the text "PA Protected Area Zone".

BGI	Burnside General Industrial Zone
PA	Protected Area Zone
US-E	Urban Settlement-Employment Zone

22. Amending Subsection 41(1) in PART 12, as shown below in **bold**, by adding Clause (f) after Clause (e).

- (d) pawn shops
- (e) cannabis production facilities
- (f) indoor agriculture uses**

23. Amending Subsection 42(1) in PART 13, as shown below in **bold**, adding Clause (h) after Clause (g).

(f) Within lands designated Harbour-Related Commercial/Residential on Schedule AA, existing uses shall be permitted and may expand in accordance with the I-2 Zone provisions, but no change of use shall be permitted except in accordance with Clause 18(U) of this By-law.

- (g) cannabis production facilities
- (h) indoor agriculture uses**

24. Amending Clause 53(B)(3)(a) in PART 28, as shown below in ~~strikeout~~, by repealing subclause (iii).

- (a) any building or structure shall meet the following separation distances:
 - (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
 - (iii) ~~from a watercourse~~ 30 metres (98.4 feet)

25. Adding the PART, "PART 38 US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE", as shown below in **bold**, after PART 37.

PART 38 US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE

59(1) US-E USES PERMITTED

No development permit shall be issued in any US-E Zone except for the following:

Utilities
Conservation uses
Public parks and playgrounds

26. Zoning Map “Schedule 1 – Zoning Map for Dartmouth” is amended to rezone the properties to Urban Settlement-Employment (US-E) Zone, as shown on Schedule E-4A, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-5

Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.10B ACCESSORY BEEKEEPING USE” immediately after the text “4.10A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by deleting the text “4.11A SHIPPING CONTAINERS” and replacing it with the text “4.11AB SHIPPING CONTAINERS” immediately after the text “4.10A ACCESSORY HEN USE”.
3. Amending the “Table of Contents”, by adding the text “4.18B WETLANDS” immediately after the text “4.18A COASTAL AREAS”.
4. Amending the “Table of Contents”, by adding the text “4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.31 SCHEDULE C- WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.36 RESIDENTIAL PRODUCE SALE” and “4.37 FARMERS’ MARKET” immediately after the text “4.35 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.3A AGRICULTURAL USE – INTENSIVE” after Section 2.3.

2.3A AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

8. Amending Section 2.5 in PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section “2.5 AMENITY AREA” and replacing it with Section “2.5A Amenity Area” after Section 2.4.

2.5 ~~AMENITY AREA means an area of land set aside for purposes of visual improvement or relaxation except where an amenity area is required for any multiple unit dwelling, in which case the area may also include that portion of the building which is devoted to relaxation such as games rooms and balconies.~~

- 2.5A AMENITY AREA** means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.
9. Amending Section 2.9 in PART 2, as shown below in **bold**, by adding the text “shipping container” after the text “includes any vessel or” and before the text “used for any”.
- 2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping container** used for any of the foregoing purposes.
10. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AA COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.11
- 2.11AA COMMERCIAL SOLAR ENERGY FACILITY USE** – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.
11. Amending PART 2, as shown below in **bold**, by adding the text “B” to the definition “2.11A COMPOSTING OPERATION” after the text “2.11A” and before the text “COMPOSTING”.
- 2.11AB COMPOSTING OPERATION** means a public or private solid waste management facility where the waste is processed using composting technology which may include physical turning, windrowing, in-vessel, static pile aeration or other mechanical handling of organic matter and where the annual production of compost material exceeds 60 cubic metres.
12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.16A ELECTRIC VEHICLE”, “2.16B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.16C ENERGIZED OUTLET” after Section 2.16.
- 2.16A ELECTRIC VEHICLE** means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;
- 2.16B ELECTRIC VEHICLE SUPPLY EQUIPMENT** means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

- 2.16C ENERGIZED OUTLET** means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.
13. Amending PART 2, as shown below in **bold**, by adding the definitions “2.21A FARMERS’ MARKET” after Section 2.21.
- 2.21A FARMERS’ MARKET** means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.
14. Amending PART 2, as shown below in **bold**, by adding the definition “2.23A GREENHOUSE” after Section 2.23.
- 2.23A GREENHOUSE** means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
15. Amending Section 2.24 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.
- 2.24 GROSS FLOOR AREA** means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.
16. Amending PART 2, as shown below in **bold**, by adding the definition “2.26B INDOOR AGRICULTURE” after Section 2.26A.
- 2.26B INDOOR AGRICULTURE** means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.
17. Amending PART 2, as shown below in **bold**, by adding the definition “2.38AA MARINE DEPENDENT USE” after Section 2.38A.
- 2.38AA MARINE DEPENDENT USE** means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.
18. Amending Section 2.66AA in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “; and” after the text “living room” and before the text “which may”; and

- b. Adding the text “, and includes a short-term rental” after the text “used as a dwelling”.

2.66AA TOURIST COTTAGE means a rental unit for the use of the traveling or vacationing public which includes sleeping area(s), a bathroom, as well as a kitchen or living room; ~~and~~ which may not be used as a dwelling, **and includes a short-term rental.**

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.66D WETLAND” after Section 2.66C.

2.66D WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

20. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding clause (m) after clause (l).

(m) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

21. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” after Section 3.7;
- b. Adding Section “3.9 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT” after Section 3.8; and
- c. Adding Section “3.10 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.9.

3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.9 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT

Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Commercial.

3.10 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

22. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (vi) and (vii) after Clause (v).
- (ii) any sign, except signs permitted according to Section 5.3 of this By-law.
 - (i) An accessory hen use.
 - (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
 - (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
 - (vi) An accessory beekeeping use.**
 - (vii) A residential produce sale use.**
23. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text "anything else" and replacing it with the text "the lot area and frontage requirements" after the text "Notwithstanding" and before the text "in this By-law";
 - b. Deleting the text "vacant" after the text "a" and before the text "lot";
 - c. Deleting the text "held in separate ownership from adjoining parcels" and replacing it with the text "which was in existence";
 - d. Deleting the text ", depth" after the text "frontage," and before the text "or area required"; and
 - e. Adding the text "or 42" after the text "Section 41" and before the text "of the Regional".

4.6 EXISTING UNDERSIZED LOTS

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

Furthermore, the Development Officer may issue a development permit for a lot approved pursuant to Section 41 **or 42** of the Regional Subdivision By-law, where an undersized lot has had its boundaries altered.

24. Amending Subsection 4.7(a) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text "Section 98" and replacing it with the text "Section 40 or 47(A)" after the text "pursuant to" and before the text "of the"; and
 - b. Deleting the text "Part IX of the Halifax Regional Municipality Charter" and replacing it with the text "Regional Subdivision Bylaw" after the text "of the" and before the text "may be used".

- (a) Any lot created pursuant to ~~Section 98~~ **Section 40 or 47(A)** of the ~~Part IX of the Halifax Regional Municipality Charter~~ **Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
25. Amending Subsection 4.7(d) in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “14.1” and replacing it with the text “38” after the text “pursuant to Section” and before the text “of the”;
 - Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to *Section 38 of the Regional Subdivision By-law* as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to ~~Section 14.1~~ **38** of the **Regional Subdivision By-law** except for business uses in conjunction with a permitted dwelling.
26. Amending PART 4, as shown below in **bold**, by adding Section “4.10B ACCESSORY BEEKEEPING USE” after Section 4.10A.

4.10B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Environmental Conservation Zone, Floodplain Zone and Protected Area Zone subject to the following provisions:

- The maximum number of beehives permitted on a lot shall not exceed:**
 - two beehives on lots of less than 2,000 square metres in area; or**
 - four beehives on lots equal to or greater than 2,000 square metres in area.**
 - Beehives shall:**
 - not be located in any front yard; and**
 - be located no less than 3.0 metres from any lot line.**
27. Amending PART 4A, as shown in **bold** and ~~strikeout~~, by repealing Section “4.11A SHIPPING CONTAINERS” and replacing it with “4.11AB SHIPPING CONTAINERS” after Section 4.10.

4.11A SHIPPING CONTAINERS

(1) Shipping containers:

- ~~(i) shall not be used as accessory buildings to a residential use with the exception of backyard suites.~~
- ~~(ii) may be used as accessory buildings in an industrial or commercial zone, or the RA Zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping.~~
- ~~(iii) intended for non-recreation or non-residential use on any property which abuts a~~

~~residential, park or institutional zone, or abuts a property which is zoned RA and which contains a dwelling shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.~~

~~(iv) shall not be stacked within 100' of any residential, park or institutional zone.~~

~~(2) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~

~~(3) Deleted~~

4.11AB Shipping Containers

(1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:

(i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;

(ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and

(iii) Shipping containers intended for non-recreation or non-residential use on any property which abuts a residential, park or institutional zone, or abuts a property which is zoned RA and which contains a dwelling, shall be set back a minimum of 100' from such adjacent zone. This setback may be reduced to 10', provided that a solid visual barrier exists or is provided prior to placement of a shipping container, and provided that the barrier screens the view of the entire height of the container from the abutting zone.

(2) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(3) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.

(4) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.

28. Amending Clause 4.11(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

~~(c) Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor~~ **footprint** area requirements for accessory buildings or structures.

29. Amending Section 4.14 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer,” after the text “No truck, bus, coach” and before the text “or streetcar body”; and

- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.”
After the text “commercial building”.

4.14 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

30. Amending Section 4.17 in in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “F” in the heading, before the text “HEIGHT REGULATIONS”; and
- b. Adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.17 ~~F~~**HEIGHT REGULATIONS** The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, telecommunications masts or towers, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.18B WETLANDS” after Section 4.18A.

4.18B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where**

approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.27.

4.27AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

- (a) For new residential uses, where parking spaces are provided:

- (i) for single-unit, semi-detached, two unit, and townhouse uses, a minimum of one Energized Outlet is to be installed, capable of supporting a Level 2 charging station that meets the SAE J1772 standard for each dwelling unit, excluding visitor parking spaces;
- (ii) For multiple unit dwellings containing three unit and four unit uses, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.31A COMMERCIAL SOLAR ENERGY FACILITIES” after repealed Section 4.31.

4.31A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Solar Energy Facilities shall be permitted in any Commercial and Industrial Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under

- the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

34. Amending PART 4, as shown below in **bold**, by:
- a. Adding Section “4.36 RESIDENTIAL PRODUCE SALE” after Section 4.35; and
 - b. Adding Section “4.37 FARMERS’ MARKET” after Section 4.36.

4.36 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Environmental Conservation Zone, Floodplain Zone and Protected Area Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- b) Any accessory structures devoted to the sale of plants and food products:
 - (i) shall not exceed 5 m² of footprint; and
 - (ii) notwithstanding any other provisions of this bylaw shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.37 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in any Rural Area Zone, Commercial Zone, Industrial Zone, Community Facility Zone and Comprehensive Development District, provided all other land use by-law requirements are satisfied.
- b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.10 and 4.11.

35. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Cannabis production facilities
Indoor agriculture uses

36. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Other Industrial Uses:
Cannabis production facilities
Indoor agriculture uses

37. Amending Subsection 26A.3(a) in PART 26A, as shown below in ~~strikeout~~, by repealing Clause (iii).

- (a) any building or structure shall meet the following separation distances:
- | | | |
|-------|---|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or
institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-6

Proposed Amendments to the Land Use Bylaw for Eastern Shore (East)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (East) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.18B WETLANDS” immediately after the text “4.18A COASTAL AREAS”.
3. Amending the “Table of Contents”, by adding the text “4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.26 LOADING SPACE REQUIREMENTS”.
4. Amending the “Table of Contents”, by adding the text “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE D – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.37 RESIDENTIAL PRODUCE SALE” and “4.38 FARMERS’ MARKET” immediately after the text “4.36 SHORT-TERM RENTALS”.
6. Amending PART 2, as shown below in **bold**, by adding the definition “2.5A AMENITY SPACE” after Section 2.5.

2.5A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

7. Amending Section 2.10 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.10 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping container used for any of the foregoing purposes.**

8. Amending PART 2, as shown below in **bold**, by adding the definition “2.14A COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.14.

2.14A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

9. Amending Subsection 2.25(a) in PART 2, as shown below in ~~strikeout~~, by deleting the text “s” after the text “means a building” and before the text “or part of a building”.

(a) Dwelling means a buildings or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, and containing one or more dwelling units but shall not include a hotel, a motel, apartment hotel or hostel.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.25A ELECTRIC VEHICLE”, “2.25B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.25C ENERGIZED OUTLET” after Section 2.25.

2.25A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.25B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.25C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.29A FARMERS’ MARKET” after Section 2.29.

2.29A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.35A GREENHOUSE”, after Section 2.35.

2.35A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.37 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.37 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.41A INDOOR AGRICULTURE” after Section 2.41

2.41A INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Section 2.47, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “and” after the text “in a plan” in Subsection (a);
- b. Adding the text “or” before the text “deed” in Subsection (a); and
- c. Adding the text “approved” after the text “deed” and before the text “pursuant” in Subsection (a).

(a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 16th day of April 1987, or is described in a plan ~~and~~ **or** deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County or a lot created pursuant to s. 102(2) of the Planning Act.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.56A MARINE DEPENDENT USE” after Section 2.56.

2.56A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.85C SHIPPING CONTAINER” after Section 2.85B.

2.85C SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.95A WETLAND” after Section 2.95.

2.95A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending PART 3, as shown below in **bold**, by adding Section “3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.10 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.8.

3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.10 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

20. Amending Subsection 4.1(d) in PART 4, by adding Clauses (vii) and (viii) after Clause (vi).

- (vi) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (vii) An accessory beekeeping use.**
- (viii) A residential produce sale use.**

21. Amending Section 4.4 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “98” and replacing it with the text “40” after the text “in accordance with Section” and before the text “of the” in Subsection (a);
- b. Deleting the text “Planning Act” and replacing it with the text “Regional Subdivision Bylaw” after the text “of the” and before the text “may be used” in Subsection (a);
- c. Adding the text “or lot area” after the text “lot frontage” and before the text “requirements found” in Subsection (b);
- d. Deleting the text “Part 14” and replacing it with the text “Sections 38, 59, or 60” after the text “provisions of” and before the text “of the” in Subsection (b);
- e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (b);
- f. Adding the text “section 61” after the text “provisions of” and before the text “the” in Subsection (c);
- g. Adding the text “Regional” after the text “Section 61 of the” and before the text “Subdivision By-law” in Subsection (c); and

4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with Section ~~98~~ **40** of the ~~Planning Act~~ **Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage **or lot area** requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of ~~Part 14~~ **Sections 38, 59, or 60** of the **Regional** Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of **Section 61** of the **Regional** Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

22. Amending Subsection 4.8 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements of” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
- b. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “By-law, a lot” and before the text “on the effective date” in Subsection (a);
- c. Deleting the text “, depth” after the text “frontage” and before the text “ or area;
- d. Deleting the text “Part 14” and replacing it with the text “Sections 41 or 42” after the text “according to” and before the text “of the”;
- e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”; and
- f. Deleting the text “, but where the lot area has not been reduced”.

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a lot ~~held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied or a minor variance granted.
- (b) Further to Section 4.8(a) above, the Development Officer may issue a development permit for a lot approved according to ~~Part 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law, where an undersized lot has had its boundaries altered, ~~but where the lot area has not been reduced~~.

23. Amending PART 4, as shown below in **bold**, by adding “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Coastal Conservation Zone and Protected Area Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line**

24. Amending Subclause 4.12(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “a footprint of” after the text “exceed” and before the text “one thousand”; and
- b. Deleting the text “in area” after the text “(92.9m2)” and before the text “in any”.

(iv) exceed **a footprint of** one thousand (1,000) square feet (92.9 m2) ~~in area~~ in any residential zone;

25. Amending Clause 4.12(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

(c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

26. Amending Section 4.14 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “coach” and before the text “or streetcar”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.14 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building except in an RE (Rural Resource), MU (Mixed Use) or I-1 (Business Industry) Zone. **For clarity, a shipping container is not considered a vehicle body.**

27. Amending Section 4.17 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.17 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, space centres, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

28. Amending PART 4, as shown below in **bold**, by adding the Section “4.18B WETLANDS” after Section 4.18A.

4.18B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) **marine dependent uses, fisheries uses, conservation uses;**
- (ii) **fences, wharfs, boat ramps;**
- (iii) **driveway crossings;**
- (iv) **historic sites and monuments, parks, public roads, and active transportation crossings;**
- (v) **boardwalks, walkways and trails not exceeding 3 m in width; and**
- (vi) **the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².**

(5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) **wastewater, storm and water infrastructure, and public water control structures.**

(6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

29. Amending PART 4, as shown below in **bold**, by adding Section “4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.26.

4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) **for single unit and two unit, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) **For multiple unit dwelling uses containing three unit and four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) **Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.**

30. Amending PART 4, as shown below in **bold**, by adding Section “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” after Section 4.32.

4.32A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Mixed Use Zones and Resource Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;**
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;**
- (c) Fencing shall be installed to screen views from abutting properties;**
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;**
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and**
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.**

31. Amending PART 4, as shown below in **bold**, by adding Sections “4.37 RESIDENTIAL

PRODUCE SALE” and “4.38 FARMERS’ MARKET” after Section 4.36.

4.37 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Coastal Conservation Zone and Protected Area Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- b) Any accessory structures devoted to the sale of plants and food products:**
 - (i) shall not exceed 5 m2 of footprint; and**
 - (ii) notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.**
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.38 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in any Mixed Use Zone and Resource Zone, provided all other land use by-law requirements are satisfied.**
- b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.11 and 4.12.**

32. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text “Indoor Agriculture Uses” below the text “Traditional Uses” under the heading “Resource and Traditional Uses”.

RESOURCE AND TRADITIONAL USES

Agricultural uses

Forestry uses

Fishery support uses

Fish sheds and boat sheds

Traditional uses

Indoor Agriculture Uses

33. Amending Section 8.1, in PART 8, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Open storage and outdoor display

Cannabis production facilities

Indoor agriculture uses

34. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations

Cannabis production facilities
Indoor agriculture uses

35. Amending Subsection 11A.3(a) in PART 11A, as shown below in ~~strikeout~~, by repealing Clause (iii).

(a) any building or structure shall meet the following separation distances:

- | | | |
|-------|--|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-7

Proposed Amendments to the Land Use Bylaw for Eastern Shore (West)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (West) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.18B WETLANDS” immediately after the text “4.18C COASTAL AREAS”.
3. Amending the “Table of Contents”, by adding the text “4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.25 STANDARDS FOR PARKING LOTS”.
4. Amending the “Table of Contents”, by adding the text “4.29A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.29 SCHEDULE C – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.34 RESIDENTIAL PRODUCE SALE”, and “4.35 FARMERS’ MARKET” immediately after the text “4.33 SHORT-TERM RENTALS”.
6. Amending PART 2, as shown below in **bold**, by adding the definition “2.5A AMENITY SPACE” after Section 2.5.

2.5A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

7. Amending Section 2.12 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.12 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or shipping container used for any of the foregoing purposes.

8. Amending PART 2, as shown below in **bold**, by adding the definition “2.16A COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.16.

2.16A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

9. Amending Subsection 2.27 (a), as shown below in ~~strikeout~~, by deleting the “s” after the text “means a building” and before the text “or part”.

(a) Dwelling means a buildings or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, and containing one or more dwelling units but shall not include a hotel, a motel, apartment hotel or hostel.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.27A ELECTRIC VEHICLE”, “2.27B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.27C ENERGIZED OUTLET” after Section 2.27.

2.27A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.27B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.27C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.32A FARMERS’ MARKET” after Section 2.32.

2.32A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.42A GREENHOUSE”, after repealed Section 2.42.

2.42A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.44 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.44 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.48A INDOOR AGRICULTURE” after Section 2.48

2.48A INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Subsection 2.55(a) in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “and” and replacing it with the text “or” after the text “in a plan” and before the text “deed”; and
 - b. Adding the text “approved” after the text “deed” and before the text “pursuant to”.

(a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 16th day of April 1987, or is described in a plan ~~and-or~~ deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County or a lot created pursuant to Section 102(2) of the Planning Act.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.63A MARINE DEPENDENT USE” after Section 2.63.

2.63A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.93C SHIPPING CONTAINER” after Section 2.93B.

2.93C SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.104A WETLAND” after Section 2.103A.

2.104A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the

land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending PART 3, as shown below in **bold**, by adding Section “3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.10 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.8.

3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.10 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

20. Amending Subsection 4.1(d), in PART 4, as shown below in **bold**, by adding Clause (vii), and (viii) after Clause (vi).

- (vi) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (vii) **An accessory beekeeping use.**
- (viii) **A residential produce sale use.**

21. Amending Section 4.4, in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “98” and replacing it with the text “40” after the text “accordance with Section” and before the text “of the” in Subsection (a);
- b. Deleting the text “Planning Act” and replacing it with the text “Regional Subdivision Bylaw” after the text “of the” and before the text “may be used” in Subsection (a);
- c. Deleting the text “Part 14” and replacing it with the text “Sections 38, 53, 54, 55, 57, or 58” after the text “provisions of” and before the text “of the” in Subsection (b);
- d. Adding the text “Regional” before the text “of the “ and after the text “Subdivision By-law” in Subsection (b);
- e. Adding the text “Section 56 of” after the text “provisions of” and before the text “the” in Subsection (c);
- f. Adding the text “Regional” after the text “the” and before the text “Subdivision By-law” in Subsection (c);

4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with Section ~~98~~ **40** of the ~~Planning Act~~ **Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage and lot area requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of ~~Part 14~~ **Sections 38, 53, 54, 55, 57, or 58** of the *Regional Subdivision By-law*, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of **Section 56** of the **Regional Subdivision By-law**, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

22. Amending Section 4.8 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this” in Subsection (a);
 - b. Deleing the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “a lot” and before the text “on the effective date” in Subsection (a);
 - c. Deleting the text “, depth” after the text “minimum frontage” and before the text “or area” in Subsection (a);
 - d. Deleting the text “Part 14 of the Subdivision By-law” and replacing it with the text “Sections 41 or 42 of the Regional Subdivision Bylaw,” after the text “according to” and before the text “where an” in Subsection (b); and
 - e. Deleting the text “, but where the lot area has not been reduced” after the text “boundaries altered” in Subsection (b).
- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a lot ~~held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied or a minor variance granted.
 - (b) Further to Section 4.8(a) above, the Development Officer may issue a development permit for a lot approved according to ~~Part 14 of the Subdivision By-law~~ **Sections 41 or 42 of the Regional Subdivision Bylaw**, where an undersized lot has had its boundaries altered, ~~but where the lot area has not been reduced~~.

23. Amending PART 4, as shown below in **bold**, by adding Section “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Coastal Conservation Zone and Protected Area Zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:
 - i. two beehives on lots of less than 2,000 square metres in area; or
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.
- (b) Beehives shall:
 - i. not be located in any front yard; and
 - ii. be located no less than 3.0 metres from any lot line.

24. Amending Section 4.12(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “a footprint of” before “one thousand”; and
- b. Deleting the text “in area” after the text “(92.9m2)” and before the text “in any”.

(iv) exceed **a footprint of** one thousand (1,000) square feet (92.9 m2) ~~in area~~ in any residential zone;

25. Amending Section 4.12(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements for”.

(c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

26. Amending Section 4.17 in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.17 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, space centres, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

27. Amending PART 4, as shown below in **bold**, by adding Section “4.18B WETLANDS” after Section 4.18A.

4.18B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.

- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (c) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

28. Amending PART 4, as shown below in **bold**, by adding Section “4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.25.

4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single-unit, semi-detached, and two unit uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (c) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (d) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

(a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall

include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
(b) All Energized Outlets must be located within 5 metres of the parking stall it services.

29. Adding Section “4.29A COMMERCIAL SOLAR ENERGY FACILITIES”, as shown below in **bold**, after repealed Section 4.29.

4.29A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Mixed Use Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

30. Amending PART 4, as shown below in **bold**, by adding Sections “4.34 RESIDENTIAL PRODUCE SALE” and “4.35 FARMERS’ MARKET” after Section 4.33.

4.34 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Coastal Conservation Zone and Protected Area Zone, subject to the following provisions:

- (a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- (b) Any accessory structures devoted to the sale of plants and food products:
 - (i) shall not exceed 5 m² of footprint; and
 - (ii) notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.35 FARMERS' MARKET

- (a) **A farmers' market use shall be permitted in any Residential Zone and Mixed Use Zone provided all other land use by-law requirements are satisfied.**
- (b) **An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Sections 4.11 and 4.12.**

31. Amending Section 6.1 in PART 6, as shown below in **bold**, by adding the text "Indoor agriculture uses" below the text "Traditional uses" under the Heading "Resource and Traditional Uses".

Hunting and fishing camps
Traditional uses
Indoor agriculture uses

32. Amending Section 7.1 in PART 7, as shown below in ~~strikeout~~, by deleting the text "Short-term Bedroom Rentals accessory to a residential use with up to 5 bedrooms" below the text "Existing uses, including existing kennels", under the heading "Commercial Uses".

Existing uses, including existing kennels
~~Short-term Bedroom Rentals accessory to a residential use with up to 5 bedrooms~~

33. Amending Section 8.1 in PART 8, as shown below in **bold**, by adding the text "Indoor agriculture uses" below the text "Traditional uses" under the Heading "Resource and Traditional Uses".

Resource and Traditional Uses
Agricultural uses
Forestry uses
Traditional uses
Indoor agriculture uses

34. Amending the Section 9.1 in PART 9, as shown below in ~~strikeout~~, by deleting the text "Short-term Bedroom Rentals accessory to a residential use with up to 5 bedrooms" below the text "Existing Uses" under the heading "Commercial Uses".

Existing uses
~~Short-term Bedroom Rentals accessory to a residential use with up to 5 bedrooms~~

35. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text "Indoor agriculture uses" below the text "Cannabis production facilities".

Open storage and outdoor display
Cannabis production facilities
Indoor agriculture uses

36. Amending Clause 12A.3(a) in PART 12A, as shown below in ~~strikeout~~, by repealing Subsection (iii).

- (a) any building or structure shall meet the following separation distances:
- | | | |
|-------|--|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-8

Proposed Amendments to the Land Use Bylaw for Halifax Mainland

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

1. Amending the “Table of Contents”, by adding the text “12A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “DAY CARE FACILITY – SPECIAL CARE HOME PARKING”.
2. Amending the “Table of Contents”, by adding the text “ACCESSORY BEEKEEPING” immediately after the text “ACCESSORY HEN USE”.
3. Amending the “Table of Contents”, by adding the text “14QC WETLANDS” immediately after the text “14QB COASTAL AREAS”.
4. Amending the “Table of Contents”, by deleting the text “14R SHIPPING CONTAINERS” and replacing it with the text “14RA SHIPPING CONTAINERS” immediately after the text “14QB COASTAL AREAS”.
5. Amending the “Table of Contents”, by adding the text “14YC RESIDENTIAL PRODUCE SALE”, “14YD FARMERS’ MARKET”, and “14YE HEIGHT REGULATIONS” immediately after the text “14YB SHORT-TERM RENTALS”.
6. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Agricultural Use - Intensive” after the definition “Adult Entertainment Use”.

“Agricultural Use – Intensive” - means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

7. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Amenity Space” after the definition “Alter”.

“Amenity Space” means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

8. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “ELECTRIC VEHICLE”, “ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “ENERGIZED OUTLET” after the definition “Dwelling Unit”.

“Electric Vehicle” means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

“Electric Vehicle Supply Equipment” means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

“Energized Outlet” means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

9. Amending DEFINITIONS, as shown below in **bold**, by adding the definitions “Farmers’ Market” after the definition “Fairview Area”.

“Farmers’ Market” means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

10. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “GREENHOUSE” after the definition “Grade-Related Unit”.

“Greenhouse” means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

11. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Indoor Agriculture” after the definition “Illuminated Sign”.

“Indoor Agriculture” means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

12. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Marine Dependent Use” after the definition “Mainland South Area”.

“Marine Dependent Use” means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

13. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Wetland” after the repealed definition “Wetland Areas”.

“Wetland” means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

14. Amending Section 9(c) in GENERAL PROVISIONS, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “short-term bedroom rental,” after the text “tourist home,” and before the text “ or building”;
- b. Adding the text “, except:” after the text “similar nature”;
- c. Deleting the text “;” after the text “similar nature”;
- d. Adding Clause (i) after the text “similar nature, except:”
- e. Adding Clause (ii) after Clause (i).

9(c) Parking space for one vehicle for each three guest rooms or suites in a hotel, guest home, tourist home, ~~short-term bedroom rental~~, or building of a similar nature and such space shall be provided at a point not further than 500 feet distant from such hotel, guest home, tourist home, or building of a similar nature~~;~~, **except:**

- (i) **For short-term rentals, one (1) off-street parking space shall be provided for each dwelling unit to be rented.**
- (ii) **For short-term bedroom rentals, one (1) off-street parking space shall be provided for each bedroom to be rented;**

15. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section 12A after deleted Section 12.

12A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) **For single family, semi-detached, duplex and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) **For apartment house uses containing three unit and four unit uses, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) **Notwithstanding (ii), for apartment house uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE**

J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (c) All Energized Outlets must be located within 5 metres of the parking stall it services.**

16. Amending Section 14A in GENERAL PROVISIONS, as shown below in **bold**, by adding Clause (i) after Clause (h).

- (g) R-1 and R-2 uses on lots which abut the existing public street network for the area identified on Schedule ZM-35.**
- (h) a development within an Urban Reserve (UR) Zone.**
- (i) R-1 uses on lots identified on Schedule ZM-36.**

17. Amending “GENERAL PROVISIONS”, as shown below in **bold**, by adding Section “14BBB ACCESSORY BEEKEEPING USE” after Section 14BB.

14BBB ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in all zones except Protected Area Zone and Water Access Zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:**
 - i. two beehives on lots of less than 2,000 square metres in area; or**
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) Beehives shall:**
 - i. not be located in any front yard; and**

ii. **be located no less than 3.0 metres from any lot line.**

18. Amending Section 14BC in GENERAL PROVISIONS, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

14BC ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~floor area~~ **footprint** requirements for accessory buildings or structures.

19. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding Section “14QC WETLANDS” after Section 14QB.

14QC WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia..**
- (b) **Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.**

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) **Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.**

(b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

(4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) marine dependent uses, fisheries uses, conservation uses;
- (ii) fences, wharfs, boat ramps;
- (iii) driveway crossings;
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

(5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures.

(6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

20. Amending GENERAL PROVISIONS, as shown below in **bold** and ~~strikeout~~, by repealing Section “14R SHIPPING CONTAINERS” and replacing it with Section “14RA SHIPPING CONTAINERS” after Section 14QB.

14R SHIPPING CONTAINERS

- ~~(a) Shipping containers may not be used as accessory buildings to a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non recreation or non residential use shall not be permitted on any property which abuts a residential, park or institutional zone.~~
- ~~—(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- ~~—(c) Deleted~~

14RA SHIPPING CONTAINERS

(1) Shipping containers may be used as accessory buildings only in an industrial zone or

commercial zone or in conjunction with a recreation use, provided they meet the following requirements:

- (i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;
 - (ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and
 - (iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone;
- (2) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.
- (3) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.
- (4) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.

21. Amending Section 14YA in GENERAL PROVISIONS, as shown below in **bold**, by adding Clauses d) and e) after Clause c).

14YA DEVELOPMENT PERMIT EXEMPTIONS

- a) An accessory hen use is exempt from the requirement to obtain a development permit.
- b) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- c) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- d) **An accessory beekeeping use is exempt from the requirement to obtain a development permit.**
- e) **A residential produce sale use is exempt from the requirement to obtain a development permit.**

22. Amending GENERAL PROVISIONS, as shown below in **bold**, by adding "14YC RESIDENTIAL PRODUCE SALE", "14YD FARMERS' MARKET", and "14YE HEIGHT REGULATIONS" after Section 14YB.

14YC RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Area Zone and Water Access Zone, subject to the following provisions:

- (a) **For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- (b) **Any accessory structures devoted to the sale of plants and food products:**
 - i. **shall not exceed 5 m2 of footprint; and**

- ii. notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

14YD FARMERS' MARKET

A farmers' market use shall be permitted in the General Residential Conversion Zone, General Residential and Low-Rise Apartment, Multiple Dwelling Zone, Dutch Village Road Multi Unit Zone, Neighbourhood Commercial Zone, Dunbrack Multi Unit Zone, Local Business Zone, Minor Commercial Zone, Highway Commercial Zone, Dutch Village Road Mixed Use Zone, Herring Cove Road Residential/Minor Commercial Zone, General Business Zone, Adult Entertainment Zone, General Industrial Zones, Park and Institutional Zone, provided all other land use by-law requirements are satisfied.

14YE HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, solar panels, ventilators, skylights, chimneys or clock towers. Rooftop greenhouses may project through height regulations to a maximum of 6 metres.

23. Amending Subsection 43(1) in the I-1 ZONE, as shown below in **bold**, by adding Clause (d) after Clause (c).

- (c) cannabis production facilities
- (d) **Indoor agriculture uses**

24. Amending Subsection 50A(1) in the I-3 ZONE, as shown below in **bold**, by adding Clause (d) after Clause (c).

- (c) cannabis production facility
- (d) **Indoor agriculture uses**

25. Amending Clause 62BB(2)(a) in the CD-1 ZONE, as shown below in ~~strikeout~~, by repealing Subclause (iii).

- (a) any building or structure shall meet the following separation distances:
 - (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)

(iii) ~~from a watercourse~~ ~~30 metres~~ ~~(98.4 feet)~~

26. Amending MAINDLAND WIDE – DEVELOPMENT AGREEMENT under SCHEDULES, as shown below in **bold**, by adding Subsections “71(14)”, “71(15)”, and “71(16)” after Subsection 71(13)”.

71(14) INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT
Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Commercial.

71(15) DEVELOPMENT AGREEMENTS FOR SOLAR
Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

71(16) DEVELOPMENT AGREEMENTS FOR ISLANDS, COASTAL AREAS, WATERCOURSES AND WETLANDS

Pursuant to policies EN-43 and EN-53 of the Halifax Regional Municipal Planning Strategy, alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement.

27. Amending ZM-1 (South Section) to rezone the lands to Protected Area Zone (PA) and Park and Institutional (P) as shown on Schedule E-8A, attached hereto.

28. Amending ZM-1 (South Section) to rezone the lands to Single Family Dwelling (R-1) and Regional Park (RPK), as shown on Schedule E-8B, attached hereto.

29. Amending ZM-1 (South Section) to rezone the lands to Single Family Dwelling (R-1), as shown on Schedule E-8C, attached hereto.

30. Adding Map ZM-36: Purcell’s Cove immediately following zoning Map ZM-35: Kearney Lake Area as shown on Schedule E-8D, attached hereto.

31. Amending ZM-2 (Schedules and Secondary Planning Areas) to include lands within the Bedford Highway Secondary Planning Strategies as shown on Schedule E-8F, attached hereto.

32. Amending ZM-1 (North Section) to rezone the lands as illustrated on Schedule E-8F, attached hereto.

THIS IS TO CERTIFY that the by-law of which

this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-9

Proposed Amendments to the Land Use Bylaw for Lawrencetown

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

1. Amending the “Table of Contents”, by adding the text “4.12B ACCESSORY BEEKEEPING USE” immediately after the text “4.12A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.19B WETLANDS” immediately after the text “4.19A COASTAL AREAS”.
3. Amending the “Table of Contents”, by adding the text “4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
4. Amending the “Table of Contents”, by adding the text “4.30A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.30 SCHEDULE C – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.35 RESIDENTIAL PRODUCE SALE” and “4.36 FARMERS’ MARKET” immediately after the text “4.34 SHORT-TERM RENTALS”.
6. Amending PART 2, as shown below in **bold**, by adding the definition “2.5A AMENITY SPACE” after Section 2.5.

2.5A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

7. Amending Section 2.10 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” .

2.10 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping** container used for any of the foregoing purposes.

8. Amending PART 2, as shown below in **bold**, by adding the definition “2.10E COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.10D.

2.10E COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

9. Amending PART 2, as shown below in **bold**, by adding the definitions “2.18A ELECTRIC VEHICLE”, “2.18B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.18C ENERGIZED OUTLET” after Section 2.18.

2.18A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.18B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.18C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.22A FARMERS’ MARKET” after Section 2.22.

2.22A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.26A GREENHOUSE” after Section 2.26.

2.26A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

12. Amending Section 2.27 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.27 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excludes car parking areas within the building **and rooftop greenhouses**; and for the purpose of this subsection, the walls of an inner court shall be deemed to be exterior walls.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.29AA INDOOR AGRICULTURE” after Section 2.29.

2.29AA INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

14. Amending Section 2.35 in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “and” and replacing it with the text “or” after the text “described in a plan” and before the text “deed”; and
 - Adding the text “approved” after the text “deed” and before the text “pursuant to “.

2.35 LOT means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the effective date of this by-law or is described in a plan ~~and or~~ deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.42A MARINE DEPENDENT USE” after the definition “2.42 MAIN WALL”.

2.42A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.66B(a) SHIPPING CONTAINER” after Section 2.66B.

2.66B(a) SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

17. Amending Section 2.72A in PART 2, as shown below in **bold**, by adding the definition “2.72A WETLAND” after Section 2.72.

2.72A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

18. Amending PART 3, as shown below in **bold**, by adding Section “3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.9 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.7.

3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.9 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

19. Amending PART 4, as shown below in **bold**, by adding Sections 4.1F and 4.1G after Section 4.1E.

4.1F An accessory beekeeping use is exempt from the requirement to obtain a development permit.

4.1G A residential produce sale use is exempt from the requirement to obtain a development permit.

20. Amending Section 4.3 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Part 14 of the Subdivision By-law” and replacing it with the text “Sections 38 or 40 of the Regional Subdivision Bylaw” after the text “provisions of” and before the text “provided that all” in Subsection (a);
- b. Adding the text “Regional” after the text “provisions of the” and before the text “Subdivision By-law” in Subsection (b);
- c. Adding the text “Section 48 of” after the “as specified in” and before the text “the” in Subsection (c);
- d. Adding the text “Regional” after the text “the” and before the text “Subdivision By-law” in Subsection (c); and

- (a) Notwithstanding the lot frontage requirements found elsewhere in this by-law, development permits may be issued for residential and resource purposes in the RR-1 zone on lots created pursuant to the provisions of ~~Part 14 of the Subdivision By-law~~ **Sections 38 or 40 of the Regional Subdivision Bylaw** provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding subsection 4.3(a), lots which have frontage on Highway No. 207 shall not be eligible for the application of the reduced lot frontage provisions of the **Regional Subdivision By-law**.
- (c) Notwithstanding the lot frontage requirements found elsewhere in this By-law, a development permit may be issued for a maximum of two (2) lots or one (1) lot and a remainder per parcel of land with frontage on Highway No. 207, and which existed on

the effective date of this By-law, as specified in **Section 48 of the Regional Subdivision By-law**, provided that each lot has a minimum frontage of one hundred (100) feet (30.5 m) and provided that all other applicable provisions of this By-law are satisfied.

21. Amending Section 4.7 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
- b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot” in Subsection (a);
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “lot” and before the text “on the effective date” in Subsection (a);
- d. Deleting the text “, depth” after the text “frontage” and before the text “or area required” in Subsection (a);
- e. Repealing Subsection (b); and
- f. Adding Subsection (ba) after repealed Subsection (b).

4.7 EXISTING UNDERSIZED LOTS

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant~~ lot ~~held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law and having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located, and a building may be erected on the lot providing that all other applicable provisions in this By-law are satisfied. Furthermore, where the Development Officer approves an increase in the area of any undersized lot held in separate ownership from adjoining parcels on the effective date of this By-law, it may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, notwithstanding that it may still have less than the minimum frontage, depth or area required by this By-law, and provided that all other applicable provisions of this By-law are satisfied.
- (b) ~~Further to Subsection (a) above, the Development Officer may approve an increase in the area of any undersized lot, notwithstanding that it may still have less than the minimum frontage, depth, or area required by this By law; the remainder lot shall, however, meet the minimum frontage, depth or area requirements or, where insufficient lot frontage, depth or area already exists, does not have these further reduced.~~
- (ba) **Further to subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to Sections 41 or 42 of the Regional Subdivision By-law where an undersized lot has had its boundaries altered.**

22. Amending PART 4, as shown below in **bold**, by adding Section “4.12B ACCESSORY BEEKEEPING USE” after Section 4.12A.

4.12B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:
 - i. two beehives on lots of less than 2,000 square metres in area; or
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.
- (b) Beehives shall:
 - i. not be located in any front yard; and
 - ii. be located no less than 3.0 metres from any lot line.

23. Amending Clause 4.13(d) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “a footprint of” after the text “exceed” and before the text “one thousand”; and
- b. Deleting the text “at grade” after the text “(92.9m2)” and before the text “in any”.

d) exceed **a footprint of** one thousand (1,000) square feet (92.9 m2) ~~at grade~~ in any RR (Rural Residential) Zone or C-1 (Local Business Store) Zone;

24. Amending Clause 4.13(g) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (g) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

25. Amending Section 4.15 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar body”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.15 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

26. Amending Section 4.18 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.18 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennas, satellite dishes, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

27. Amending PART 4, as shown below in **bold**, by adding Section “4.19B WETLANDS” after Section 4.19A.

4.19B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (d) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures; and parks, public roads, and active transportation crossings.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

28. Amending PART 4, as shown below in **bold**, by adding Section “4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.27.

4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single unit and two unit uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE**

J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (d) All Energized Outlets must be located within 5 metres of the parking stall it services.

29. Amending PART 4, as shown below in **bold**, by adding Section “4.30A COMMERCIAL SOLAR ENERGY FACILITIES” after repealed Section 4.30.

4.30A COMMERCIAL SOLAR ENERGY FACILITY

The use of solar energy facilities shall be regulated in accordance with the provisions of this Section.

- a) **Commercial Solar Energy Facilities shall be permitted in any Commercial Zones and Industrial Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;**
- b) **For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;**
 - a) **Fencing shall be installed to screen views from abutting properties;**
 - b) **Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;**
- c) **No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and**
- d) **Lighting of a solar energy system shall be for safety and operational purposes**

and directed away from abutting properties.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.35 RESIDENTIAL PRODUCE SALE” and “4.36 FARMERS’ MARKET” after Section 4.34.

4.35 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone, subject to the following provisions:

- (b) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- (c) Any accessory structures devoted to the sale of plants and food products:**
 - (i) shall not exceed 5 m2 of footprint; and**
 - (ii) notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.**
- (d) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.36 FARMERS’ MARKET

- (a) A farmers’ market use shall be permitted in the Rural Residential Zone, any Commercial Zone and any Industrial Zone, provided all other land use by-law requirements are satisfied.**
- (b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.12 and 4.13.**

70. Amending Section 9.1 in PART 9, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Office or retail uses accessory to any permitted use” under the Heading “Industrial Uses”.

Office or retail uses accessory to any permitted use
Indoor agriculture uses

31. Amending Section 10.1 in PART 10, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations (refer to Section 4.28)
Cannabis production facilities
Indoor agriculture uses

32. Amending Subsection 12A.3(a) in PART 12A, as shown below in ~~strikeout~~, by repealing Clause (iii).

- (a) any building or structure shall meet the following separation distances:
- (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
 - (iii) ~~from a watercourse 30 metres (98.4 feet)~~

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-10
Proposed Amendments to the Land Use Bylaw for
Musquodoboit Valley & Dutch Settlement

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Musquodoboit Valley & Dutch Settlement is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.19A WETLANDS” immediately after the text “4.19 WATERCOURSES”.
3. Amending the “Table of Contents”, by adding the text “4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.26 LOADING SPACE REQUIREMENTS”.
4. Amending the “Table of Contents”, by adding the text “4.30A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.30 SCHEDULE G – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.31 WIND ENERGY FACILITIES” immediately after the text “4.30A COMMERCIAL SOLAR ENERGY FACILITIES”.
6. Amending the “Table of Contents”, by adding the text “4.35 RESIDENTIAL PRODUCE SALE” and “4.36 FARMERS’ MARKET” immediately after the text “4.34 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.4A AGRICULTURAL USE - INTENSIVE” after Section 2.4.

2.4A AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

8. Amending Section 2.12 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.12 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping** container used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definition “2.13E COMMERCIAL

SOLAR ENERGY FACILITY USE” after Section 2.13D.

2.13E COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.23A ELECTRIC VEHICLE”, “2.23B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.23C ENERGIZED OUTLET” after Section 2.23.

2.23A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.23B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.23C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definitions “2.30A FARMERS’ MARKET” after Section 2.30.

2.30A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold** and ~~strikeout~~, by, repealing the definition “2.36 GREENHOUSE” and replacing it with the definition “2.36A GREENHOUSE” after Section 2.35.

~~2.36 GREENHOUSE means a building whose roof and sides are made of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.~~

2.36A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.37 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.37 **GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and rooftop greenhouses; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.**

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.39AA INDOOR AGRICULTURE” after Section 2.39 and before Section 2.39A.

2.39AA INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Subsection 2.45 in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “and” and replacing with the text “or” after the text “described in a plan” and before the text “deed”; and
 - Adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.45 **LOT**

(a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before April 16, 1987, or is described in a plan ~~and~~ **or** deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County or a lot created pursuant to s.102(2) of the Planning Act.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.53 MARINE DEPENDENT USE” after Section 2.53.

2.53A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.79C SHIPPING CONTAINER” after Section 2.7B.

2.79C SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.89A WETLAND” after Section 2.89.

2.89A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending Subsection 3.3(e) in PART 3, as shown below in **bold**, by adding Clauses (vii) and (viii) after Clause (vi).

- (vi) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (vii) An accessory beekeeping use.**
- (viii) A residential produce sale use.**

20. Amending Section 3.16 in PART 3, as shown below in **bold**, by adding clause (d) before Section 3.17.

(d) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

21. Amending PART 3, as shown below in **bold** and ~~strikeout~~, by adding Section “3.19 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.20 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.18.

3.19 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.20 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

22. Amending Section 4.4 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this Bylaw” in Subsection (a);
- b. Repealing Subsection (b); and
- c. Adding Subsection (ba) after repealed Subsection (b).

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a lot which was in existence on the effective date of this By-law, having less than the minimum frontage or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.
- (b) ~~Furthermore, where the Development Officer approves an increase in size for a lot which was in existence on the effective date of this By-law, it may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all necessary approvals are received, notwithstanding that it may still have less than the minimum frontage, depth or area required by this By-law, and provided that all other applicable provisions of this By-law are satisfied.~~
- (ba) **Further to subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to Sections 41 or 42 of the Regional Subdivision By-law where an undersized lot has had its boundaries altered.**

23. Amending Section 4.5 in PART 4, as shown below in bold and strikethrough, by:

- d. Deleting the text “Section 107 of the Planning Act, S.N.S. 1989 and any lot created pursuant to” after the text “pursuant to” and before the text “Section”;
- e. Deleting the text “s” in the text “Sections”;
- f. Deleting the text “Section” after the text “38,” and before the text “40”;
- g. Deleting the text “Section 41, Section 42, Section” after the text “40,” and before the text “63”;
- h. Deleting the text “Section” after the text “63,” and before the text “63(a)”;
- i. Adding the text “,” after the text “63(a)”;
- j. Deleting the text “and” and replacing it with the text “or” after the added text “63(a),”;
- k. Deleting the text “Section” after the added text “or” and before the text “64”; and
- l. Adding the text “Regional” after the text “64 of the” and before the text “Subdivision By-law”.

4.5 REDUCED FRONTAGE OR AREA

Any lot created pursuant to ~~Section 107 of the Planning Act, S.N.S. 1989 and any lot created pursuant to Sections 38, Section 40, Section 41, Section 42, Section 63, Section 63(a), and or Section 64 of the~~ **Regional** Subdivision By-law may be used for any purpose permitted in the Zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.

24. Amending PART 4, as shown below in **bold**, by adding Section 4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in all zones except Protected Area Zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:
 - i. two beehives on lots of less than 2,000 square metres in area; or
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.
- (b) Beehives shall:
 - i. not be located in any front yard; and
 - ii. be located no less than 3.0 metres from any lot line.

25. Amending clause 4.12(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

(c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

26. Amending Section 4.18 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.18 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

27. Amending PART 4, as shown below in **bold**, by adding Section “4.19A WETLANDS” after Section 4.19.

WETLANDS – PERMIT REQUIREMENTS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance. Where a Wetland Alteration permit has been granted and the land is no longer considered to be a wetland by Nova Scotia Environment, development shall be permitted.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

28. Amending PART 4, as shown below in **bold**, by adding Section “4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.26.

4.26A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential units, where parking spaces are provided:

- (i) for single-unit, semi-detached, and two unit uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) for Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For multi-use buildings, the parking spaces provided for each use must meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (e) All Energized Outlets must be located within 5 metres of the parking stall it services.**

29. Amending PART 4, as shown below in **bold**, by adding Section “4.30A SOLAR ENERGY FACILITIES” after deleted Section 4.30.

4.30A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in the Mixed Use Zone and the Heavy Industrial Zone for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines when not adjacent to a public street;
- c) Fencing shall be installed to screen views from abutting properties;
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

30. Amending PART 4, as shown below in **bold**, by adding Sections “4.35 RESIDENTIAL PRODUCE SALE” and “4.36 FARMERS’ MARKET” after Section 4.34.

4.35 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Area Zone, subject to the following provisions:

- (a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- (b) Any accessory structures devoted to the sale of plants and food products:
 - i. shall not exceed 5 m² of footprint; and
 - ii. notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.36 FARMERS’ MARKET

- (a) A farmers’ market use shall be permitted in the Rural Residential Zone, Village Zone, Mixed Use Zone, Heavy Industry Zone and Exhibition Zone, provided all other land use by-law requirements are satisfied.
- (b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.11 and 4.12.

31. Amending Section 7.1 in PART 7, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Automotive repair outlets
Cannabis production facilities
Indoor agriculture uses

32. Amending Subsection 7.4(h) in PART 7, as shown below in ~~strikeout~~, by deleting the text “watercourse or” after the text “of any” and before the text “well except for”.

(h) No portion of any building or structure associated with an industrial use shall be located within 50 feet of any ~~watercourse or~~ well except for a well located on the same lot.

33. Amending Section 8.1 in PART 8, as shown below in **bold** by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities” under the Heading “Industrial Uses”.

Industrial Uses

Automotive repair outlets
Autobody shops
Service industries
Food processing and packaging uses
Trucking, excavation, landscaping and paving services
Welding, plumbing and heating, electrical, carpentry and other trade contracting services and shops
Light manufacturing and processing operations
Warehouses
General contracting, storage yards and services
Cannabis production facilities
Indoor agriculture uses

34. Amending Subsection 8.4(h) in PART 8, as shown below in ~~strikeout~~, by deleting the text “watercourse or” after the text “of any” and before the text “well except”.

(h) No portion of any building or structure associated with an industrial use shall be located within 50 feet of any ~~watercourse or~~ well except for a well located on the same lot.

35. Amending Subsection 12.3(a) in PART 12, as shown below in ~~strikeout~~, by repealing Clause (iii).

- (a) any building or structure shall meet the following separation distances:
- (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
 - (iii) ~~from a watercourse 30 metres (98.4 feet)~~

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-11

Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.1B ACCESSORY BEEKEEPING USE” immediately after the text “4.1A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by deleting the text “4.2A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS” and replacing it with the text “4.2AB SHIPPING CONTAINERS” immediately after the text “4.2 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.12A LAND TITLES CLARIFICATION AREAS” immediately after the text “4.12 EXISTING UNDERSIZED LOTS”.
4. Amending the “Table of Contents”, by adding the text “4.21B WETLANDS” immediately after the text “4.21A WATERCOURSES”.
5. Amending the “Table of Contents”, by adding the text “4.24A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.24 LOADING SPACE REQUIREMENTS”.
6. Amending the “Table of Contents”, by adding the text “4.28A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after deleted text “4.28 SCHEDULE C – WETLANDS OVER 2000 SQ METRES”.
7. Amending the “Table of Contents”, by adding the text “4.33 RESIDENTIAL PRODUCE SALE”, and “4.34 FARMERS’ MARKET” immediately after the text “4.32 SHORT-TERM RENTALS”.
8. Amending Section 2.10 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “includes any vessel”.

2.10 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definition “2.10E COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.10D.

2.10E COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting

and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.17A ELECTRIC VEHICLE”, “2.17B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.17C ENERGIZED OUTLET” after Section 2.17.

2.17A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.17B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.17C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.21A FARMER’S MARKET” after Section 2.21.

2.21A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.23A GREENHOUSE” after Section 2.23.

2.23A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.24 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.24 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level, but excludes car parking areas within the building and rooftop greenhouses; and for the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls. For the purpose of calculating required parking spaces for commercial buildings, gross floor area shall exclude washrooms, utility rooms and common areas between stores.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.25(b) INDOOR AGRICULTURE” after Section 2.25(a)

2.25(b) INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Section 2.30 in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- deleting the text “and” and replacing it with the text “or”; and
 - adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.30 LOT means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before April 16, 1987, or described in a plan ~~and~~ **or** deed **approved** pursuant to the Land Titles Clarification Act, or approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.37A MARINE DEPENDENT USE” after Section 2.37.

2.37A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.68 AWETLAND” after Section 2.68.

2.68A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

18. Amending Subsection 3.3(e) PART 3, as shown below in **bold**, by adding Subclauses (vi) and (vii) after Subclause (v).

(e) Notwithstanding Subsection 3.3(a), no development permit shall be required for the following:

- any open space use which does not involve a building or structure; and
- any sign which is permitted under Section 5.5 of this By-law.
- An accessory hen use.
- A short-term rental of an entire dwelling unit in an operator’s primary residence is exempt from the requirement to obtain a development permit.
- Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.

- (vi) **An accessory beekeeping use.**
- (vii) **A residential produce sale use.**

19. Amending Section 3.17 in PART 3, as shown below in **bold**, by adding clause (e) before Section 3.18.

- (e) **Alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policy EN-43 of the Regional Municipal Planning Strategy.**

20. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section “3.20 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” after Section 3.19;
- b. Adding Section “3.21 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT” after Section 3.20; and
- c. Adding Section “3.22 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.21.

3.20 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.21 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT

Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Highway Commercial.

3.22 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

21. Amending PART 4, as shown below in **bold**, by adding Section “4.1B ACCESSORY BEEKEEPING USE” after Section 4.1A.

4.1B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Protected Water Supply Zone and Protected Area Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**

- i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) Beehives shall:**
- i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

22. Amending Subclause 4.2(a)(v) in PART 4, as shown below in **bold**, by adding the text “a footprint of” before the text “one thousand”.

(v) exceed **a footprint of** one thousand (1,000) square feet (93 square metres), nor be used for the keeping of livestock in any RA Zone;

23. Amending Clause 4.2(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

(c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

24. Amending PART 4, as shown below in **bold** and ~~strikeout~~, by repealing Section “4.2A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS” and replacing it with Section “4.2AB SHIPPING CONTAINERS” after Section 4.2.

~~4.2A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS~~

~~(a) Shipping containers may not be used as accessory buildings in the RA zone except in conjunction with a recreational use or a backyard suite use. Where shipping containers are permitted in other non-residential zones or in conjunction with a recreation use, applicable requirements for accessory buildings and applicable zone standards including those relating to setbacks, screening and landscaping shall apply.~~

~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~

~~(c) Where a shipping container is permitted to be placed on a property for nonrecreational or non-residential use, the shipping container shall be fully screened from view through the use of landscaping, opaque fencing or a combination of fencing and landscaping.~~

~~(d) Repealed~~

4.2AB SHIPPING CONTAINERS

(1) Where shipping containers are used as an accessory recreational use in the RA zone and where shipping containers are permitted in non-residential zones, the following requirements shall be met:

(i) **Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street; and**

(ii) **Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping.**

(2) Shipping containers intended for non-recreational or non-residential use shall be fully screened from view through the use of landscaping, opaque fencing or a combination of fencing and landscaping.

(3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.

(5) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.

25. Amending Section 4.11 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “107” and replacing it with the text “40” after the text “Section” and before the text “of the” in Subsection (a);
- b. Deleting the text “Planning Act” and replacing it with the text “Regional Subdivision Bylaw” after the text “of the” and before the text “may be used” in Subsection (a);
- c. Deleting the text “Part 14” and replacing with the text “Section 38” after the text “to” and before the text “of the” in Subsection (b);
- d. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (b).

4.11 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section ~~107- 40~~ of the ~~Planning Act~~ **Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots which are created pursuant to ~~Part 14- Section 38~~ of the **Regional** Subdivision By-law, for residential and resource uses in any zone, provided that all other applicable provisions of this By-law are met.

26. Amending Section 4.12 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
- b. Deleting the text “, depth” after the text “frontage” and before the text “or area” in Subsection (a);
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it

- with the text “which was in existence” after the text “By-law, a lot” and before the text “on the effective date” in Subsection (a);
- d. Deleting the text “Part 14” and replacing it with the text “Sections 41 or 42” after the text “pursuant to” and before the text “of the” in Subsection (b); and
- e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.

4.12 EXISTING UNDERSIZED LOTS

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a lot ~~held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law and having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located, and a building may be erected on the lot, provided all other applicable provisions in this By-law are satisfied.
- (b) Further to Subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to ~~Part 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.

27. Amending PART 4, as shown below in **bold**, by adding Section “4.12A LAND TITLES CLARIFICATION AREAS” after Section 4.12.

4.12A LAND TITLES CLARIFICATION AREAS

- (a) **Notwithstanding the lot area and frontage requirements in this By-law, any area of land or parcel located within a Land Titles Clarification Area as defined by the Land Titles Clarification Act, having less than the minimum frontage or area required by this By-law may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in the By-law are satisfied.**
- (b) **Further to subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to Section 68A of the Regional Subdivision By-law.**

28. Amending Section 4.15 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.15 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other by-laws of the Municipality, shall be used for human habitation, and no unlicensed vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

29. Amending Section 4.19 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.19 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennas, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

30. Amending PART 4, as shown below in **bold**, by adding Section “4.21B WETLANDS” after Section 4.21A.

4.21B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.24A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.24.

4.24A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For residential uses, where parking spaces are provided:

- (i) for single-unit, two unit, semi-detached, and row/townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or

- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (f) All Energized Outlets must be located within 5 metres of the parking stall it services.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.28A COMMERCIAL SOLAR ENERGY FACILITIES” after Section 4.28.

4.28A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in any Commercial Zones and the Mixed Resource Zone for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- c) Fencing shall be installed to screen views from abutting properties;
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- e) No development permit shall be issued until an emergency management plan is

provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and

- f) **Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.**

33. Amending PART 4, as shown below in **bold**, by:

- a. Adding Section “4.33 RESIDENTIAL PRODUCE SALE” after Section 4.32; and
b. Adding Section “4.34 FARMERS’ MARKET” after Section 4.33.

4.33 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Water Supply Zone and Protected Area Zone, subject to the following provisions:

- (a) **For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
(b) **Any accessory structures devoted to the sale of plants and food products:**
 (i) **shall not exceed 5 m2 of footprint; and**
 (ii) **notwithstanding any other provisions of this bylaw, shall be permitted to be located in any front yard.**
(c) **Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.34 FARMERS’ MARKET

- (a) **A farmers’ market use shall be permitted in the Rural Settlement Zone, Residential Zone, Local Commercial Zone, General Commercial Zone, Highway Commercial Zone, Community Facility Zone, Mixed Resource Zone, Comprehensive Development District, provided all other land use by-law requirements are satisfied.**
(b) **An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.1 and 4.2.**

34. Amending Subsection 6.1(a) in PART 6, as shown below in **bold** and ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Shared Housing Uses”.

Two unit dwellings

Shared Housing Uses

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

35. Amending Section 14.1 in PART 14, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Composting operations” below the Heading “Resource Uses”.

Resource Uses

Agricultural uses

Agricultural uses - intensive, except within the Lake Major Watershed

Forestry uses, sawmills and wooden furniture manufacturing

Kennels

Retail uses in conjunction with permitted resource uses

Fish and game farms

Hunting and fishing lodges

Greenhouses and nurseries

Single unit dwellings in conjunction with permitted resource uses

Composting operations

Indoor agriculture uses

36. Amending Subsection 16.3(a) in PART 16, as shown below in ~~strikeout~~, by repealing Clause (iii).

- (a) any building or structure shall meet the following separation distances:
- (i) from any property line30 meters (98.4 feet)
 - (ii) from the nearest residential dwelling or
institutional use60 metres (196.9 feet)
 - (iii) ~~from a watercourse30 meters (98.4 feet)~~

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-12

Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby amended as follows:

1. Amending the “Table of Contents”, as shown in ~~strikeout~~, by deleting the text “VACANT” in the text “4.4 EXISTING ~~VACANT~~ UNDERSIZED LOTS” after the text “4.3 USES PERMITTED ON PRIVATE ROADS”.
2. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
3. Amending the “Table of Contents”, by deleting the text “4.12A SHIPPING CONTAINERS” and replacing it with the text “4.12AB SHIPPING CONTAINERS” immediately after the text “4.12 ACCESSORY BUILDINGS”.
4. Amending the “Table of Contents”, by adding the text “4.19B WETLANDS” immediately after the text “4.19A COASTAL AREAS”.
5. Amending the “Table of Contents”, by adding the text “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.28 LOADING SPACE REQUIREMENTS”.
6. Amending the “Table of Contents”, by adding the text “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE G – WETLANDS”.
7. Amending the “Table of Contents”, by adding the text “4.37 RESIDENTIAL PRODUCE SALE”, and “4.38 FARMERS’ MARKET” immediately after the text “4.36 SHORT-TERM RENTALS”.
8. Amending PART 2, as shown below in **bold**, by adding the definition “2.5A AMENITY SPACE” after section 2.5.

2.5A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

9. Amending Section 2.14 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “includes any vessel” and before the text “used for any”.

2.14 BUILDING means any structure whether temporary or permanent, used or built

for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.17A COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.17.

2.17A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

11. Amending PART 2, as shown below in **bold**, by adding the definitions “2.25A ELECTRIC VEHICLE”, “2.25B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.25C ENERGIZED OUTLET” after Section 2.25.

2.25A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.25B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.25C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.31A FARMERS’ MARKET” after Section 2.31.

2.31A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.39A GREENHOUSE”, after Section 2.39.

2.39A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

14. Amending Section 2.40 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.40 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.42A INDOOR AGRICULTURE” after Section 2.42.

2.42A INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

16. Amending Subsection 2.47(a) in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “and” and replacing it with the text “or”; and
 - Adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.47 LOT

- (a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the effective date of this By-law, or is described in a plan ~~and~~ **or** deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.55AA MARINE DEPENDENT USE” after Section 2.55.

2.55AA MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

18. Amending PART 2, as shown below in **bold**, by adding the text “2.91A WETLAND” after Section 2.91.

2.91A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending Subsection 3.3(e) in PART 3, as below in **bold**, by adding Clauses (vi) and (vii) after Clause (v).

- (e) Notwithstanding Subsection 3.3(a), no development permit shall be required for the following:
 - (i) any open space use which does not involve a building or structure; and
 - (ii) any sign which is permitted under Section 5.5 of this By-law.
 - (iii) An accessory hen use.
 - (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
 - (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
 - (vi) An accessory beekeeping use.**
 - (vii) A residential produce sale use.**

20. Amending Section 3.16 in PART 3, as shown below in **bold**, by adding clause (l) before Section 3.17.

- (l) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.**

21. Amending PART 3, as shown below in **bold**, by:

- a. Adding Section "3.19 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES" after Section 3.18;
- b. Adding Section "3.20 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT" after Section 3.19; and
- c. Adding Section "3.21 DEVELOPMENT AGREEMENTS FOR SOLAR" after Section 3.20.

3.19 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.20 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT

Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Mixed Use.

3.21 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

22. Amending Section 4.4 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Vacant” after the text “Existing” and before the text “Undersized Lots” in the heading;
- b. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
- c. Deleting the text “vacant” after the text “By-law, a” and before the text “lot” in Subsection (a);
- d. Repealing Subsection (c); and
- e. Adding Subsection (d).

4.4 EXISTING ~~VACANT~~ UNDERSIZED LOTS

- a. Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant~~ lot which was in existence on the effective date of this By-law, having less than the minimum frontage or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable, except minimum side yards, provisions in this By-law are satisfied.
- b. Notwithstanding the minimum sideyard requirements found elsewhere in this By-law, residential uses may be located a minimum of eight (8) feet (2.4 m) from the sideyard on vacant undersized lots which were in existence on the effective date of this by-law.
- c. ~~Furthermore, where the Development Officer approves an increase in a vacant lot which was in existence on the effective date of this By law, it may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, notwithstanding that it may still have less than the minimum frontage, depth or area required by this By law, and provided that all other applicable provisions of this By law are satisfied.~~
- d. **Further to Subsection (a), the Development Officer may issue a development permit for a lot approved pursuant to Sections 41 or 42 of the *Regional Subdivision By-law* where an undersized lot has had its boundaries altered.**

23. Amending Section 4.5 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “s” to the text “Section” in Subsection (a);
- b. Adding the text “40,” after the text “38,” and before the text “43” in Subsection (a);
- c. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (a);
- d. Deleting the text “Section 14.1” and replacing it with the text “Sections 38, 43, or 43A” after the text “pursuant to” and before the text “of the” in Subsection (a);
- e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (a);

- f. Adding the text “Section 44 of” after the text “provisions of” and before the text “the” in Subsection (b);
- g. Adding the text “Regional” after the text “the” and before the text “Subdivision By-law” in Subsection (b); and

4.5 REDUCED FRONTAGE OR AREA

- (a) Development permits may be issued for lots approved pursuant to Sections 38, **40**, 43 or 43A of the *Regional Subdivision By-law* as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is located, for lots created pursuant to ~~Section 14.1~~ **Sections 38, 43, or 43A** of the *Regional Subdivision By-law* except for home business uses.
- (b) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of **Section 44 of the Regional Subdivision By-law**, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

24. Amending PART 4, as shown below in **bold**, by adding Section “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except the Conservation Zone, Protected Area Zone and Islands Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

25. Amending Subclause 4.12(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “of gross floor area” and replacing it with the text “in footprint” after the text “(93 square metres) of” and before the text “floor area”.

- (v) exceed one thousand (1000) square feet (93 square metres) ~~of gross floor area~~ **in footprint** in any RA-1 (Residential A-1 Zone), RA-2 (Residential A-2 Zone), RA-3 (Residential A-3 Zone), RA-4 (Residential A-4 Zone), RRA-1 (Rural Residential A-1 Zone), RRB-1 (Rural Residential B-1 Zone), RRB-2 (Rural Residential B-2 Zone), RRC-1 (Rural Residential C-1 Zone), RRD-1 (Rural Residential D-1 Zone) or RRE-1 (Rural Residential E-1 Zone) Zone;

26. Amending Clause 4.12(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and

- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
 - (c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.
27. Amending PART 4, as shown below in in **bold** and ~~strikeout~~, by repealing and replacing Section “4.12A SHIPPING CONTAINERS” with Section “4.12AB SHIPPING CONTAINERS” after Section 4.12.

4.12A SHIPPING CONTAINERS

- ~~(a) Shipping containers may not be used as accessory buildings on a property containing a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.~~
- ~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- ~~(c) Repealed.~~
- ~~(d) Notwithstanding the foregoing, shipping containers can be used temporarily for tool storage on construction sites as per the conditions set out in Section 4.14.~~

4.12AB Shipping Containers

- (1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:**
 - (i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;**
 - (ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and**
 - (iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.**
- (2) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.**
- (3) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.**
- (4) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.**

28. Amending Section 4.15 in PART 4, as shown below in bold, by:

- a. Adding the text “, motor home, camper trailer”, after the text “No truck, bus, coach” and before the text “or streetcar body”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.15 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

29. Amending Section 4.18 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.18 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

30. Amending PART 4, as shown below in **bold**, by adding Section “4.19B WETLANDS” after Section 4.19A

4.19B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that

permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.

(b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.28.

4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single unit and two unit uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.**

32. Amending PART 4, as shown below in **bold**, by adding Section “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” after deleted Section 4.32.

4.32A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in any Mixed Use Zones, Commercial Zones, Industrial Zones, and Resource Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- c) Fencing shall be installed to screen views from abutting properties;
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

33. Amending PART 4, as shown below in **bold**, by:

- a. Adding Section “4.37 RESIDENTIAL PRODUCE SALE” after Section 4.36; and
- b. Adding Section “4.38 FARMERS’ MARKET” after Section 4.37.

4.37 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Conservation Zone, Protected Area Zone and Islands Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- b) Any accessory structures devoted to the sale of plants and food products:
 - (i) shall not exceed 5 m² of footprint; and
 - (ii) notwithstanding any other provisions of this bylaw shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.38 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in the Residential B-1 Zone, Residential B-2 Zone, Residential B-3 Zone, Residential B-4 Zone, Rural Residential A-1 Zone, Rural Residential B-1 Zone, Rural Residential B-2 Zone, Rural Residential C-1

Zone, Rural Residential D-1 Zone, Rural Residential E-1 Zone, Mixed Use 1 Zone, Mixed Use 2 Zone, Rural Residential A Commercial Zone, Rural Residential B Commercial Zone, Rural Residential D Commercial Zone, Rural Residential E Commercial Zone, General Business Zone, Light Industry Zone, Local Service Zone, Resource Zone, Community Facility Zone, Commercial Recreation 2 Zone, Comprehensive Development District, provided all other land use by-law requirements are satisfied.

b) An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Sections 4.11 and 4.12.

34. Amending Section 10.1 in PART 10, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Craft shops” under the heading “Commercial Uses”.

Craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

35. Amending Section 10.7 in PART 10, as shown below in ~~strikeout~~, by repealing Subsection (f) after Subsection (e).

~~(f) Be less than twenty five (25) feet (7.6 m) from any watercourse or water body.~~

36. Amending Section 10.8 in PART 10, as shown below in ~~strikeout~~, by repealing Subsection (f) after Subsection (e).

~~(f) Be less than 25 feet (7.6 m) from any watercourse or water body.~~

37. Amending Section 11.1 in PART 11, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Craft shops” under the heading “Commercial Uses”.

Craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

38. Amending Section 11.7 in PART 11, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

~~(e) Be less than twenty five (25) feet (7.6 m) from any watercourse or water body.~~

39. Amending Section 11.8 in PART 11, as shown below in ~~strikeout~~, by repealing Subsection (f) after Subsection (e).

~~(f) Be less than 25 feet (7.6 m) from any watercourse or water body.~~

40. Amending Section 12.1 in PART 12, as shown below in ~~strikeout~~, by deleting the text “Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit” below the text “Single unit dwellings” under the heading “Residential Uses”.

Single unit dwellings

~~Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit~~

41. Amending Section 12.1 in PART 12, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Craft Shops” under the heading “Commercial Uses”.

Craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

42. Amending Section 12.7 in PART 12, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or water body.~~

43. Amending Section 13.1 in PART 13, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Craft Shops” under the heading “Commercial Uses”.

Craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

44. Amending Section 13.7 in PART 13, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or water body.~~

45. Amending Subsection 14.5 in PART 14, as shown below in ~~strikeout~~, by repealing Subsection (d).

(e) ~~Be less than 25 feet (7.6 m) from any watercourse or waterbody.~~

46. Amending Section 15.1 in PART 15, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “All existing dwellings” under the heading “Other Uses”.

All existing dwellings

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

47. Amending Section 15.5 in PART 15, as shown below in ~~strikeout~~, by repealing Clause (v) after Clause (iv).

(v) ~~Be less than fifty (50) feet (15.2 m) from any watercourse or waterbody.~~

48. Amending Section 16.1 in PART 16, as shown below in ~~strikeout~~, by deleting the text “Short-

term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “All existing dwellings” under the heading “Other Uses”.

All existing dwellings

~~Short term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

49. Amending Section 16.5 in PART 16, as shown below in ~~strikeout~~, by repealing Clause (v) after Clause (iv).

(v) ~~Be less than fifty (50) feet (15.2 m) from any watercourse or waterbody.~~

50. Amending Section 17.4 in PART 17, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or waterbody.~~

51. Amending Section 18.1 in PART 18, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Existing commercial and industrial uses including the existing kennels on LIMS No. 40067811 and the existing fish processing plant on LIMS No. 40522583” under the heading “Other Uses”.

Existing commercial and industrial uses including the existing kennels on LIMS No. 40067811 and the existing fish processing plant on LIMS No. 40522583

~~Short term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

52. Amending Section 18.8 in PART 18, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or waterbody.~~

53. Amending Section 19.7 in PART 19, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or waterbody.~~

54. Amending Section 20.1 in PART 20, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom rentals accessory to a residential use with up to 6 bedrooms” below the text “Convenience Stores” under the heading “Commercial Uses”.

Convenience stores

~~Short term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

55. Amending Section 20.8 in PART 20, as shown below in ~~strikeout~~, by repealing Subsection (e) after Subsection (d).

(e) ~~Be less than twenty five (25) feet (7.6 m) from any watercourse or waterbody.~~

56. Amending Section 21.1 in PART 21, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Convenience stores” under the heading “Commercial Uses”.

Convenience stores

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

57. Amending Section 22.1 in PART 22, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Day care facilities”.

Day care facilities

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

58. Amending Section 23.1 in PART 23, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Day care facilities”.

Day cares facilities

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

59. Amending Section 26.1 in PART 26, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Marine Service industries” under the heading “Commercial Uses”.

Marine service industries

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

60. Amending Section 27.1 in PART 27, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Mobiles and offices accessory to any permitted use

Cannabis production facilities

Indoor agriculture uses

61. Amending Section 29.1 in PART 29, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations

Cannabis production facilities

Indoor agriculture uses

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-13

Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12B ACCESSORY BEEKEEPING USE” immediately after the text “4.12A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by deleting the text “4.13A SHIPPING CONTAINERS” and replacing it with the text “4.13AB SHIPPING CONTAINERS” immediately after the text “4.13 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.20B WETLANDS” immediately after the text “4.20A COASTAL AREAS”.
4. Amending the “Table of Contents”, by adding the text “4.28AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.28 STANDARDS FOR PARKING LOTS”.
5. Amending the “Table of Contents”, by adding the text “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE C – WETLANDS MAP”.
6. Amending the “Table of Contents”, by adding the text “4.37 RESIDENTIAL PRODUCE SALE” and “4.38 FARMERS’ MARKET” immediately after the text “4.36 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.3A AGRICULTURAL USE - INTENSIVE” after Section 2.3.

2.3A AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

8. Amending PART 2, as shown below in **bold**, by adding the definition “2.4A AMENITY SPACE” after section 2.4.

2.4A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

9. Amending Section 2.8 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “includes any vessel”.

2.8 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.10A COMMERCIAL SOLAR ENERGY FACILITY” after Section 2.10.

2.10A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

11. Amending Subsection 2.18(i) in PART 2, as shown below in **bold**, by adding the text “t” after the text “leas”.

(i) Dwelling, Semi-Detached means a building that is divided vertically into two dwelling units by means of an above-grade common wall of at least eight (8) feet in height which constitutes at least fifty (50) percent of the horizontal axis between the two units.

12. Amending PART 2, as shown below in **bold**, by adding the definitions “2.18A ELECTRIC VEHICLE”, “2.18B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.18C ENERGIZED OUTLET” after Section 2.18.

2.18A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.18B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.18C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.22A FARMERS’ MARKET” after Section 2.22.

2.22A FARMERS' MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.26A GREENHOUSE” after Section 2.26.

2.26A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

15. Amending Section 2.28 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.28 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and rooftop greenhouses; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.31AA INDOOR AGRICULTURE” after Section 2.31.

2.31AA INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

17. Amending Section 2.35 in PART 2, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “and” and replacing it with the text “or” after the text “in a plan” and before the text “deed”; and
 - Adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.35 LOT means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 16th day of April, 1987, or is described in a plan ~~and~~ or deed **approved pursuant to the Land Titles Clarification Act, or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County.**

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.41 MARINE DEPENDENT USE” after Section 2.41.

2.41A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.71A WETLAND” after Section 2.71.

2.71A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

20. Amending PART 3, as shown below in **bold**, by adding Sections “3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES”, “3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT”, and “3.12 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.8.

3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT

Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands zoned General Business.

3.11 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

21. Amending PART 4, as shown below in **bold**, by adding Sections 4.1F and 4.1G after Section 4.1E.

4.1F An accessory beekeeping use is exempt from the requirement to obtain a development permit.

4.1G A residential produce sale use is exempt from the requirement to obtain a development permit.

22. Amending Section 4.5, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law”.

- b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot”;
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence”;
- d. Deleting the text “, depth” after the text “frontage” and before the text “or area required; and
- e. Deleting the text “Furthermore, where the Development Officer approves an increase in the area of any undersized lot held in separate ownership from adjoining parcels on the effective date of this By-law, it may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, notwithstanding that it may still have less than the minimum frontage depth or area required by this By-law, and provided that all other applicable provisions of this By-law are satisfied.” and replacing it with the text “Furthermore, the Development Officer may issue a development permit for a lot approved pursuant to sections 41 or 42 of the *Regional Subdivision By-law* where an undersized lot has had its boundaries altered.” After the text “this By-law are satisfied”.

4.5 EXISTING UNDERSIZED LOTS

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels which was in existence~~ on the effective date of this By-law and having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located, and a building may be erected on the lot providing that all other applicable provisions in this By-law are satisfied. ~~Furthermore, where the Development Officer approves an increase in the area of any undersized lot held in separate ownership from adjoining parcels on the effective date of this By-law, it may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, notwithstanding that it may still have less than the minimum frontage depth or area required by this By-law, and provided that all other applicable provisions of this By-law are satisfied.~~ **Furthermore, the Development Officer may issue a development permit for a lot approved pursuant to sections 41 or 42 of the *Regional Subdivision By-law* where an undersized lot has had its boundaries altered.**

23. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Section 98” and replacing it with the text “Section 40” after the text “pursuant to” and before the text “of the”;
- b. Deleting the text “Planning Act” and replacing with the text “Regional Subdivision Bylaw” after the text “of the” and before the text “may be used”.

4.6 SUBDIVISION OF EXISTING LOTS

Any lot created pursuant to ~~Section 98~~ **Section 40** of the ~~Planning Act~~ ***Regional Subdivision Bylaw*** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.

24. Amending Subsection 4.7(a) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “Sections 40” after the text “provisions of”;
- b. Deleting the text “, 41, 42” after the text “Sections 40”;
- c. Adding the text “and 45” after the text “Sections 40” and before the text “of the”; and
- d. Adding the text “Regional” after the text “and 45 of the” and before the text “Subdivision By-law”.

- (a) Notwithstanding the lot frontage requirements found elsewhere in this By-law, lots may be created pursuant to the provisions of **Sections 40, 41, 42 and 45** of the **Regional** Subdivision By-law and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

25. Amending PART 4, as shown below in **bold**, by adding Section “4.12B ACCESSORY BEEKEEPING USE” after Section 4.12A.

4.12B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Conservation Zone and Protected Area Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

26. Amending Clause 4.13(a)(v) in PART 4, as shown below in **bold**, by adding the text “a footprint of” before the text “one thousand”.

(v) exceed **a footprint of** one thousand (1000) square feet (93 square metres) at grade on lots less than 40,000 square feet in any R-1 (Single Unit Dwelling), R-2 (Two Unit Dwelling Zone), R-2a (Residential Home Occupation Zone) Zone.

27. Amending Clause 4.13(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (c) ~~Notwithstanding anything else in this by law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

28. Amending PART 4, as shown below in in **bold** and ~~strikeout~~, by repealing Section “4.13A SHIPPING CONTAINERS” and replacing it with Section “4.13AB SHIPPING CONTAINERS” after Section 4.13.

4.13A SHIPPING CONTAINERS

- ~~(a) Shipping containers may not be used as accessory buildings to a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.~~
- ~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- ~~(c) Repealed~~

4.13AB SHIPPING CONTAINERS

- (1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:**
 - (i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;**
 - (ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and**
 - (iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.**
- (3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.**
- (4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.**
- (5) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.**

29. Amending Section 4.16 in PART 4, as shown below in bold, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar body”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.16 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no unlicensed vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

30. Amending Section 4.19 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.19 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.20B WETLANDS” after Section 4.20A.

4.20D WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia..
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.28AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.28.

4.28AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) for single-unit, semi-detached, two unit, and rowhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided,

capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (g) All Energized Outlets must be located within 5 metres of the parking stall it services.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” after repealed Section 4.32.

4.32A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in the Local Business Zone (C-1), General Business Zone (C-2), and the Industrial Zone (C-5) for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- c) Fencing shall be installed to screen views from abutting properties;
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for

- emergency responders; and
- f) **Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.**

34. Amending PART 4, as shown below in **bold**, by adding Sections “4.37 RESIDENTIAL PRODUCE SALE” and “4.38 FARMERS’ MARKET” after Section 4.36.

4.37 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Conservation Zone and Protected Area Zone, subject to the following provisions:

- a) **For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- b) **Any accessory structures devoted to the sale of plants and food products:**
 - i. **shall not exceed 5 m² of footprint; and**
 - ii. **notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.**
- c) **Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.38 FARMERS’ MARKET

- a) **A farmers’ market use shall be permitted in any Rural Residential Zone, Rural Mixed Residential Zone, Harrietsfield Village Centre Zone, Ketch Harbour Village Centre Zone, Commercial, Resource and Industrial Zones, Community Facility Zone, provided all other land use by-law requirements are satisfied.**
- b) **An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.12 and 4.13.**

35. Amending Section 9.1 in PART 9, as shown below in ~~strikeout~~, deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Arts and craft shops”.

Fishery support and aquaculture uses including retail and wholesale outlets for fish and fish products.

Arts and craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

36. Amending Section 10.1 in PART 10, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms”.

Restricted agricultural uses;

Forestry or woodlot uses, no processing;

Fishery support and aquaculture uses including retail and wholesale outlets for fish and fish products.

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

37. Amending Section 12.1 in PART 12, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Welding, plumbing and heating, electrical and other special trade contracting services and shops” under the heading “Commercial Uses”.

Welding, plumbing and heating, electrical and other special trade contracting services and shops.

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

38. Amending Section 14.1 in PART 14, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Convenience stores” under the heading “Local Business Zone”.

Convenience stores.

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

39. Amending Section 16.1 in PART 16, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Arts and Crafts Shops” under the heading “Commercial Uses”.

Arts and Craft shops

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

40. Amending the Section 17.1 in PART 17, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms” below the text “Home occupations;”.

Single and two unit dwellings including a dwelling unit for maintenance or security personnel.

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

Home occupations;

~~Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms~~

41. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “short-term bedroom rentals”.

Composting operations (see section 4.29)

Short-term rentals

Short-term bedroom rentals

Indoor agriculture uses

42. Amending Subsection 25A.3(a) in PART 25A, as shown below in ~~strikeout~~, by repealing clause (iii).

- (a) any building or structure shall meet the following separation distances:
 - (i) from any property line 30 metres (98.4 feet)
 - (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
 - (iii) ~~from a watercourse~~ ~~30 metres (98.4 feet)~~

43. Amending PART 26, as shown below in **bold** and ~~strikeout~~, by deleting the text “7” and replacing it with the text “6” in Section 27.6.

276.6 **SCHEDULE OF FEES**

An application to amend this By-law or modify any of the provisions of this By-law must be accompanied by a fee at the time of making such application, which fees shall be:

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate
Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-14

Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margarets Bay)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 1 and 3 (St. Margarets Bay) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12B ACCESSORY BEEKEEPING USE” immediately after the text “4.12A ACCESSORY HEN USE”.
3. Amending the “Table of Contents”, by deleting the text “4.13A SHIPPING CONTAINERS” and replacing it with the text “4.13AB SHIPPING CONTAINERS” after Section 4.13.
4. Amending the “Table of Contents”, by adding the text “4.19B WETLANDS” immediately after the text “4.19A COASTAL AREAS”.
5. Amending the “Table of Contents”, by adding the text “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.28 STANDARDS FOR PARKING LOTS”.
6. Amending the “Table of Contents”, by adding the text “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.32 SCHEDULE J – WETLANDS MAP”.
7. Amending the “Table of Contents”, by adding the text “4.37 RESIDENTIAL PRODUCE SALE”, and “4.38 FARMERS’ MARKET” immediately after the text “4.36 SHORT-TERM RENTALS”.
8. Amending PART 2, as shown below in **bold**, by adding the definition “2.5AA AMENITY AREA”, after Section 2.5A.

2.5AA AMENITY AREA means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

9. Amending Section 2.9 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “includes any vessel”.

2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.14A COMMERCIAL

SOLAR ENERGY FACILITY USE” after Section 2.14.

2.14A COMMERCIAL SOLAR ENERGY FACILITY USE– means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

11. Amending PART 2, as shown below in **bold**, by adding the definitions “2.22A ELECTRIC VEHICLE”, “2.22B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.22C ENERGIZED OUTLET” after Section 2.22.

2.22A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.22B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.22C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.26B FARMERS’ MARKET” after Section 2.26A.

2.26B FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

13. Amending Section 2.30A in PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section “2.30A GREENHOUSE” and replacing it with Section “2.30B GREENHOUSE” after Section 2.30.

2.30A ~~GREENHOUSE means a building whose roof and sides are made of glass or other transparent or translucent material, and in which the temperature and humidity can be regulated for the cultivation of delicate or out of season plants as a community enterprise or for subsequent sale.~~

2.30B GREENHOUSE means a structure constructed primarily of transparent materials, with at least 80% of transparent materials for each wall and a

roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

14. Amending Section 2.32 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.32 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.34A INDOOR AGRICULTURE” after Section 2.34

2.34A INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

16. Amending Subsection 2.39(a) in PART 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “and” and replacing it with the text “or”; and
- b. Adding the text “approved” after the text “deed” and before the text “pursuant to”.

(a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar or Deeds for Halifax County on or before the 16th day of April, 1987, or is described in a plan ~~and~~ **or** deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.46AA MARINE DEPENDENT USE” after Section 2.46.

2.46AA MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.81A WETLAND” after Section 2.81.

2.81A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

19. Amending PART 3, as shown below in **bold**, by adding Section “3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.10 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.8.

3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.10 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

20. Amending PART 4, as shown below in **bold**, by adding Sections 4.1F, and 4.1G after Section 4.1E.

4.1F An accessory beekeeping use is exempt from the requirement to obtain a development permit.

4.1G A residential produce sale use is exempt from the requirement to obtain a development permit.

21. Amending Section 4.3 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “PART 14” and replacing it with the text “Section 38” after the text “pursuant to” and before the text “of the” in Subsection (a);
- b. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (a); and
- c. Adding Subsection (ab) after Subsection (a).

(a) Where a lot with reduced frontage is created pursuant to ~~PART 14~~ **Section 38** of the *Regional Subdivision By-law*, a development permit may be issued for residential or resource uses.

(ab) **Any lot approved pursuant to section 40 of the Regional Subdivision By-law may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.**

22. Amending Section 4.5 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage

- requirements” after the text “and notwithstanding” and before the text “in this By-law” in Subsection (a);
- b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot” in Subsection (a);
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “lot” and before the text “on the effective date” in Subsection (a);
- d. Deleting the text “, depth” after the text “frontage” and before the text “or area” in Subsection (a).
- e. Deleting the text “PART 14” and replacing it with the text “Sections 41 or 42” after the text “pursuant to” and before the text “of the” in Subsection (b);
- f. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (b); and
- g. Deleting the text “, depth” after the text “minimum frontage” and before the text “or area” in Subsection (c).

4.5 EXISTING UNDERSIZED LOTS

- (a) Except within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, and notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels which was in existence~~ on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.
- (b) Further to Section 4.5(a) above, the Development Officer may issue a development permit for a lot approved pursuant to ~~PART 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.
- (c) Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, a vacant lot existing on June 24, 2014, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for the following purposes, and a building may be erected on the lot for such purposes:
 - (i) a single unit dwelling; or
 - (ii) a semi-detached dwelling within Schedule O (Azalea Lane).

23. Amending PART 4, as shown below in ~~strikeout~~, by repealing Section 4.6:

4.6 ~~SUBDIVISION OF EXISTING LOTS~~

- ~~(a) Any lot approved pursuant to the Planning Act may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.~~

24. Amending Subclause 4.13(a)(v) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “of gross floor area” and replacing it with the text “in footprint” after the text “(93 square

metres)” and before the text “in any”.

- (v) exceed one thousand (1000) square feet (93 square metres) of ~~gross floor area~~ **in footprint** in any R-1 (Single Unit Dwelling) Zone, RA (Residential) Zone, RA-1 (General Residential) Zone, R-1E (Residential Estate) Zone, or R-2 (Two Unit Dwelling) Zone;

25. Amending Clause 4.13(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in the by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

(c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

26. Amending PART 4, as shown below in **bold**, by adding Section “4.12B ACCESSORY BEEKEEPING USE” after Section 4.12A.

4.12B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Protected Water Supply Zone and Protected Area Zone subject to the following provisions:

- (a) The maximum number of beehives permitted on a lot shall not exceed:**
 - i. two beehives on lots of less than 2,000 square metres in area; or**
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) Beehives shall:**
 - i. not be located in any front yard; and**
 - ii. be located no less than 3.0 metres from any lot line.**

27. Amending Clause 4.13(a)(v) in PART 4, as shown below in ~~strikeout~~, by deleting the text “gross” after the text “(93 square metres) of” and before the text “floor area”.

- (v) exceed one thousand (1000) square feet (93 square metres) of ~~gross floor area~~ in any R-1 (Single Unit Dwelling) Zone, RA (Residential) Zone, RA-1 (General Residential) Zone, R1E (Residential Estate) Zone, or R-2 (Two Unit Dwelling) Zone;

28. Amending PART 4, as shown below in in **bold** and ~~strikeout~~, by repealing Section “4.13A SHIPPNG CONTAINERS” and replacing it with Section “4.13AB SHIPPING CONTAINERS”.

4.13A SHIPPING CONTAINERS

- ~~(a) Shipping containers may not be used as accessory buildings on a property containing a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and~~

- landscaping. Notwithstanding the foregoing, ~~shipping containers intended for non-recreation or nonresidential use shall not be permitted on any property which abuts a residential, park or institutional zone.~~
- ~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- ~~(c) Repealed~~
- ~~(d) Notwithstanding the foregoing, shipping containers can be used temporarily for tool storage on construction sites as per the condition set out in Section 4.14.~~

4.13AB SHIPPING CONTAINERS

(1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:

- (i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;**
 - (ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and**
 - (iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone;**
- (3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.**
- (4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.**
- (5) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.**

29. Amending Section 4.15 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.15 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

30. Amending Section 4.18 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.18 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.19B WETLANDS”, after Section 4.19A.

4.19B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) **All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.**

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) **Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.**
- (b) **Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.**

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) **Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.**
- (b) **Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.**

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) **Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:**

- (i) marine dependent uses, fisheries uses, conservation uses;
- (ii) fences, wharfs, boat ramps;
- (iii) driveway crossings;
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

(5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures.

(6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

35. Amending PART 4, as shown below in **bold**, by adding Section “4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.28.

4.28A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) for single-unit, semi-detached, two unit, and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (h) All Energized Outlets must be located within 5 metres of the parking stall it services.

36. Amending PART 4, as shown below in **bold**, by adding Section “4.32A COMMERCIAL SOLAR ENERGY FACILITIES” after deleted Section 4.32.

4.32A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Mixed Residential Zones, Mixed Use Zones, Commercial Zones, Resource Zones, and Industrial Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

37. Amending PART 4, as shown below in **bold**, by adding Sections “4.37 RESIDENTIAL PRODUCE SALE” and “4.38 FARMERS’ MARKET” after Section 4.36.

4.37 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Water Supply Zone and Protected Area Zone, subject to the following provisions:

- (a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- (b) Any accessory structures devoted to the sale of plants and food products:**
 - i. shall not exceed 5 m2 of footprint; and**
 - ii. notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.**
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.38 FARMERS’ MARKET

- (a) A farmers’ market use shall be permitted in any Mixed Residential Zones, Village Residential Zone, Village Gateway Zone, Village Centre Zone, Mixed Use Zones, Commercial Zones, Resource Zones, Industrial Zones and Comprehensive Development District Zone, provided all other land use by-law requirements are satisfied.**
- (b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.12 and 4.13.**

38. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

OTHER USES

Cannabis production facilities

Indoor agriculture uses

39. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

OTHER USES

Cannabis production facilities

Indoor agriculture uses

40. Amending Subsection 23A.3(a) in PART 23A, as shown below in ~~strikeout~~, by repealing Clause

(iii).

(a) any building or structure shall meet the following separation distances:

- (i) from any property line 30 metres (98.4 feet)
- (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
- (iii) ~~from a watercourse 30 metres (98.4 feet)~~

41. Amending “Schedule A – Zoning” to rezone the lands to Protected Area (PA), as shown on Schedule E-14A, attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-15

Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14/17 (Shubenacadie Lakes) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.10B ACCESSORY BEEKEEPING USE” immediately after the text “4.10A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by adding the text “4.17A WETLANDS” immediately after the text “4.17 WATERCOURSES”.
3. Amending the “Table of Contents”, by adding the text “4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.27 LOADING SPACE REQUIREMENTS”.
4. Amending the “Table of Contents”, by adding the text “4.33A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.33 SCHEDULE D – WETLANDS”.
5. Amending the “Table of Contents”, by adding the text “4.38 RESIDENTIAL PRODUCE SALE” and “4.39 FARMERS’ MARKET” immediately after the text “4.37 SHORT-TERM RENTALS”.
6. Amending the “Table of Contents”, by adding the text “PART 20A: “US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE” immediately after the text “PART 20 AE-H (HOLDING) ZONE”.
7. Amending PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section “2.6 AMENITY AREA” and replacing it with Section “2.6A AMENITY AREA” after Section 2.5.
 - 2.6** ~~AMENITY AREA means an area of land set aside for purposes of visual improvement or relaxation except where an amenity area is required for any multiple unit dwelling, in which case the area may also include that portion of the building which is devoted to relaxation such as games rooms and balconies.~~
 - 2.6A** **AMENITY AREA means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.**
8. Amending Section 2.10 in PART 2, as shown below in bold, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.10 **BUILDING** means any structure whether temporary or permanent, used or built

for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping** container used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding definition “2.10F COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.10E.

2.10F COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.24A ELECTRIC VEHICLE”, “2.24B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.24C ENERGIZED OUTLET” after Section 2.24.

2.24A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.24B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.24C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.29A FARMERS’ MARKET” after Section 2.29.

2.29A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.32A GREENHOUSE” after Section 2.32.

2.32A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.33 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.33 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building **and rooftop greenhouses**; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.36CA INDOOR AGRICULTURE” after Section 2.36C and before Section 2.36D.

2.36CA INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.48AB MARINE DEPENDENT USE” after Section 2.48A.

2.48AB MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

16. Amending PART 2, as shown below in **bold**, by adding the definitions “2.73B(a) SHIPPING after Section 2.73B.

2.73B(a) SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.79A WETLAND” after Section 2.79.

2.79A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

18. Amending Section 3.1 in PART 3: ZONES AND ZONING MAPS, as shown below in **bold**, by adding the text “US-E Urban Settlement-Employment Zone” below the text “AE-H Holding Zone”.

AE-H Holding Zone

US-E Urban Settlement-Employment Zone

19. Amending Section 3.6, as shown below in **bold**, by:
- a. Adding the text “a” to Subsection (c) to amend it to become Subsection (ca);
 - (a) Development in the flood danger area according to Policy P-50.
 - (b) Multiple unit residential uses utilizing existing oversize on-site sewerage systems or existing private sewerage treatment plants according to Policy P-68.
 - (ca) Expansion of existing salvage operations according to Policy P-120.
20. Amending Section 3.6, as shown below in **bold**, by adding clause (dd) after clause (cc).
- (dd) Alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 of the Regional Municipal Planning Strategy, as applicable.**
21. Amending PART 3, as shown below in **bold**, by adding Section “3.6B DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.6C DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.6A.

3.6B DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.6C DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

22. Amending PART 4, as shown below in **bold**, by adding Sections 4.1F and 4.1G after Section 4.1E.

4.1F An accessory beekeeping use is exempt from the requirement to obtain a development permit.

4.1G A residential produce sale use is exempt from the requirement to obtain a development permit.

23. Amending Section 4.5 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
 - b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot” in Subsection (a);

- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing with the text “which was in existence” after the text “lot” and before the text “on the effective date” in Subsection (a);
- d. Deleting the text “, depth” after the text “frontage” and before the text “or area” in Subsection (a);
- e. Deleting the text “Part 14” and replacing it with the text “Section 41 or 42” after the text “pursuant to” and before the text “of the” in Subsection (b); and
- f. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (b).

4.5 EXISTING UNDERSIZED LOTS

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.
- (b) Further to Section 4.5(a) above, the Development Officer may issue a development permit for a lot approved pursuant to ~~Part 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.

24. Amending Section 4.6A in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Section 98” and replacing it with the text “Sections 38 or 40” after the text “pursuant to” and before the text “of the” in Subsection (a);
- b. Deleting the text “Planning Act and any lot created pursuant to PART 14” after the text “of the” in Subsection (a);
- c. Adding the text “Regional” after the text “of the” and before the text “ Subdivision By-law” in Subsection (a).

4.6A REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to ~~Section 98~~ **Sections 38 or 40** of the ~~Planning Act and any lot created pursuant to PART 14~~ **Regional Subdivision By-law** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.

25. Amending PART 4, as shown below in **bold**, by adding Section “4.10B ACCESSORY BEEKEEPING USE” after Section 4.10A.

4.10B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Hazard Zone, Protected Water Supply Zone and Protected Area Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**

- i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
- i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

26. Amending Clause 4.11(a)(iii) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Repealing Subclause 1; and
- b. Adding the text “R-1A,” after the text “(7.6 m) in any” and before the text “R-1B” in Subclause 2.

(iii) Exceed a height of:

- 1. ~~twenty five (25) feet (7.62 m) in any R-1A zone or the height of the main building, whichever is less;~~
- 2. **twenty five (25) feet (7.6 m) in any R-1A, R-1B, R-1C, R-1D, RLRC, CC, VMS, or VG zone;**

27. Amending Clause 4.11(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “gross floor area” and replacing it with the text “footprint” after the text “Exceed a” and before the text “of:”.

(iv) Exceed a ~~gross floor area~~ **footprint** of:

28. Amending Clause 4.11(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this bylaw, an” and replacing it with the text “An” before the text “enclosed”; and
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (c) ~~Notwithstanding anything else in this by law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

29. Amending Section 4.13 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.13 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping**

container is not considered a vehicle body.

30. Amending Section 4.16 in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.16 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

31. Amending PART 4, as shown below in **bold**, by adding Section “4.17B WETLANDS” after Section 4.17A.

4.17B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control structures.
- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.27.

4.27A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

- (a) For new residential uses, where parking spaces are provided:
- (i) For single-unit, two unit, and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
 - (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
 - (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE

J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For multi-use buildings, the parking spaces provided for each use must meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (i) All Energized Outlets must be located within 5 metres of the parking stall it services.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.33A COMMERCIAL SOLAR ENERGY FACILITIES” after Section 4.33.

4.33A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- a) Commercial Solar Energy Facilities shall be permitted in any Commercial Zones, Industrial Zones, and Resource Zones, for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- c) Fencing shall be installed to screen views from abutting properties;
- d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

34. Amending PART 4, as shown below in **bold**, by adding Sections “4.38 RESIDENTIAL PRODUCE SALE” and “4.39 FARMERS’ MARKET” after repealed Section 4.37.

4.38 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Hazard Zone, Protected Water Supply Zone and Protected Area Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- b) Any accessory structures devoted to the sale of plants and food products:**
 - i. shall not exceed 5 m2 of footprint; and**
 - ii. notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.**
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

4.39 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in any zone except the Single Unit Dwelling Zone, Holding Zone, Hazard Zone, Construction & Demolition Zones, Infrastructure Charge Zone, Park Zone, Regional Park Zone, Protected Water Supply Zone and Protected Area Zone, provided all other land use by-law requirements are satisfied.**
- b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.11 and 4.12.**

35. Amending Section 8.1 in PART 8, as shown below in ~~strikeout~~, by deleting the text “Shared housing use with 10 or fewer bedroom in conjunction with a permitted dwelling unit” below the text “Existing residential dwellings”.

Existing residential dwellings

~~Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit~~

36. Amending Section 10.7 in PART 10, as shown below in ~~strikeout~~, by repealing Subsection (b).

10.7 OTHER REQUIREMENTS: EXISTING FORESTRY USES

Notwithstanding the provisions of Sections 4.4, 4.6 (e), 10.2 and 10.5, existing forestry uses in any R-6 Zone shall be permitted and may be expanded subject to the following requirements:

- (a) no structures associated with existing forestry uses shall be located within two hundred (200) feet (61 m) of any dwelling other than a permitted accessory dwelling;**

- (b) ~~no structures associated with existing forestry uses shall be located within one hundred (100) feet (30.5 m) of any lake or watercourse, or a greater distance where required by Section 4.17;~~

37. Amending Section 14A.1 in PART 14A, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 4 bedrooms” below the text “Existing Multiple Unit Dwellings pursuant to Section 4.6(k)”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Home Businesses

Existing Multiple Unit Dwellings pursuant to Section 4.6 (k)

~~Short-term Bedroom Rentals accessory to a residential use with up to 4 bedrooms~~

38. Amending Section 14C.1 in PART 14C, as shown below in ~~strikeout~~, by deleting the text “Short-term Bedroom Rentals accessory to a residential use with up to 4 bedrooms” below the text “Home Businesses”.

Two unit dwellings

Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

Home Businesses

~~Short-term Bedroom Rentals accessory to a residential use with up to 4 bedrooms~~

39. Amending Section 14E.1 in PART 14, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Short-term bedroom rentals”; and

- a. Adding the text “Shared housing use with 10 or fewer bedrooms accessory to any permitted use” below the text “Single unit dwellings accessory to any permitted use” under the heading “Residential Uses”; and

Warehousing and wholesaling

Short-term rentals

Short-term bedroom rentals

Indoor agriculture uses

40. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “indoor agriculture uses” below the text “Composting operations”.

Existing residential uses

Composting operations

Indoor agriculture uses

41. Amending Section 15A.1 in PART 15A, as shown below in ~~strikeout~~ and **bold**, by:

- a. Deleting the text “and” after the text “(ad) Vehicle services;”;
- b. Adding the text “;and” after the text “Accessory uses” in subsection (ae); and
- c. Adding the Subsection “(af) Indoor agriculture uses” after subsection (ae).

(ad) Vehicle services; ~~and~~

- (ae) Accessory uses; **and**
- (af) Indoor agriculture uses**

42. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities” under the heading “Business Uses”.

Personal Service Uses
Cannabis production facilities
Indoor agriculture uses

43. Adding the PART, as shown below in **bold**, “PART 20A: US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE”, after PART 20.

PART 20A US-E (URBAN SETTLEMENT-EMPLOYMENT) ZONE

20.1A US-E USES PERMITTED

No development permit shall be issued in any US-E Zone except for the following:

Utilities
Conservation uses
Public parks and playgrounds

44. Amending PART 24, as shown below in ~~strikeout~~, by repealing Subsection 24.3(a).

24.3 OTHER REQUIREMENTS: SETBACKS FROM WATER SUPPLY SOURCES

- (a) ~~No development permit shall be issued for any dwelling or accessory structure within 30.5 metres of any lake or other watercourse within the PWS (Protected Water Supply) Zone.~~
- (b) Notwithstanding Section 4.17, water distribution or purification uses may be built to the lot line where the line corresponds to the shore line.

45. Amending Section 25.4 in PART 25, as shown below in ~~strikeout~~, by repealing Subsection (b).

25.4 OTHER REQUIREMENTS: RESOURCE USES

Where uses are permitted as resource uses in any MR Zone, the following shall apply:

- (a) No sawmill or intensive livestock operation shall be located within two hundred (200) feet (61 m) of any dwelling other than a permitted accessory dwelling.
- (b) ~~No sawmill or intensive livestock operation shall be located within one hundred (100) feet (3.5 m) of any lake or watercourse.~~

49. Amending “Schedule B - Zoning” to rezone the lands to Urban Settlement-Employment (US-E) Zone, as shown on Schedule E-15A.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-16

Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 8 & 9 (Lake Echo/Porters Lake) is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.8A LAND TITLES CLARIFICATION AREAS” immediately after the text “4.8 EXISTING UNDERSIZED LOTS”.
2. Amending the “Table of Contents”, by adding the text “4.11B ACCESSORY BEEKEEPING USE” immediately after the text “4.11A ACCESSORY HEN USE”.
3. Amending the “Table of Contents”, by adding the text “4.18B WETLANDS” immediately after the text “4.18A COASTAL AREAS”.
4. Amending the “Table of Contents”, by adding the text “4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.25 STANDARDS FOR PARKING LOTS”.
5. Amending the “Table of Contents”, by adding the text “4.28A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.28 SCHEDULE C – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.33 RESIDENTIAL PRODUCE SALE” and “4.34 FARMERS’ MARKET” immediately after the text “4.32 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.6A AMENITY SPACE” after Section 2.6.

2.6A AMENITY SPACE means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

8. Amending Section 2.9 in PART 2, as shown below in **bold**, by adding the text “shipping” after the text “includes any vessel or” and before the text “container used”.

2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or shipping container used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definition “2.10A COMMERCIAL

SOLAR ENERGY FACILITY USE” after Section 2.10.

2.10A COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

10. Amending PART 2, as shown below in **bold**, by adding the definitions “2.15A ELECTRIC VEHICLE”, “2.15B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.15C ENERGIZED OUTLET” after Section 2.15.

2.15A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.15B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.15C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.20A FARMERS’ MARKET” after Section 2.20.

2.20A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.24A GREENHOUSE” after Section 2.24.

2.24A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

13. Amending Section 2.25 in PART 2, as shown below in **bold**, by adding the text “rooftop greenhouses and” after the text “within the building and” and before the text “, for the purpose of”.

2.25 GROSS FLOOR AREA means the aggregate of the floor areas of a building above

and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and **rooftop greenhouses and**, for the purpose of this definition, the walls of an inner court shall be deemed to be exterior walls.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.26B INDOOR AGRICULTURE” after Section 2.26A.

2.26B INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

15. Amending Subsection 2.29(a) in PART 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “and” and replacing with the text “or” after the text “in a plan” and before the text “deed”; and
- b. Adding the text “approved” after the text “deed” and before the text “pursuant to”.

2.29 LOT

- (a) Lot means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 16th day of April, 1987, or is described in a plan ~~and or~~ deed **approved** pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax County or is created under Section 93(2) of the Planning Act.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.36A MARINE DEPENDENT USE” after Section 2.36.

2.36A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the definition “2.58B(a) SHIPPING CONTAINER” after Section 2.58B.

2.58B(a) SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

18. Amending PART 2, as shown below in **bold**, by adding the definition “2.64A WETLAND” after Section 2.64.

2.64A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic

vegetation and biological activities adapted to wet conditions.

19. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding clause (e) after clause (d).

(e) Alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, as applicable.

20. Amending PART 3, as shown below in **bold**, by adding Sections “3.9 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES”, “3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT”, and “3.11 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.8.

3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT

Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands zoned General Business.

3.11 DEVELOPMENT AGREEMENTS FOR SOLAR

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

21. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (vii) and (viii) after Clause (vi).

(d) Notwithstanding Section 4.1(a) above, no development permit shall be required for the following:

- (i) any open space use which does not involve a building or structure;
- (ii) any accessory building or structure which has less than three hundred (300) square feet (27.9 m²) of gross floor area; and
- (iii) any sign which is less than one hundred (100) square feet (9.3 m) in area, or any other sign permitted under Section 5.3.
- (iv) An accessory hen use.
- (v) A short-term rental of an entire dwelling unit in an operator’s primary residence is

- exempt from the requirement to obtain a development permit.
- (vi) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (vii) An accessory beekeeping use.**
- (viii) A residential produce sale use.**

22. Amending Section 4.4 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Section 98” and replacing it with the text “Section 40” after the text “accordance with” and before the text “of the” in Subsection (a);
- b. Deleting the text “Planning Act” and replacing it with the text “Regional Subdivision Bylaw” after the text “of the” and before the text “may be used” in Subsection (a);
- c. Deleting the text “Part 14” and replacing it with the text “Sections 38 or 49” after the text “provisions of” and before the text “of the” in Subsection (b);
- d. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (b);
- e. Adding the text “Section 51 of” after the text “provisions of” and before the text “the” in Subsection (c);
- f. Adding the text “Regional” after the text “the” and before the text “Subdivision By-law” in Subsection (c); and

4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with ~~Section 98~~ **Section 40** of the ~~Planning Act~~ ***Regional Subdivision Bylaw*** may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of ~~Part 14~~ **Sections 38 or 49** of the **Regional** Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of **Section 51** of the **Regional** Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

23. Amending Section 4.8, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law” in Subsection (a);
- b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot” in Subsection (a);
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “lot” and before the text “on the effective date” in Subsection (a);
- d. Deleting the text “, depth” after the text “frontage” and before the text “or area” in Subsection (a);
- e. Deleting the text “Part 14” and replacing it with the text “Sections 41 or 42” after the

- text “according to” and before the text “of the” in Subsection (b); and
- f. Adding the text “Regional” after the text “of the” and before the text “Subdivision Bylaw” in Subsection (b).

4.8 EXISTING UNDERSIZED LOTS

- (a) Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels which was in existence~~ on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied or a minor variance granted.
- (b) Further to Section 4.8(a) above, the Development Officer may issue a development permit for a lot approved according to ~~Part 14 Sections 41 or 42~~ of the **Regional Subdivision By-law**, where an undersized lot has had its boundaries altered.

24. Amending PART 4, as shown below in **bold**, by adding Section “4.8A LAND TITLES CLARIFICATION AREAS” after Section 4.8.

4.8A LAND TITLES CLARIFICATION AREAS

- (a) Notwithstanding the lot area and frontage requirements in this By-law, **any area of land or parcel located within a Land Titles Clarification Area as defined by the Land Titles Clarification Act, having less than the minimum frontage or area required by this By-law may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in the By-law are satisfied.**
- (b) Further to subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to Section 68A of the Regional Subdivision By-law.

25. Amending PART 4, as shown below in **bold**, by adding Section “4.11B ACCESSORY BEEKEEPING USE” after Section 4.11A.

4.11B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except the Protected Water Supply Zone and Protected Area Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
- i. two beehives on lots of less than 2,000 square metres in area; or**
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
- i. not be located in any front yard; and**
 - ii. be located no less than 3.0 metres from any lot line.**

26. Amending Clause 4.12(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “a footprint of” after the text “exceed” and before the text “one thousand”; and
- b. Deleting the text “in area” after the text “(93 square metres” and before the text “in any”.

(iv) exceed **a footprint of** one thousand (1000) square feet (93 square metres) ~~in area~~ in any residential zone; nor

27. Amending Section 4.12(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (c) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

28. Amending Section 4.14 in PART 4, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” after the text “commercial building”.

4.14 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building except in an RE (Rural Enterprise) Zone. **For clarity, a shipping container is not considered a vehicle body.**

29. Amending Section 4.17 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.17 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, space centres, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

30. Amending PART 4, as shown below in **bold**, by adding Section “4.18B WETLANDS” after Section 4.18A.

4.18B WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

(5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

(i) wastewater, storm and water infrastructure, and public water control structures.

(6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.25.

4.25A ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single unit and two unit uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

(a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and

(b) All Energized Outlets must be located within 5 metres of the parking stall it services.

32. Amending PART 4, as shown below in **bold**, by adding Section “4.28A COMMERCIAL SOLAR ENERGY FACILITIES” after deleted Section 4.28.

4.28A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Mixed Residential Zones, Commercial Zones, Industrial Zones, and Resource Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;
- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

33. Amending PART 4, as shown below in **bold**, by adding “4.33 RESIDENTIAL PRODUCE SALE” and “4.34 FARMERS’ MARKET” after Section 4.32.

4.33 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Protected Water Supply Zone and Protected Area Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- b) Any accessory structures devoted to the sale of plants and food products:
 - i. shall not exceed 5 m² of footprint; and
 - ii. notwithstanding all other provisions of the bylaw, shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.34 FARMERS' MARKET

- a) A farmers' market use shall be permitted in any Rural Residential Zone, Residential Zones and Mixed Use Designation, Mixed Use Zones, Commercial Zones, Industrial Zones, Resource Zones and Comprehensive Development District Zone, provided all other land use by-law requirements are satisfied.
- b) An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Sections 4.11 and 4.12.

34. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text "Indoor agriculture uses" below the text "Composting operations (refer to Section 4.26)" under the Heading "Resource Uses".

Resource Uses

Agricultural uses;
 Intensive agricultural uses;
 Fishing Uses;
 Forestry uses; and
 Extractive facilities
 Composting operations (refer to Section 4.26)
Indoor agriculture uses

35. Amending Section 16.3 in PART 16, as shown below in ~~strikeout~~, by repealing Subsection (c) after Subsection (b).

16.3 **OTHER REQUIREMENTS: COMMERCIAL AND INDUSTRIAL SERVICE USES**

Where uses are permitted as Commercial or Industrial Service Uses in any C-1 Zone, the following shall apply:

- (a) No more than two thousand square feet (185.8 m²) of any main building shall be devoted to any commercial or industrial service use;
- (b) No building or structure shall be located more than two hundred (200) feet (61.0 m) from the front lot line;
- (c) ~~No building or structure shall be located less than twenty five (25) feet (7.5 m) from any watercourse;~~

36. Amending Section 19.1 in PART 19, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations (refer to Section 4.26)

Cannabis production facilities

Indoor agriculture uses

37. Amending Subsection 19.3 in PART 19, as shown below in ~~strikeout~~, by deleting the text “or watercourse” after the text “residential zone”.

- (a) Notwithstanding the provisions of Section 19.2, where uses are permitted as industrial uses, no building or structure or outdoor storage within any I-3 Zone shall be located less than one hundred (100) feet (30.5 m) from any existing dwelling or residential zone ~~or watercourse~~.

38. Amending Subsection 22A.3(a) in PART 22A, as shown below in ~~strikeout~~, by repealing Clause (iii).

22A.3 OTHER REQUIREMENTS: C&D MATERIALS TRANSFER STATIONS

No development permit shall be issued for a C&D Materials Transfer Station except in compliance with the following provisions:

- (a) any building or structure shall meet the following separation distances:
- | | | |
|-------|--|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Proposed Amendments to the Land Use Bylaw for Sackville Drive

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

1. Amending PART 2: DEFINITIONS, as shown below in **bold** and ~~strikeout~~, by repealing and replacing the definition “Amenity Area” with the new definition “Amenity Space” after the definition “All Age/Teen Club”.

~~Amenity Area means an area(s) of a lot set aside for the purposes of visual improvement or relaxation which is not used for buildings, structures, parking areas or driveways and which includes grass, flower beds, shrubbery, trees and other forms of landscaping or a combination thereof and in the case of multiple unit dwellings may also include balconies and sun decks.~~

Amenity Space means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

2. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definitions “Electric Vehicle”, “Electric Vehicle Supply Equipment”, and “Energized Outlet” after the definition “Dwelling Unit”.

Electric Vehicle means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

Electric Vehicle Supply Equipment means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

Energized Outlet means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

3. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Farmers’ Market” after the definition “Existing”.

Farmers’ Market means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

4. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “GREENHOUSE” after the definition “Grade-Related Dwelling Unit”.

GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

5. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Marine Dependent Use” after the definition “Main Wall”.

Marine Dependent Use means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

6. Amending PART 2: DEFINITIONS”, as shown below in **bold**, by adding the definition “Wetland” after the definition “Watercourse”.

Wetland means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

7. Amending PART 3, as shown below in **bold**, by adding Sections 6E and 6F after Section 6D.

6.1E An accessory beekeeping use is exempt from the requirement to obtain a development permit.

6.1F A residential produce sale use is exempt from the requirement to obtain a development permit.

8. Amending PART 5, as shown below in **bold**, by adding Section 3. and Section 4. after Section 2.

3. Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

4. Pursuant to Policy EN-43 of the Halifax Regional Municipal Planning Strategy, alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement.

9. Amending PART 6, as shown below in **bold**, by adding Section “6A. Wetlands” after Section 6B.

6B. WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia..
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control

structures.

- (6) **Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.**

10. Amending Section 27 in PART 6, as shown below in **bold**, by adding Clause (e) after Clause (d).

- (e) **Notwithstanding Section 27 (a), rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

11. Amending Section 30 in PART 6, as shown below in **bold**, by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar body”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” after the text “commercial building”.

Vehicle Bodies

30. No truck, bus, coach, **motor home, camper trailer** or streetcar body shall be used for human habitation or used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

12. Amending PART 6, as shown below in **bold**, by:

- a. Adding the heading “Accessory Beekeeping Use” after Section 32A; and
- b. Adding Section 32B after the heading “Accessory Beekeeping Use”.

Accessory Beekeeping Use

32B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Floodplain Zone, subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**

13. Amending Subsection 33(8) in PART 6, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed”; and
- b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.

- (8) ~~Notwithstanding anything else in this by law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

14. Amending PART 6 as shown below in **bold** and ~~strikeout~~, by repealing Section “34A Shipping Containers as Accessory Buildings” and replacing it with Section “34AB Shipping Containers after Section 34.

~~Shipping Containers as Accessory Buildings~~

~~34A (1) Shipping containers shall not be permitted as accessory buildings to a residential use. Shipping containers may be permitted as accessory buildings only in a business park zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone or use.~~

~~(2) Shipping containers shall not be placed in the front or flankage yard of any lot, or between the main building and any street.~~

~~(3) No shipping container shall be permitted in any zone as a dwelling or other form of accommodation, including offices.~~

Shipping Containers

34AB. (1) No shipping container shall be permitted in any zone as an office. Shipping containers may be used as accessory buildings only in a business park zone or in conjunction with a recreation use, provided they meet the following requirements:

(i) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street;

(ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and

(iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.

(3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.

15. Amending PART 6, as shown below in **bold**, by:

- a. Adding the heading “RESIDENTIAL PRODUCE SALE” and Section 46 after Section 45; and
- b. Adding the heading “FARMERS’ MARKET” and Section 47 after Section 46.

RESIDENTIAL PRODUCE SALE

46. The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in all zones except Floodplain Zone, subject to the following provisions:

- (a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.**
- (b) Any accessory structures devoted to the sale of plants and food products:**
 - i. shall not exceed 5 m2 of footprint; and**
 - ii. notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.**
- (c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.**

FARMERS' MARKET

- 47. a) A farmers' market use shall be permitted in all zones except Floodplain Zone, provided all other land use by-law requirements are satisfied.**
- b) An accessory structure associated with a farmers' market use shall meet the accessory building requirements of Sections 32 and 33.**

16. Amending PART 7, as shown below in **bold**, by adding Section "40AA Electric Vehicle Ready Parking Requirements" after Section 40.

40AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

- (a) For new residential uses, where parking spaces are provided:**
 - (i) For single-unit, semi-detached, duplex, and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
 - (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
 - (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (j) All Energized Outlets must be located within 5 metres of the parking stall it services.**

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-18

Proposed Amendments to the Land Use Bylaw for Sackville

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

1. Amending the “Table of Contents”, by adding the text “4.10B ACCESSORY BEEKEEPING USE” immediately after the text “4.10A ACCESSORY HEN USE”.
2. Amending the “Table of Contents”, by deleting the text “4.11A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS” and replacing it with the text “4.11AB SHIPPING CONTAINERS” immediately after the text “4.11 ACCESSORY BUILDINGS”.
3. Amending the “Table of Contents”, by adding the text “4.23A WETLANDS” immediately after the text “4.23 WATERCOURSES”.
4. Amending the “Table of Contents”, by adding the text “4.26AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.26 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.38 RESIDENTIAL PRODUCE SALE”, and “4.39 FARMERS’ MARKET” immediately after text “4.37 SHORT-TERM RENTALS”.
6. Amending PART 2, as shown below in **bold**, by adding the definition “2.3A AGRICULTURAL USE – INTENSIVE” after Section 2.3.

2.3A AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

7. Amending Section 2.5 in PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section “2.5 AMENITY AREA” and replacing it with Section “2.5A AMENITY AREA” after Section 2.4.

2.5 ~~AMENITY AREA means an area(s) of a lot set aside for the purposes of visual improvement or relaxation which is not used for buildings, structures, parking areas or driveways and which includes grass, flower beds, shrubbery, trees and other forms of landscaping or a combination thereof and in the case of multiple unit dwellings may also include balconies and sundecks.~~

2.5A AMENITY AREA means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as

balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

8. Amending Section 2.11 in PART 2 as shown below in **bold**, by adding the text “or shipping container” after the text “any vessel” and before the text “used for any”.

2.11 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel **or shipping container** used for any of the foregoing purposes.

9. Amending PART 2, as shown below in **bold**, by adding the definitions “2.19A ELECTRIC VEHICLE”, “2.19B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.19C ENERGIZED OUTLET” after Section 2.19.

2.19A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.19B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.19C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.25A FARMERS’ MARKET” after Section 2.25.

2.25A FARMERS’ MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

11. Amending PART 2, as shown below in **bold**, by adding the definition “2.27A GREENHOUSE” after Section 2.27.

2.27A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

12. Amending Section 2.28 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.28 **GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and rooftop greenhouses; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.**

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.29B INDOOR AGRICULTURE” after Section 2.29A.

2.29B INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

14. Amending PART 2, as shown below in **bold**, by adding the definition “2.43A MARINE DEPENDENT USE” after the text 2.43.

2.43A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.75A WETLAND” after Section 2.75.

2.75A WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

16. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding clause (d) after clause (c).

(d) Alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policy EN-43 of the Regional Municipal Planning Strategy.

17. Amending PART 3, as shown below in **bold**, by adding Sections “3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT” and “3.11 DEVELOPMENT AGREEMENTS FOR SOLAR”.

**3.10 INDOOR AGRICULTURE USES BY DEVELOPMENT AGREEMENT
Pursuant to Policy CI-30 of the Halifax Regional Municipal Planning Strategy, indoor agricultural uses may be considered by development agreement on lands designated Commercial.**

3.11 DEVELOPMENT AGREEMENTS FOR SOLAR
Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

18. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (, (vi), and (vii) after Clause (v).

(d) Notwithstanding Subsection (a), no development permit shall be required for the following:

- (i) any accessory building or structure which has less than three hundred (300) square feet (28 sq. m.) of gross floor area; and
- (ii) any sign, except signs permitted according to Section 5.3 of this by-law.
- (iii) An accessory hen use.
- (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit.
- (vi) An accessory beekeeping use.**
- (vii) A residential produce sale use.**

19. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text "anything else" and replacing it with the text "the lot area and frontage requirements" after the text "Notwithstanding" and before the text "in this by-law";
- b. Deleting the text "vacant" after the text "by-law a", and before the text "lot";
- c. Deleting the text "held in separate ownership from adjoining parcels" and replacing it with the text "which was in existence" after the text "lot" and before the text "on the effective date";
- d. Deleting the text ", depth" after the text "minimum frontage" and before the text "area required";
- e. Deleting the text "PART 14 of the" and replacing it with the text "Sections 41 or 42 of the Regional" after the text "pursuant to" and before the text "Subdivision By-law".

4.6 EXISTING UNDERSIZED LOTS

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this by-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this by-law, having less than the minimum frontage, ~~depth~~ or area required by this by-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this by-law are satisfied.

Further, the Development Officer may issue a development permit for a lot approved pursuant to ~~PART 14 of the~~ **Sections 41 or 42 of the Regional** Subdivision By-law where an undersized lot has had its boundaries altered.

20. Amending Section 4.7 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Section 98 of the Planning Act” and replacing it with the text “Section 40 of the Regional Subdivision By-law” after the text “pursuant to” and before the text “may be used” in Subsection (a);
- b. Deleting the text “Part 14” and replacing it with the text “Section 38” after the text “approved pursuant to” and before the text “of the” in Subsection (d);
- c. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (d);
- d. Deleting the text “Section 14.1” and replacing it with the text “Section 38” after the text “created pursuant to” and before the text “of the” in Subsection (d); and
- e. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law” in Subsection (d).

4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to ~~Section 98 of the Planning Act~~ **Section 40 of the *Regional Subdivision Bylaw*** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the frontage and area requirements found elsewhere in this by-law, where a lot existing on the effective date of this by-law has less than 120 feet (36.6 m) of frontage and abuts a street in which sewer and water services are available, the lot frontage requirement is reduced to 50 feet (15.2 m) and the lot area requirement is reduced to 5000 square feet (464.5 m²).
- (c) Any lot created according to the provisions of subsections (a) or (b) above may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to ~~Part 14~~ **Section 38** of the **Regional Subdivision By-law** as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to ~~Section 14.1~~ **Section 38** of the **Regional Subdivision By-law**, except for business uses in conjunction with a permitted dwelling.
- (e) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:
 - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
 - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;

- (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
- (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.11 of the this By-law;
- (v) the remaining lands meet the requirements of the applicable zone.

21. Amending PART 4, as shown below in **bold**, by adding Section “4.10B ACCESSORY BEEKEEPING USE” after Section 4.10A.

4.10B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Floodplain Zone and Park Reserve Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. two beehives on lots of less than 2,000 square metres in area; or**
 - ii. four beehives on lots equal to or greater than 2,000 square metres in area.**
- (b) **Beehives shall:**
 - i. not be located in any front yard; and**
 - ii. be located no less than 3.0 metres from any lot line.**

22. Amending Clause 4.11(a)(iii) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “fifteen (15) feet (4.6 m)” and replacing it with the text “twenty-five (25) feet (7.7 metres)” after the text “exceed” and before the text “in height in”.

- (iii) exceed ~~fifteen (15) feet (4.6 m)~~ **twenty-five (25) feet (7.7 metres)** in height in any Residential Zone except for accessory resource related buildings uses in an R-6 (Rural Residential) Zone;

23. Amending Clause 4.11(a)(iv) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “seven hundred and fifty (750) square feet (70m2) and replacing it with the text “a footprint of one thousand (1000) square feet (93m2)” after the text “exceed” and before the text “in any Residential Zone”.

- (iv) exceed ~~seven hundred and fifty (750) square feet (70 m2)~~ **a footprint of one thousand (1000) square feet (93 m2)** in any Residential Zone except for accessory resource related buildings in an R-6 (Rural Residential) Zone; nor

24. Amending Section 4.11 in PART 4, as shown below in ~~strikeout~~, by repealing clause (c).

- (c) ~~Notwithstanding section 4.11(a)(ii), 4.11(a)(iii), 4.11(a)(iv), and 4.11(a)(v), an accessory building or structure, excluding boat houses, in any Residential Zone may exceed fifteen (15) feet (4.5m) and seven hundred and fifty (750) square~~

feet (70 m2) where all of the following conditions can be met:

- ~~(i) the height does not exceed twenty-five (25) feet (7.7 metres);~~
- ~~(ia) the building does not exceed one thousand (1,000) square feet (93.m2);~~
- ~~(ii) Repealed~~
- ~~(iii) side and rear yards for the building are no less than required in Section 4.11(a)(ii) or (1/2) the height of the accessory building, whichever is greater~~
- ~~(iv) the building is located no less than required in Section 4.11(a)(v) or one half (1/2) the height of the accessory building height from the main building or any other building, whichever is greater~~
- ~~(v) the building or structure is not located in the required front yard;~~
- ~~(vi) the lot shall have a minimum area of 40,000 square feet (3,716 m2);~~
- ~~(vii) all other applicable provisions of this By-law are met.~~

25. Amending Clause 4.11(d), as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Notwithstanding anything else in this by-law, an” and replacing it with the text “An” before the text “enclosed; and
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (d) ~~Notwithstanding anything else in this by-law, an~~ **An** enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.

26. Amending PART 4, as shown below in **bold** and ~~strikeout~~, by repealing Section “4.11A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS” and replacing it with Section “4.11AB SHIPPING CONTAINERS” after Section 4.11.

~~4.11A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS~~

- ~~(a) Shipping containers may not be used as accessory buildings to a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an business park zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone or use.~~
- ~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street. —~~
- ~~(c) Repealed~~

4.11AB SHIPPING CONTAINERS

(1) Shipping containers may be used as accessory buildings only in an industrial zone or commercial zone or in conjunction with a recreation use, provided they meet the following requirements:

- (i) Shipping containers may not be placed in the front or flanking yard of any**

lot, or between the main building and any street;
(ii) Shipping containers must meet all applicable requirements for accessory buildings and zone standards including those relating to setbacks, screening and landscaping; and
(iii) Shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone;

(3) Notwithstanding subsection (1), shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(4) Notwithstanding subsection (1), Shipping containers may be used as a backyard suite, subject to the applicable requirements for backyard suites.

(5) Notwithstanding subsection (1), Shipping containers may be used as a main use for indoor agriculture, subject to the applicable zone standards for main buildings.

27. Amending Section 4.13 in PART 4, as shown below in **bold** by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach” and before the text “or streetcar body”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.13 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other by-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

28. Amending Section 4.16 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.16 HEIGHT REGULATIONS

The height regulations of this by-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

29. Amending PART 4, as shown below in **bold**, by adding Section “4.23A WETLANDS” after Section 4.23.

4.23B WETLANDS **WETLANDS – PERMIT REQUIREMENTS**

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.
- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:
- (i) marine dependent uses, fisheries uses, conservation uses;
 - (ii) fences, wharfs, boat ramps;
 - (iii) driveway crossings;
 - (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
 - (v) boardwalks, walkways and trails not exceeding 3 m in width; and
 - (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².
- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:
- (i) wastewater, storm and water infrastructure, and public water control

structures.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

30. Amending PART 4, as shown below in **bold**, by adding Section “4.26AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.26.

4.26AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

(a) For new residential uses, where parking spaces are provided:

- (i) For single unit, two unit, and rowhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or**
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For multi-use buildings, the parking spaces provided for each use must meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.

31. Amending PART 4, as shown below in **bold**, by adding Section “4.38 RESIDENTIAL PRODUCE SALE” and “4.39 FARMERS’ MARKET” after Section 4.37.

4.38 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except Floodplain Zone and Park Reserve Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- b) Any accessory structures devoted to the sale of plants and food products:
 - i. shall not exceed 5 m2 of footprint; and
 - ii. notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, open storage and display related to the sale of plants and food products shall be permitted within any yard.

4.39 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in any Multiple Unit Dwelling Zone, Rural Residential Zone, Commercial Zones, Community Facility Zone and Comprehensive Development District, provided all other land use by-law requirements are satisfied.
- b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.10 and 4.11.

32. Amending Section 17.1 in PART 17, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations (see section 4.30)
 Cannabis production facilities
Indoor agriculture uses

33. Amending Section 18.1 in PART 18, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Composting operations (see section 4.30)
 Cannabis production facilities

Indoor agriculture uses

34. Amending Subsection 23A.3(a) in PART 23A, as shown below in ~~strikeout~~, by repealing Clause (iii).

(a) any building or structure shall meet the following separation distances

- | | | |
|-------|--|----------------------------------|
| (i) | from any property line | 30 metres (98.4 feet) |
| (ii) | from the nearest residential dwelling or institutional use | 60 metres (196.9 feet) |
| (iii) | from a watercourse | 30 metres (98.4 feet) |

35. Amending “Schedule A – Zoning” to rezone the lands to Open Space (P-1), Single Unit Dwelling (R-1), Single Unit Dwelling Zero Lot Line (R-1-0), R-2 (Two Unit Dwelling), and Comprehensive Development District (CDD), as shown on Schedule E-18A, attached hereto.

36. Amending “Schedule A – Zoning” to rezone Open Space (P-1), Park Reserve (P-4), Regional Park (RPK), Single Unit Dwelling (R-1), Single Unit Dwelling Zero Lot Line (R-1-0), R-2 (Two Unit Dwelling), Rural Residential (R-6) and Comprehensive Development District (CDD), as shown on Schedule E-18B, attached hereto.

37. Amending “Schedule A – Zoning” to rezone the lands to Regional Park Zone (RPK) as shown on Schedule E-18C, attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-19

Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Amending the “Table of Contents”, by adding the text “4.12B ACCESSORY BEEKEEPING USE” immediately after the text “4.12A ACCESSORY HEN USE”.
2. Amending the “Table of Contents,” by deleting the text “4.13A. Shipping Containers” and replacing it with the text “4.13AB Shipping Containers” immediately after the text “4.13 Accessory Buildings.”
3. Amending the “Table of Contents”, by adding the text “4.19A WETLANDS” immediately after the text “4.19 WATERCOURSES”.
4. Amending the “Table of Contents”, by adding the text “4.29AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” immediately after the text “4.29 LOADING SPACE REQUIREMENTS”.
5. Amending the “Table of Contents”, by adding the text “4.33A COMMERCIAL SOLAR ENERGY FACILITIES” immediately after the deleted text “4.33 SCHEDULE C – WETLANDS”.
6. Amending the “Table of Contents”, by adding the text “4.38 RESIDENTIAL PRODUCE SALE” and “4.39 FARMERS’ MARKET” immediately after the text “4.37 SHORT-TERM RENTALS”.
7. Amending PART 2, as shown below in **bold**, by adding the definition “2.4A AGRICULTURAL USE – INTENSIVE” after Section 2.4

2.4A AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

8. Amending Section 2.6 in PART 2, as shown below in **bold** and ~~strikeout~~, by repealing Section “2.6 AMENITY AREA” and replacing it with Section “2.6A AMENITY AREA” after Section 2.5.

2.6 ~~AMENITY AREA means an area of land set aside for purposes of visual improvement or relaxation except where an amenity area is required for any multiple unit dwelling, in which case the area may also include that portion of the building which is devoted to relaxation such as games rooms and balconies.~~

2.6A AMENITY AREA means non-commercial indoor or outdoor space dedicated for private or shared use by a building’s occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

9. Amending Section 2.9 in PART 2, as shown below in **bold**, by adding the text “or shipping container” after the text “any vessel” and before the text “used for any”.

2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or shipping container used for any of the foregoing purposes.

10. Amending PART 2, as shown below in **bold**, by adding the definition “2.11AA COMMERCIAL SOLAR ENERGY FACILITY USE” after Section 2.11.

2.11AA COMMERCIAL SOLAR ENERGY FACILITY USE – means an installation or area of land in which solar collection devices, solar energy related equipment and other associated infrastructure capable of collecting and converting solar energy into electricity primarily for the purposes of commercial off-site use and excluding residential renewable energy installations for personal use.

11. Amending PART 2, as shown below in **bold**, by adding the definitions “2.16A ELECTRIC VEHICLE”, “2.16B ELECTRIC VEHICLE SUPPLY EQUIPMENT”, and “2.16C ENERGIZED OUTLET” after Section 2.16.

2.16A ELECTRIC VEHICLE means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;

2.16B ELECTRIC VEHICLE SUPPLY EQUIPMENT means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

2.16C ENERGIZED OUTLET means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

12. Amending PART 2, as shown below in **bold**, by adding the definition “2.21A FARMERS’ MARKET” after Section 2.21.

2.21A FARMERS' MARKET means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and crafts, dairy products, grain products, meat, poultry, fish, and food and beverages.

13. Amending PART 2, as shown below in **bold**, by adding the definition “2.23A GREENHOUSE” after Section 2.23.

2.23A GREENHOUSE means a structure constructed with at least 80% of transparent materials for each wall and a roof, and designed for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.

14. Amending Section 2.24 in PART 2, as shown below in **bold**, by adding the text “and rooftop greenhouses” after the text “within the building” and before the text “; and for”.

2.24 GROSS FLOOR AREA means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and rooftop greenhouses; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

15. Amending PART 2, as shown below in **bold**, by adding the definition “2.25B INDOOR AGRICULTURE” after Section 2.25A.

2.25B INDOOR AGRICULTURE means the production of food, water, fibre or flora or the breeding and handling of insects conducted within a building or structure, but excludes the cultivation of cannabis or intensive agricultural uses. It may include accessory retail or market outlets for the sale of perishable agricultural goods.

16. Amending PART 2, as shown below in **bold**, by adding the definition “2.37A MARINE DEPENDENT USE” after Section 2.37.

2.37A MARINE DEPENDENT USE means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.

17. Amending PART 2, as shown below in **bold**, by adding the text “A” to Section “2.69A USED BUILDING MATERIAL RETAIL OUTLET”.

2.69AA USED BUILDING MATERIAL RETAIL OUTLET means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building.

18. Amending PART 2, as shown below in **bold**, by adding the text “B” to Section “2.69A WASTE DANGEROUS GOODS”.

2.69AB WASTE DANGEROUS GOODS shall have the same meaning as contained in the Dangerous Goods Management Regulations made under Section 84 of the Environment Act S.N.S. 1994-95, c. 1, as may be amended from time to time.

19. Amending PART 2, as shown below in **bold**, by adding the definition “2.69AE WETLAND” after Section 2.69AD.

2.69AE WETLAND means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

20. Amending Section 3.6 in PART 3, as shown below in **bold**, by adding clause (o) before Section 3.6.

(o) Alternative development options involving buffers of inland watercourses and wetlands may be considered by development agreement as per policy EN-43 of the Regional Municipal Planning Strategy.

21. Amending PART 3, as shown below in **bold**, by adding Section “3.8 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES” and “3.9 DEVELOPMENT AGREEMENTS FOR SOLAR” after Section 3.7.

3.8 **DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES**

Pursuant to Policy IM-18 of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

3.9 **DEVELOPMENT AGREEMENTS FOR SOLAR**

Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

22. Amending Subsection 4.1(d) in PART 4, as shown below in **bold**, by adding Clauses (vi) and (vii) after Clause (v).

- (ii) any sign, except signs permitted according to Section 5.3 of this By-law.
- (iii) An accessory hen use
- (iv) A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit.
- (v) Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer

- bedrooms in a dwelling unit shall not require a development permit.
- (vi) **An accessory beekeeping use.**
- (vii) **A residential produce sale use.**

23. Amending Section 4.6 in PART 4, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “anything else” and replacing it with the text “the lot area and frontage requirements” after the text “Notwithstanding” and before the text “in this By-law”;
- b. Deleting the text “vacant” after the text “By-law, a” and before the text “lot”;
- c. Deleting the text “held in separate ownership from adjoining parcels” and replacing it with the text “which was in existence” after the text “lot” and before the text “on the effective date”;
- d. Deleting the text “, depth” after the text “minimum frontage” and before the text “or area”.
- e. Deleting the text “Part 14” and replacing it with the text “Sections 41 or 42” after the text “pursuant to” and before the text “of the”; and
- f. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.

4.6 EXISTING UNDERSIZED LOTS

Notwithstanding ~~anything else~~ **the lot area and frontage requirements** in this By-law, a ~~vacant lot held in separate ownership from adjoining parcels~~ **which was in existence** on the effective date of this By-law, having less than the minimum frontage, ~~depth~~ or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

Further, the Development Officer may issue a development permit for a lot approved pursuant to ~~Part 14~~ **Sections 41 or 42** of the **Regional** Subdivision By-law where an undersized lot has had its boundaries altered.

24. Amending Subsection 4.7(a) in PART 4, as shown below in **bold** and ~~strikeout~~, by deleting the text “Section 98 of the Planning Act” and replacing it with the text “Section 40 of the Regional Subdivision Bylaw” after the text “pursuant to” and before the text “may be used”.

4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to ~~Section 98 of the Planning Act~~ **Section 40 of the Regional Subdivision Bylaw** may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.

25. Amending Subsection 4.7(d), as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Part 14” and replacing it with the text “Section 38” after the text “approved pursuant to” and before the text “of the”;
- b. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”;

- c. Deleting the text “Section 14.1” and replacing it with the text “Section 38” after the text “created pursuant to” and before the text “of the”; and
 - d. Adding the text “Regional” after the text “of the” and before the text “Subdivision By-law”.
- (a) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to ~~Part 14~~ **sections 38** of the **Regional** Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied, but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to ~~Section 14.1~~ **Section 38** of the **Regional** Subdivision By-law, except for business uses in conjunction with a permitted dwelling.
26. Amending PART 4, as shown below in **bold**, by adding Section “4.12B ACCESSORY BEEKEEPING USE” after Section 4.12A.

4.12B ACCESSORY BEEKEEPING USE

An accessory beekeeping use is permitted in any zone except Conservation Zone subject to the following provisions:

- (a) **The maximum number of beehives permitted on a lot shall not exceed:**
 - i. **two beehives on lots of less than 2,000 square metres in area; or**
 - ii. **four beehives on lots equal to or greater than 2,000 square metres in area.**
 - (b) **Beehives shall:**
 - i. **not be located in any front yard; and**
 - ii. **be located no less than 3.0 metres from any lot line.**
27. Amending Clause 4.13(a)(iv) in PART 4, as shown below in **bold**, by:
- a. Adding the text “a footprint of” after the text “exceed and before the text “one thousand”.
- (iv) exceed **a footprint of** one thousand (1000) square feet (93 square metres) in any residential zone; nor
28. Amending Clause 4.13(c) in PART 4, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “Notwithstanding anything else in this by-law, but except” and replacing it with the text “Except” before the text “within the”; and
 - b. Deleting the text “gross floor area” and replacing it with the text “footprint” after the text “maximum” and before the text “requirements”.
- (c) ~~Notwithstanding anything else in this by-law, but except~~ **Except** within the Beechville Community Boundary or the BCDD Zone, an enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum ~~gross floor area~~ **footprint** requirements for accessory buildings or structures.
29. Amending PART 4, as shown below in **bold** and ~~strikeout~~ by repealing Section 4.13A and

replacing it with Section 4.13AB.

4.13A ~~SHIPPING CONTAINERS~~

- ~~(a) Shipping containers may not be used as accessory buildings to a residential use with the exception of backyard suites. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation or non-residential use shall not be permitted on any property which abuts a residential, park or institutional zone.~~
- ~~(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~
- ~~(c) Repealed~~

4.13AB SHIPPING CONTAINERS

- a) Shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.
- b) Shipping containers may be used as a building for indoor agriculture, subject to the applicable zone standards for main buildings.
- c) Shipping containers are not permitted as accessory buildings except for in commercial zones, in industrial zones, or in conjunction with a recreation use, and must meet the following requirements:
 - i. Shipping containers must meet all applicable requirements for accessory buildings,
 - ii. Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street; and
 - iii. Shipping containers intended for non-recreation use shall not be permitted on any property which abuts a residential, park or institutional zone.
- d) Notwithstanding Subsection 4.13AB(c), shipping containers may be used as an accessory building in a residential zone when used as a backyard suite, subject to the applicable requirements for backyard suites.

30. Amending Section 4.15 in PART 4, as shown below in shown below in **bold** by:

- a. Adding the text “, motor home, camper trailer” after the text “No truck, bus, coach”; and
- b. Adding the text “For clarity, a shipping container is not considered a vehicle body.” After the text “commercial building”.

4.15 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no

vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body.**

31. Amending Section 4.18 in in PART 4, as shown below in **bold**, by adding the text “Rooftop greenhouses may project through height regulations to a maximum of 6 metres.” after the text “or solar collectors.”

4.18 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, or solar collectors. **Rooftop greenhouses may project through height regulations to a maximum of 6 metres.**

32. Amending PART 4, as shown below in **bold**, by adding “Section 4.19A WETLANDS” after Section 4.19.

4.19A WETLANDS

WETLANDS – PERMIT REQUIREMENTS

- (1) (a) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

WETLANDS OF SPECIAL SIGNIFICANCE – BUFFER REQUIREMENTS

- (2) (a) Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within a Wetland of Special Significance, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.
- (b) Subject to subsections (3) through (6) inclusive, wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum required 30 metre-wide riparian buffer along the edges of the wetland. Where approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia, the buffer shall no longer apply.

RELAXATION OF BY-LAW PROVISIONS

- (3) (a) Where the configuration of any lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a wetland of special significance having regard to other yard requirements.

- (b) Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

USES PERMITTED WITHIN THE WETLAND BUFFER

- (4) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) marine dependent uses, fisheries uses, conservation uses;
- (ii) fences, wharfs, boat ramps;
- (iii) driveway crossings;
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².

- (5) Within the required buffer pursuant to subsection (2) activity on public lands shall be limited to:

- (i) wastewater, storm and water infrastructure, and public water control structures; and parks, public roads, and active transportation crossings.

- (6) Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building.

33. Amending PART 4, as shown below in **bold**, by adding Section “4.29AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS” after Section 4.29.

4.29AA ELECTRIC VEHICLE READY PARKING REQUIREMENTS

Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(1) RESIDENTIAL

- (a) For new residential uses, where parking spaces are provided:

- (i) For single-unit, semi-detached, two unit, and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
- (ii) For Multiple Unit Dwellings uses containing three or four dwelling units, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2

- charging station that meets that SAE J1772 standard; or
- (iii) Notwithstanding (ii), for Multiple Unit Dwelling uses containing more than four dwelling units, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(2) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
- (b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) ALL USES

- (a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.

34. Amending PART 4, as shown below in **bold**, by adding Section “4.33A SOLAR ENERGY FACILITIES” after repealed Section 4.33.

4.33A COMMERCIAL SOLAR ENERGY FACILITIES

The use of Commercial Solar Energy Facilities shall be regulated in accordance with the provisions of this Section.

- (a) Commercial Solar Energy Facilities shall be permitted in any Commercial Zones, the Light Industry (I-1) Zone, and Resource Zones for properties designated Rural Commuter, Rural Resource, or Agricultural under the Regional Plan;
- (b) For ground mounted Commercial Solar Energy Facility uses, the setback shall be a minimum of 5.0 metres from all property lines;
- (c) Fencing shall be installed to screen views from abutting properties;
- (d) Notwithstanding clause (b), a vegetated area with a minimum width of 15 m shall screen the full width of any property line between a commercial solar energy facility and any abutting property that allows residential use;

- (e) No development permit shall be issued until an emergency management plan is provided. Such a plan shall address hazards associated with any solar photovoltaic equipment or battery energy storage systems on site and contain information for emergency responders; and
- (f) Lighting of a solar energy system shall be for safety and operational purposes and directed away from abutting properties.

35. Amending PART 4, as shown below in **bold**, by adding Sections “4.38 RESIDENTIAL PRODUCE SALE” and “4.39 FARMERS’ MARKET” after Section 4.27.

4.38 RESIDENTIAL PRODUCE SALE

The owner or occupant of a property may sell plants or food products grown or produced on-site. Residential produce sale is permitted in conjunction with a residential use in any zone except the Conservation Zone, subject to the following provisions:

- a) For the purpose of this section, plants and food products shall include vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- b) Any accessory structures devoted to the sale of plants and food products:
 - i. shall not exceed 5 m² of footprint; and
 - ii. notwithstanding all other provisions of this bylaw, shall be permitted to be located in any front yard.
- c) Notwithstanding any other provisions of this bylaw, pen storage and display related to the sale of plants and food products shall be permitted within any yard.

4.39 FARMERS’ MARKET

- a) A farmers’ market use shall be permitted in the Multi-Unit Dwelling Zone, Local Business Zone, General Business Zone, Service Business Zone, Light Industrial Zone, Mixed Resource Zone, Community Facility Zone, provided all other land use by-law requirements are satisfied.
- b) An accessory structure associated with a farmers’ market use shall meet the accessory building requirements of Sections 4.12 and 4.13.

36. Amending Section 15.1 in PART 15, as shown below in **bold**, by adding the text “Indoor agriculture uses” below the text “Cannabis production facilities”.

Parking lots
Cannabis production facilities
Indoor agriculture uses

37. Amending Subsection 21A.3(a) in PART 21A, as shown below in ~~strikeout~~, by repealing Clause (iii).

- (a) any building or structure shall meet the following separation distances:
 - (i) from any property line 30 metres (98.4 feet)

- (ii) from the nearest residential dwelling or institutional use 60 metres (196.9 feet)
- (iii) ~~from a watercourse~~ ~~30 metres (98.4 feet)~~

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment E-20

Proposed Amendments to the Regional Centre Land Use Bylaw

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

1. Amending Clause 10(e) in PART 1: ADMINISTRATION under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “or a wetland that is contiguous to a watercourse, exists” and replacing it with the text “exists or its boundary shares the vegetation, hydric soils, and hydrology of a wetland” after the text “where a watercourse” in Clause (e); and
- b. Deleting the text “that is contiguous to a watercourse” and replacing it with the text “where the wetland shares its vegetation, hydric soils, and hydrology with a watercourse” after the text “the location of any wetland” in Subclause (ii).

(e) where a watercourse **exists or its boundary shares the vegetation, hydric soils, and hydrology of a wetland**, ~~or a wetland that is contiguous to a watercourse, exists~~ and is located on the lot where a development is being proposed or within 60.0 metres of the lot where a development is being proposed, a site plan which shows the following:

- (i) the location of any watercourse,
- (ii) the location of any wetland **where the wetland shares its vegetation, hydric soils and hydrology with a watercourse** ~~that is contiguous to a watercourse~~,

2. Amending section 30(2) in Part 2, Chapter 1, as shown below in **bold**, by adding clause “(av) Lake Banook Paddler’s Cove (LB-PC).

(av) Lake Banook Paddler’s Cove (LB-PC);

3. Amending Section 53 in PART III: LAND USE under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “bed and breakfast use” and replacing it with the text “short-term bedroom rental” after the text “requirements for a” and before the text “shall comply” in Clause (2)(d).

(c) Signage requirements for a short-term bedroom rental use are:

- (i) in any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, or CDD-1 zone, contained in Section 466, or
- (ii) in any ER-3, ER-2, or ER-1 zone, contained in Section 468;

(d) there are no minimum parking requirements for short-term rentals; and

(e) The operator of the short-term bedroom rental resides on site while any bedrooms are rented.

6. Amending Subsection 333(5) in PART V, BUILT FORM AND SITING REQUIREMENTS, Chapter 19, as shown below in **bold** and ~~strikeout~~, by deleting the text “floor area” and replacing it with the text “footprint” after the text “from the” and before the text “requirements for”.

(5) An enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the ~~floor area~~ **footprint** requirements for accessory structures.

7. Amending PART XIII: PARKING AND OFFSTREET LOADING, under Chapter 1, as shown below in **bold**, by adding the heading “Electric Vehicle Ready Parking Requirements” and Section 431.5 after Section 431.

Electric Vehicle Ready Parking Requirements

431.5 (1) Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.

(2) RESIDENTIAL

(a) For a new residential uses, where parking spaces are provided:

- (i) For single-unit, semi-detached, duplex apartment, two-unit, and townhouse dwelling uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;
- (ii) For three-unit dwelling use or four-unit dwelling use, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or
- (iii) Notwithstanding (ii), for multi-unit dwelling uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.

(3) NON-RESIDENTIAL

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or

- (b) **one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.**

(4) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (2) and (3).

(5) ALL USES

- (a) In addition to the requirements in subsections (2), (3), and (4) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and**
- (b) All Energized Outlets must be located within 5 metres of the parking stall it services.**

8. Amending PART XVI: DEVELOPMENT AGREEMENTS under Chapter 1, as shown below in bold, by:

- a. Adding the heading “Development in the Lake Banook Paddler’s Cove (LB-PC) Special Area” and Section 498.6 after Section 498.5;
- b. Adding the heading “Development Agreements for Solar” and Section 498.7 after Section 498.6;
- c. Adding the heading “Islands, Coastal Areas, and Watercourses” and Section 498.8 after Section 498.7.

Development in the Lake Banook Paddler’s Cove (LB-PC) Special Area

498.6 Notwithstanding Section 75, development in the Lake Banook Paddler’s Cove (LB-PC) Special Area, as shown on Schedule 3F may be considered by development agreement in accordance with Policy IM-51 of the *Regional Centre Secondary Municipal Planning Strategy*.

Development Agreements for Solar

498.7 Pursuant to Policy EN-68 of the Halifax Regional Municipal Planning Strategy, commercial Solar Energy Facilities, community solar projects, and developments proposing solar installations may be considered by development agreement.

Islands, Coastal Areas, and Watercourses

498.8 Pursuant to Policies EN-43 and EN-53 of the Regional Municipal Planning Strategy, alternative approaches to the development of islands and coastal areas and development options involving buffers of inland watercourses and wetlands may be considered by development agreement.

9. Amending Subsection 499 in PART XVII: DEFINITIONS under Chapter 1, as shown below in **bold**, by adding the definitions “(78.5) Electric Vehicle” and “(78.6) Electric Vehicle Supply Equipment” after Subsection (78).

(78.5) Electric Vehicle means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor.

(78.6) Electric Vehicle Supply Equipment means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

10. Amending Subsection 499 in PART XVII: DEFINITIONS under Chapter 1, as shown below in **bold**, by adding the definition “(79.6) Energized Outlet” after Subsection (79.5).

(79.6) Energized Outlet means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

11. Amending clause 499 (115)(b) in PART XVII: DEFINITIONS, under Chapter 1, as shown below in **bold**, by adding the text “DD,” after the text “within the”.

(b) within the **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys; or

12. Amending clause 499 (115.5)(b) in PART XVII: DEFINITIONS, under Chapter 1, as shown below in **bold**, by adding the text “DD,” after the text “within the”.

(b) within the **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys; or

13. Amending clause 499 (160)(a) in PART XVII: DEFINITIONS, under Chapter 1, as shown below in **bold**, by adding the text “DD,” after the text “within the”.

(a) more than 4 storeys but no more than 7 storeys within **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone; or

14. Amending clause 499 (252)(b) in PART XVII: DEFINITIONS, under Chapter 1, as shown below in **bold**, by adding the text “DD,” after the text “within the”.

(b) within **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, is more than 7 storeys but no more than 10 storeys; or

15. Amending Section 499 in PART XVII: DEFINITIONS, under Chapter 1, as shown below in **bold**, by adding the definition “(279.5) Wetland” after Section (279).

(279.5) Wetland means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

16. Amending “Schedule 3F: Other Special Areas” to add the “Paddlers Cove Special Area (LB-PC) at 300 Prince Albert Road (PID 00209544), as shown in Schedule E-20A, attached hereto.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

Municipal Clerk

Attachment E-21

Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Suburban Housing Accelerator Land Use Bylaw is hereby amended as follows:

1. Amending Subsection 55(3) in Division C in Part II, as shown below in **bold** and ~~strikeout~~, by deleting the text “floor area” and replacing it with the text “footprint”.
 - (3) An enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the ~~floor area~~ **footprint** requirement in subsection (2).
2. Amending Division D in Part II, as shown below in **bold**, by adding the heading “Electric Vehicle Ready Parking Requirements” and Section “64.5” after Section 64.

Electric Vehicle Ready Parking Requirements

64.5 **Electric Vehicle Ready Parking shall be regulated in accordance with the provisions of this Section.**

(1) Residential

(a) For new residential uses, where parking spaces are provided:

- (i) For single-unit, semi-detached, duplex apartment, two-unit, and townhouse uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard, excluding visitor parking spaces;**
- (ii) For a three-unit dwelling use or a four unit dwelling use, a minimum of two Energized Outlets shall be installed where residential motor vehicle spaces are provided, capable of supporting a Level 2 charging station that meets that SAE J1772 standard; or**
- (iii) Notwithstanding (ii), for multi-unit dwelling uses, a minimum of one Energized Outlet shall be installed for each residential motor vehicle space parking provided, capable of supporting a Level 2 charging station that meets the SAE J1772 standard.**

(2) Non-Residential

For new non-residential uses that have more than 5 parking spaces, one of the following shall be provided:

- (a) one Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard shall be installed per**

provided parking space, for at least 20% of the provided parking spaces to a maximum of twenty-five Electrical Outlets; or
(b) one Level 3 Electric Vehicle Supply Equipment that meets either CCS or NACS standards.

(3) RESIDENTIAL AND NON-RESIDENTIAL USE BUILDINGS

For a building that contains both residential and non-residential uses, the parking spaces provided for each use shall meet the Energized Outlet requirements for that use set out in subsections (1) and (2).

(4) All Uses

(a) In addition to the requirements in subsections (1), (2), and (3) where Mobility Disabled Parking Spaces are provided, at least 50% of those parking spaces shall include an Energized Outlet capable of supporting a Level 2 charging station that meets the SAE J1772 standard; and

(b) All Energized Outlets must be located within 5 metres of the parking stall it services.

3. Amending Subsection 90(2) in Division F in Part II, as shown below in ~~strikeout~~, by deleting the text “four-unit dwelling unit or” after the text “For a” and before the text “multi-unit dwelling use”.

90(2) For a ~~four-unit dwelling use or~~ multi-unit dwelling use, an outdoor solid waste management area must

- (a) be located in a side or rear yard; and
- (b) not be located within 3.5 metres of a lot line abutting a residential use.

4. Amending Subsection 90(3) in Division F in Part II, as shown below in **bold**, by:
- a. Adding the text “three-unit dwelling use,” after the text “For a” and before the text “four-unit dwelling”; and
 - b. Adding the text “for a multi-unit dwelling use, and no less than 1.2 metres in height for a three-unit dwelling use or 1.2 metres in height for a four-unit dwelling use” after the text “metres in height.

90(3) For a **three-unit dwelling use**, four-unit dwelling use or multi-unit dwelling use, an outdoor solid waste management area must be wholly enclosed by an opaque fence or a masonry wall that is at least 1.8 metres in height **for a multi-unit dwelling use, and no less than 1.2 metres in height for a three-unit dwelling use or 1.2 metres in height for four-unit dwelling use.**

5. Amending Section 132 in Division L in Part II, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the text (1) after the text “132”;

- b. Deleting the text “is permitted within a wetland only if” and replacing it with the text “of any kind is not permitted within any wetland, including a Wetland of Special Significance, unless” before the text “an approval”;
- c. Deleting the text “received from” and replacing it with the text “issued by” before the text “the Province of Nova Scotia.”
- d. Adding Subsections (2), (3), (4), (5) and (6).

132(1) ~~A development is permitted within a wetland only if~~ **of any kind is prohibited within any wetland, including a Wetland of Special Significance, unless** an approval that permits the alteration or infilling of a wetland has been ~~received from~~ **issued by** the Province of Nova Scotia.

(2) Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands within and adjacent to the lot.

(3) Wetlands designated as Wetland of Special Significance by the Province of Nova Scotia shall have a minimum 30 metre-wide riparian buffer along the edges of the wetland, unless an approval that permits the alteration or infilling of a wetland has been issued by the Province of Nova Scotia.

(4) Notwithstanding clause (3), where the configuration of any existing lot, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a Wetland of Special Significance having regard to other yard requirements. Nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe

(5) Within the required buffer pursuant to subsection (2), activity on public and private lands shall be limited to:

- (i) marine dependent uses, fisheries uses, conservation uses;**
- (ii) fences, wharfs, boat ramps;**
- (iii) driveway crossings;**
- (iv) historic sites and monuments, parks, public roads, and active transportation crossings;**
- (v) boardwalks, walkways and trails not exceeding 3 m in width; and**
- (vi) the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m² or a combination of an accessory structure and attached deck not exceeding a footprint of 20 m².**

(6) Within the required buffer pursuant to subsection (3) activity on public lands shall be limited to:

- (i) **wastewater, storm and water infrastructure, and public water control structures.**
 - (7) **Where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the wetland than the existing main building**
6. Amending Division B in Part IV, as shown below in **bold**, by adding Sections “(49.5) Electric Vehicle”, “(49.6) Electric Vehicle Supply Equipment”, and “(49.7) Energized Outlet” after Section (49).
- (49.5) **Electric Vehicle means a motor vehicle that solely uses an electric motor that draws electricity from on-board rechargeable batteries or a hybrid that uses both a conventional internal combustion engine and an electric motor;**
 - (49.6) **Electric Vehicle Supply Equipment means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.**
 - (49.7) **Energized Outlet means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.**
7. Amending Division B in Part IV, as shown below in **bold**, by adding Section “(106.5) Marine Dependent Use” after Section 106.
- (106.5) **Marine Dependent Use means commercial marinas, marine commercial uses, marine industrial uses, and commercial fishing gear sheds.**
8. Amending Subsection 155(184) in Division B in Part IV, as shown below in **bold** and ~~strikeout~~, by:
- a. Deleting the text “. A portion of a building partly below the streetline grade will not be deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade.” and replacing it with the text “, and” after the text “including a mezzanine”;
 - b. Adding Clause (a) after the text “mezzanine, and”; and
 - c. Adding Clause (b) after Clause (a).
- (184) **Storey means a portion of building between a floor and another floor including a mezzanine. ~~A portion of a building partly below the streetline grade will not be deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade.~~ , and**
- (a) **for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and**

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

9. Amending Division B in Part IV, as shown below in **bold**, by adding Section “(212.5) Wetland” after Section 213.

(212.5) Wetland means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly called
meeting of the Council of Halifax Regional
Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and
under the Corporate

Seal of the said Municipality this ____ day of
_____, A.D., 20_____.

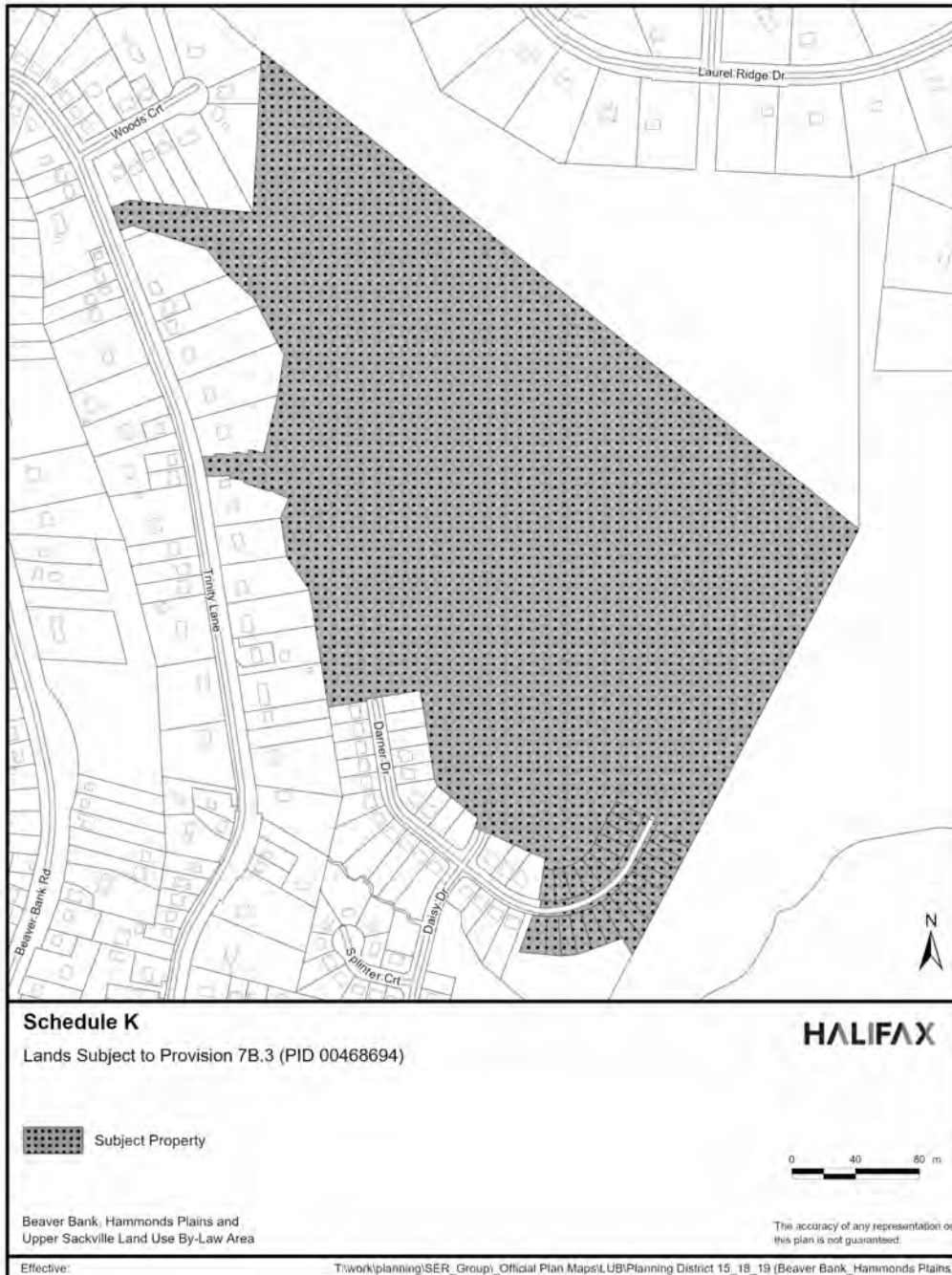
Municipal Clerk

SCHEDULE E

SCHEDULES TO AMEND LAND USE BY-LAWS OF THE HALIFAX REGIONAL MUNICIPALITY

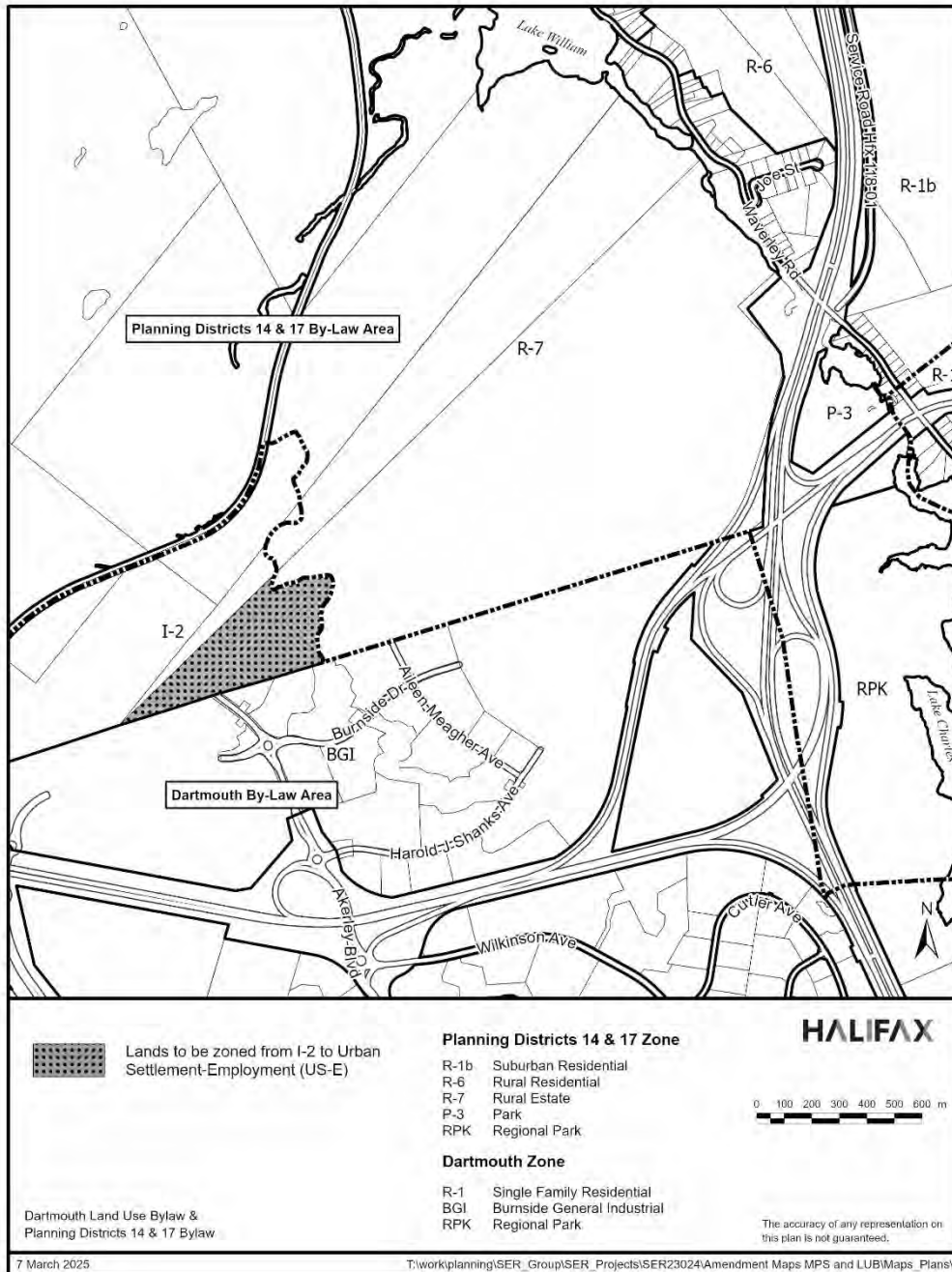
SCHEDULE E-1: BEAVER BANK, HAMMONDS PLAINS, AND UPPER SACKVILLE LAND USE BYLAW

Schedule E-1A – “SCHEDULE K: LANDS SUBJECT TO PROVISION 7B.3 (PID 00468694)”



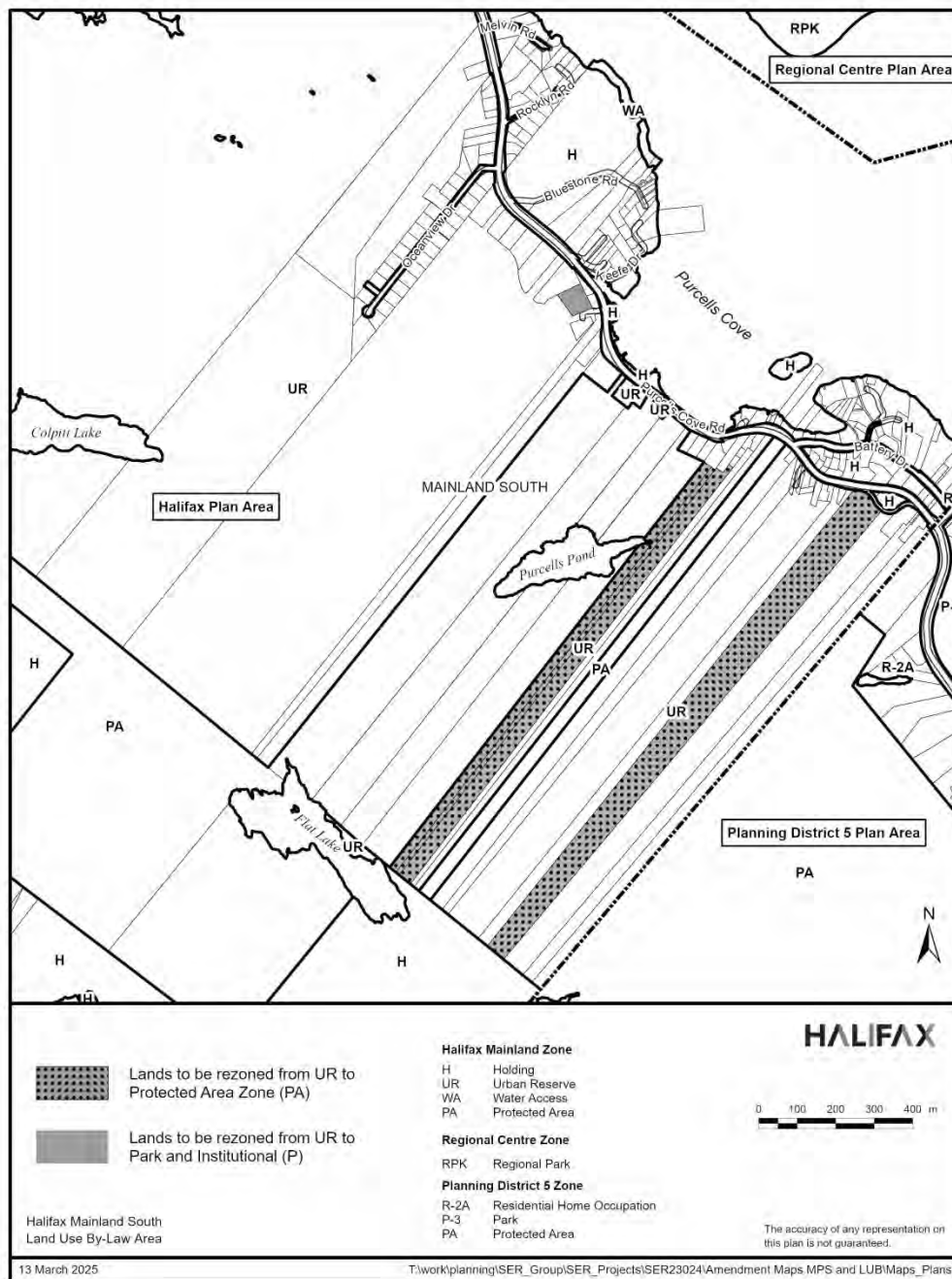
SCHEDULE E-4: DARTMOUTH LAND USE BYLAW

Schedule E-4A – “Zoning Map” – Lands to be rezoned to Urban Settlement-Employment (US-E) Zone

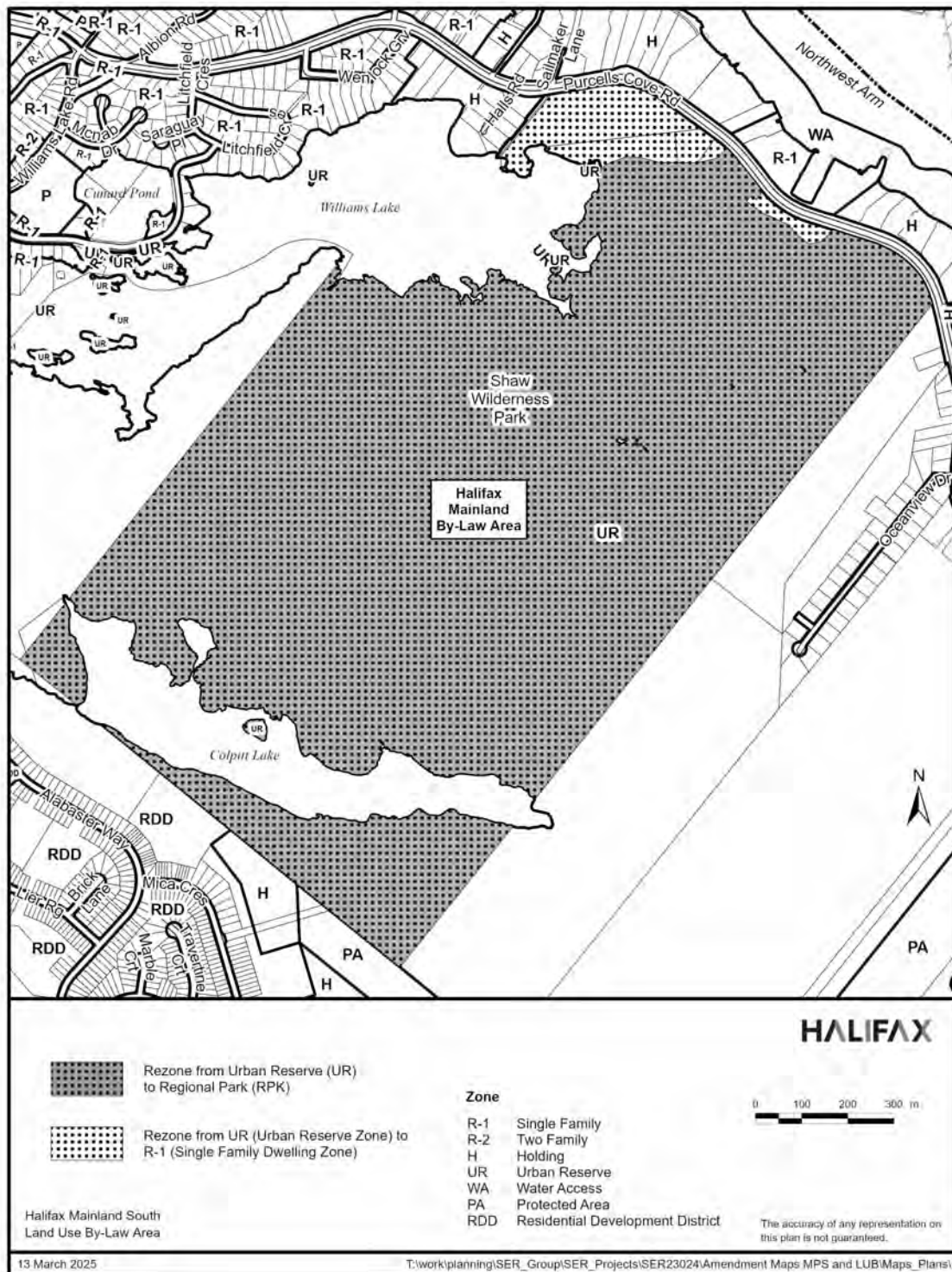


SCHEDULE E-8: HALIFAX MAINLAND LAND USE BY-LAW

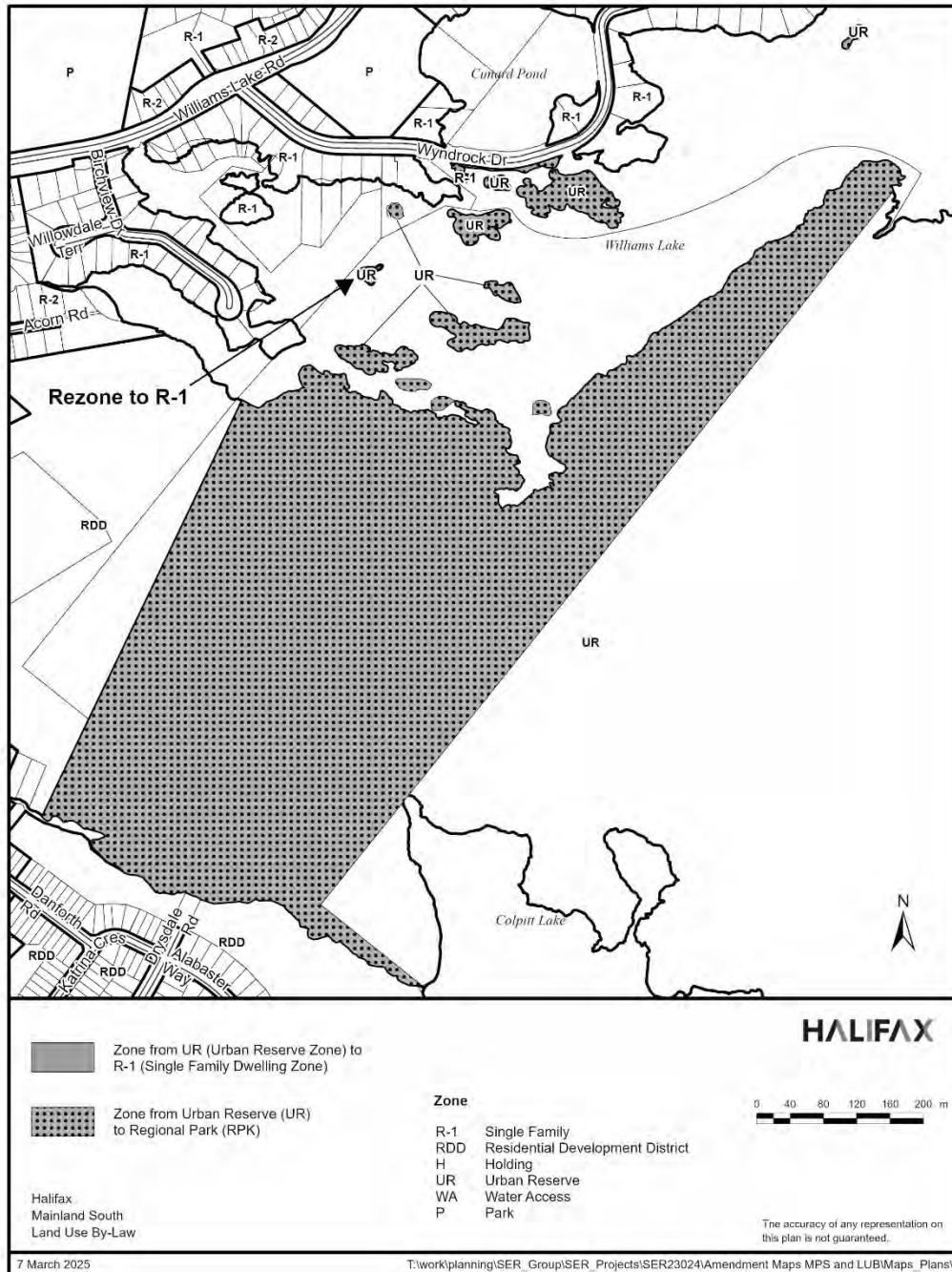
Schedule E-8A – “ZM-1 (South Section)” to rezone the lands to Protected Area Zone (PA) and Park and Institutional (P)”



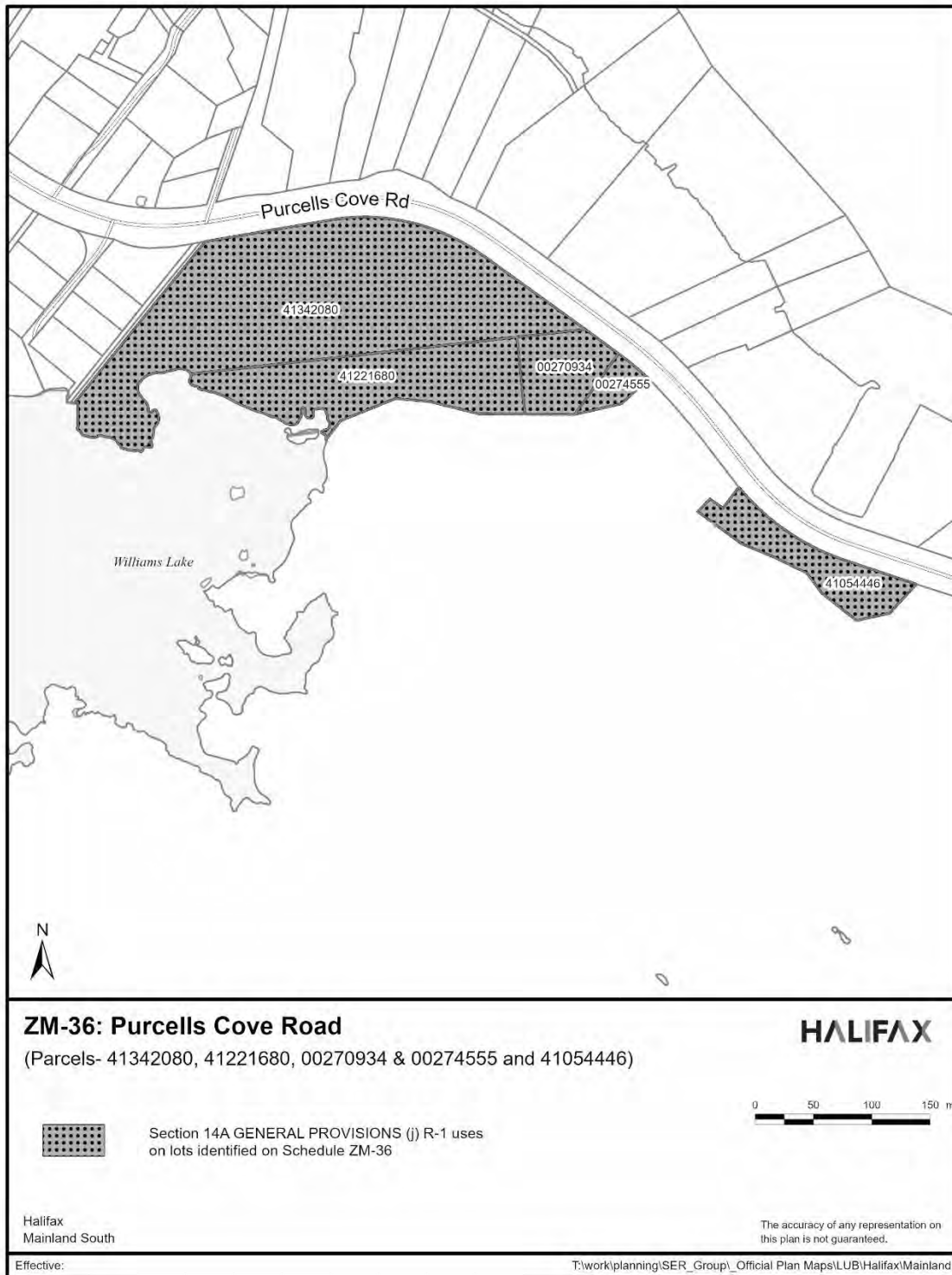
Schedule E-8B – “ZM-1 (South Section)” to rezone the lands to Single Family Dwelling (R-1) and Regional Park (RPK)



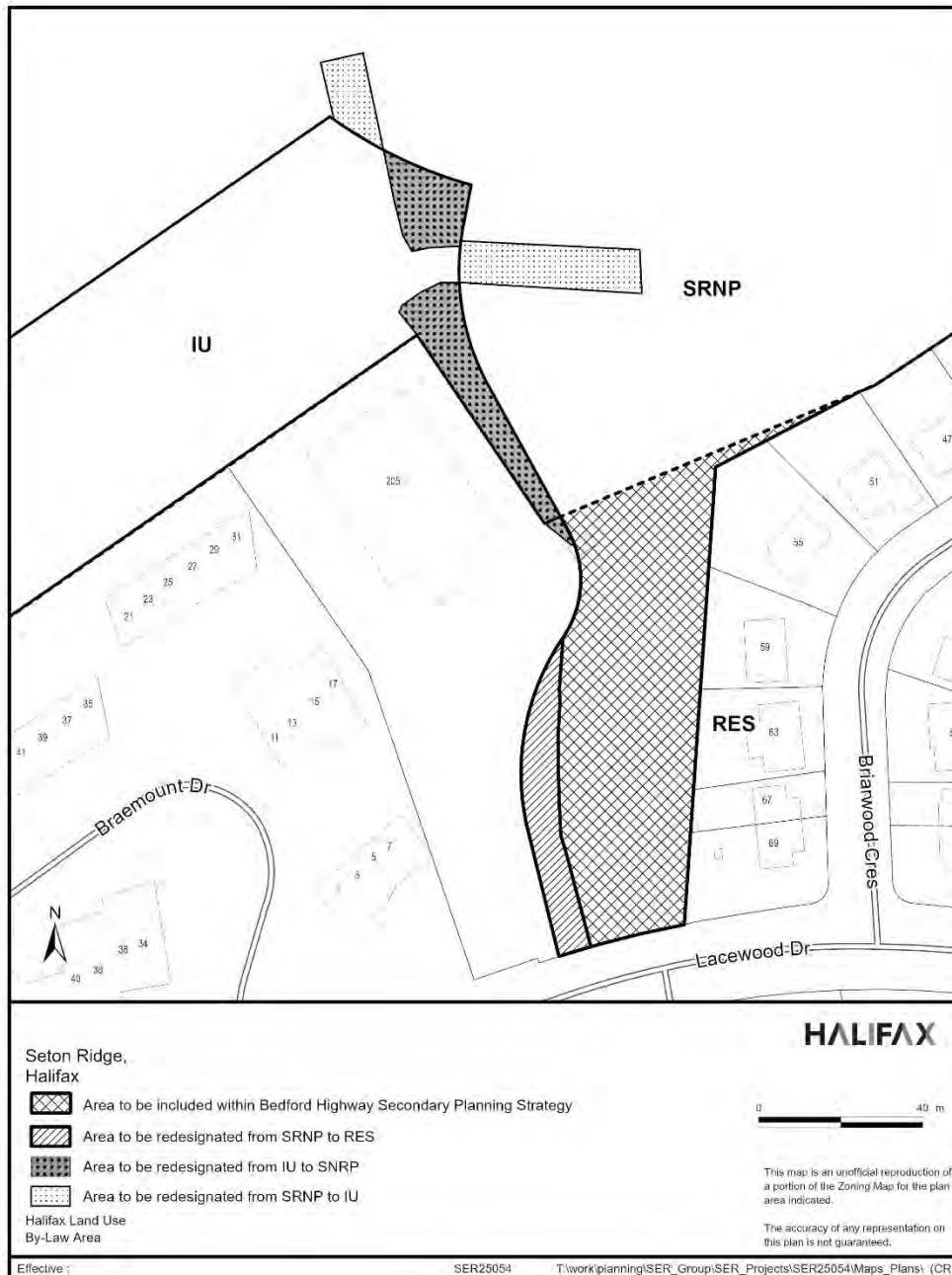
Schedule E-8C – “ZM-1 (South Section)” to rezone the lands to Single Family Dwelling (R-1) and Regional Park (RPK)



Schedule E-8D – “Map ZM-36: Purcell’s Cove Road”

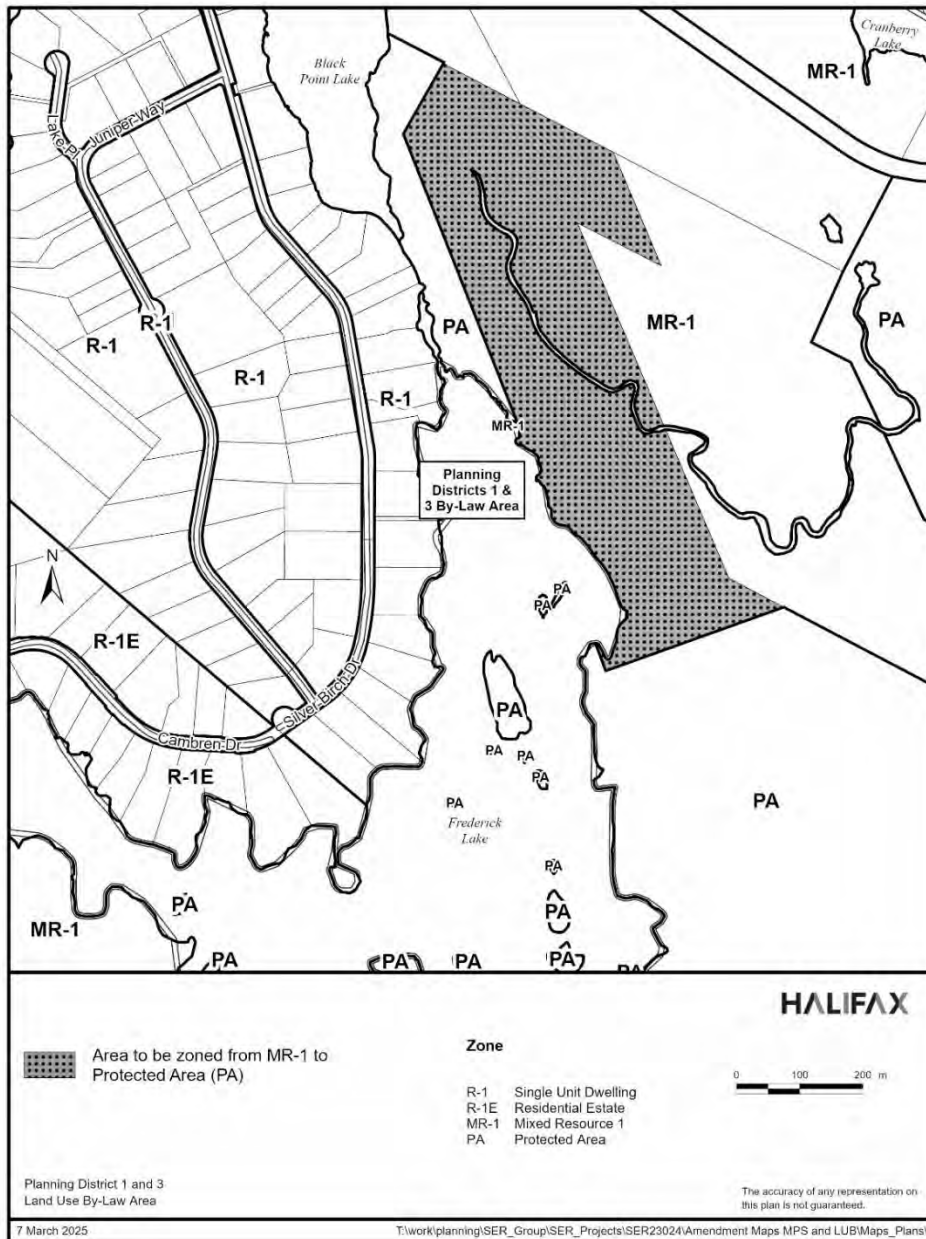


Schedule E-8F – “Map ZM-2 (Schedules and Secondary Plan Areas) and ZM-1 (North Section)”



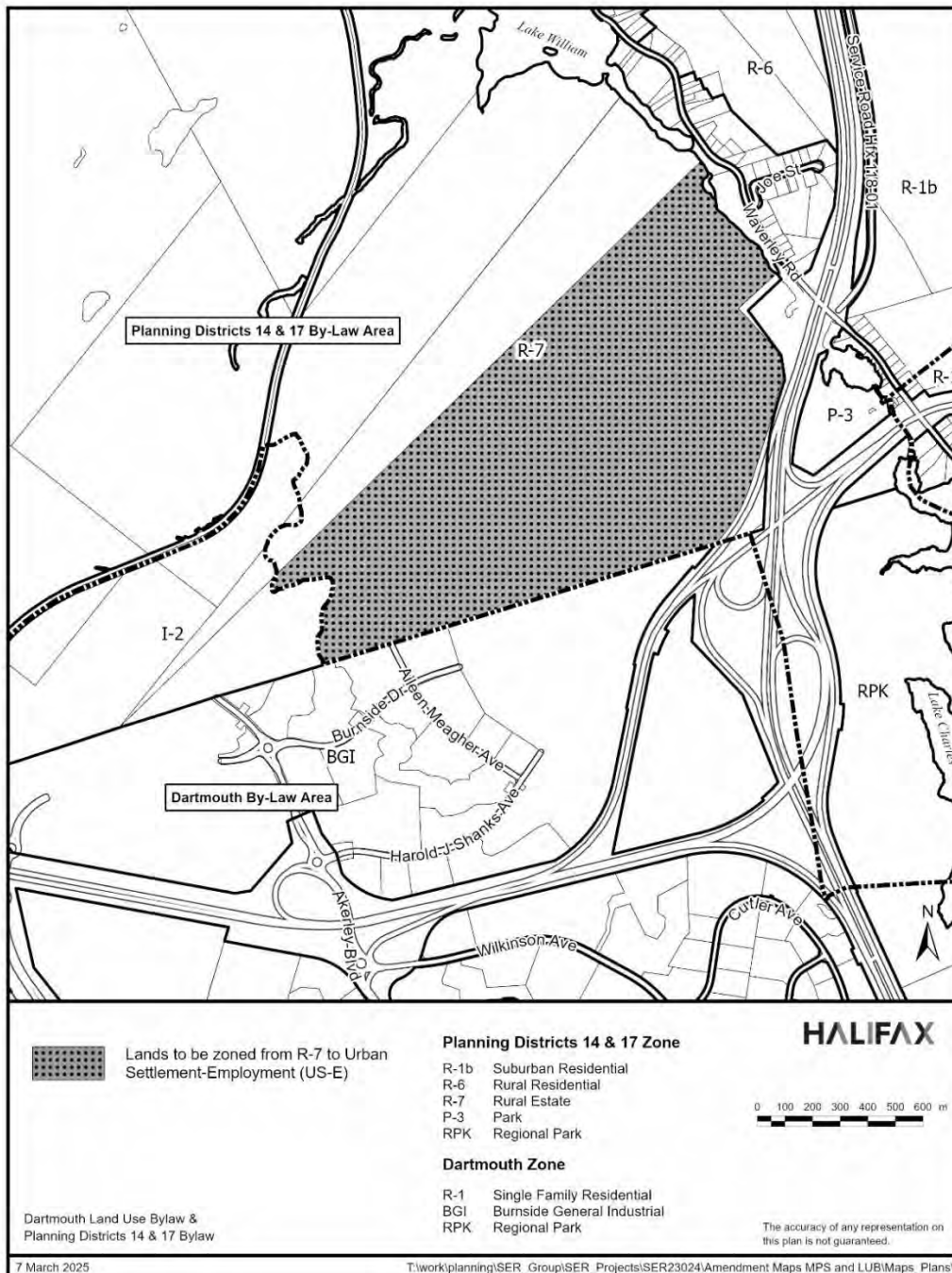
SCHEDULE E-14: PLANNING DISTRICTS 1 & 3 (ST. MARGARET'S BAY PLAN AREA) LAND USE BY-LAW

Schedule E-14A – “Schedule A – Zoning” to rezone the lands to Protected Area (PA)



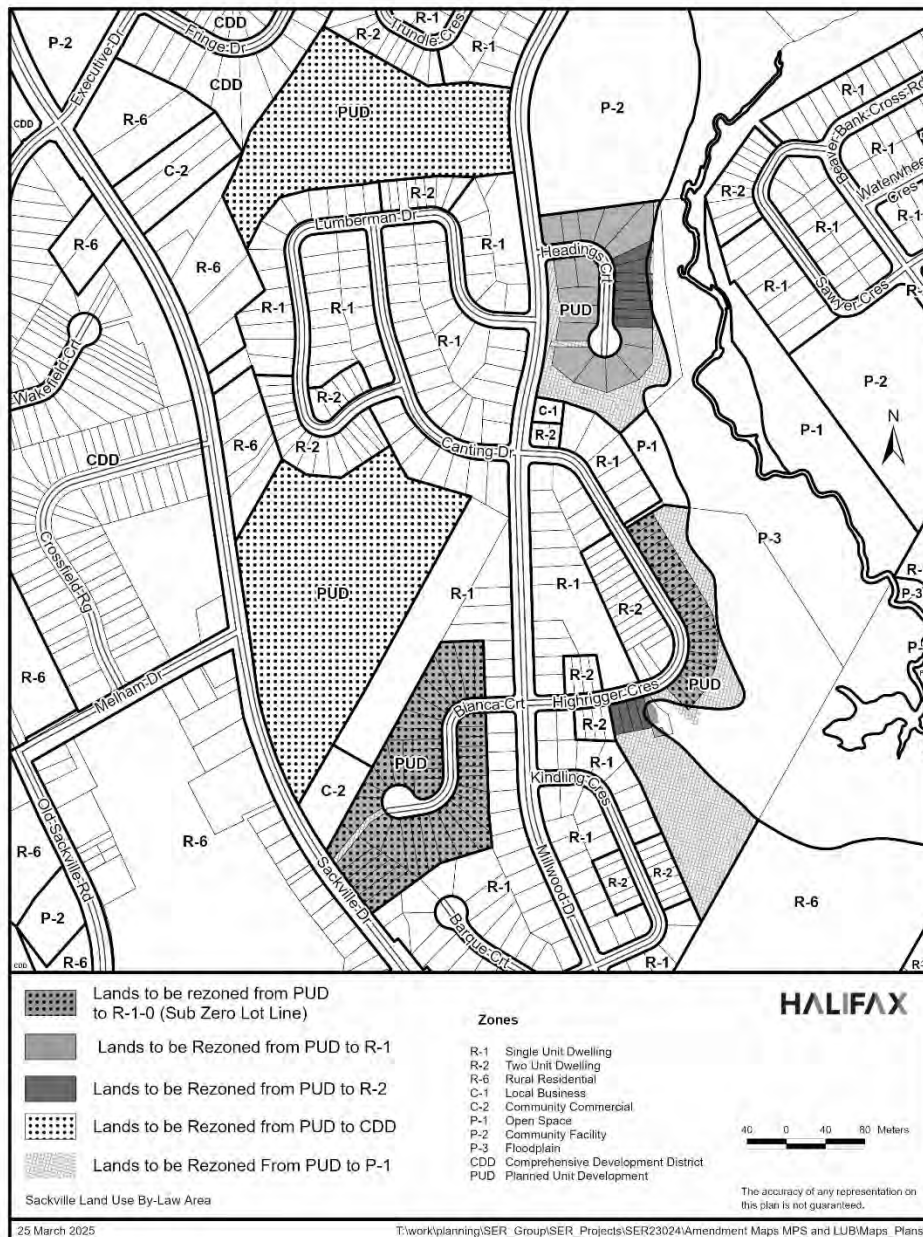
SCHEDULE E-15: PLANNING DISTRICTS 14 & 17 (SHUBENACADIE LAKES) LAND USE BY-LAW

Schedule E-15A – “Schedule B – Zoning” to rezone the lands to Urban Settlement-Employment (US-E)

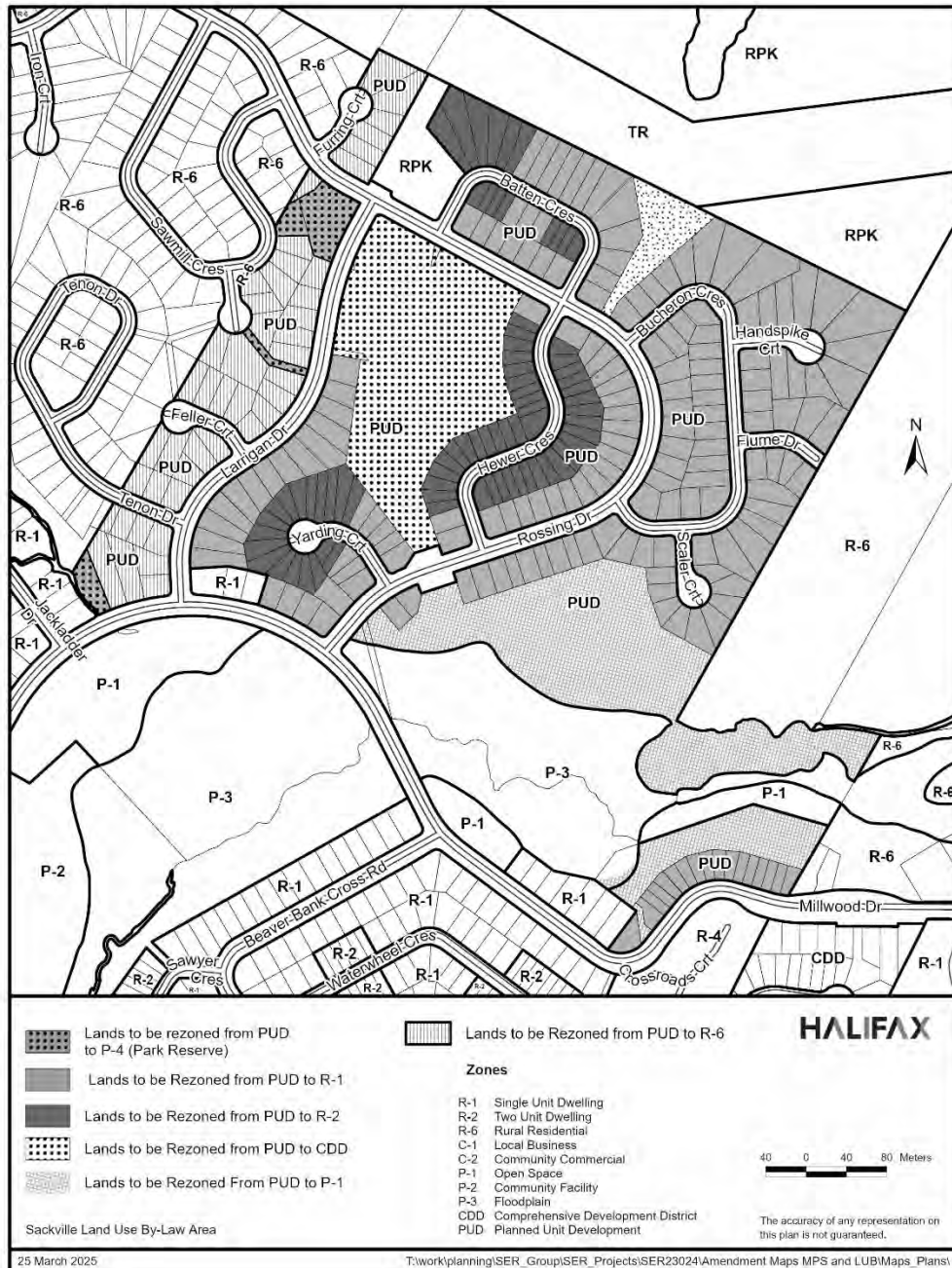


SCHEDULE E-18: SACKVILLE LAND USE BY-LAW

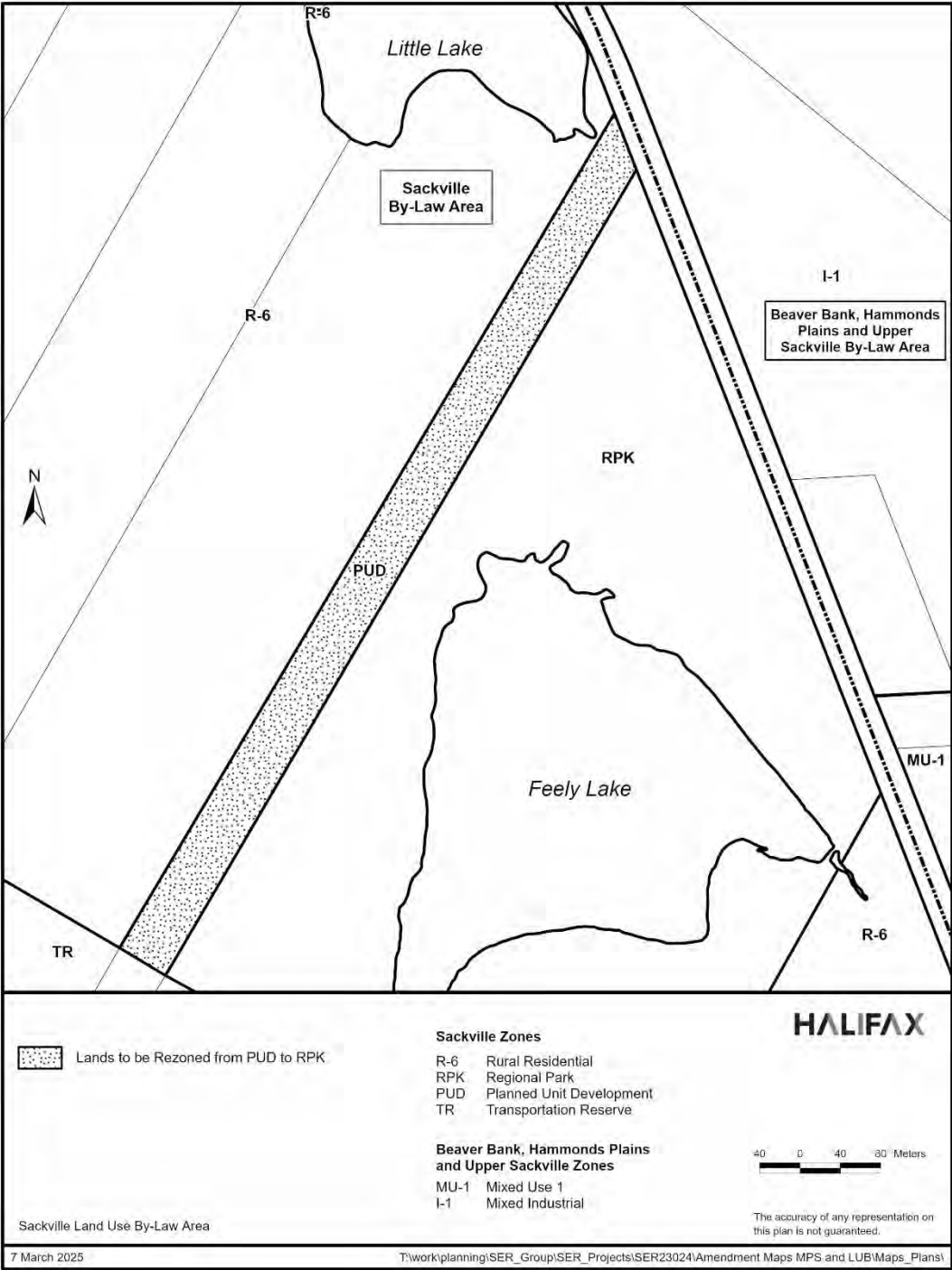
Schedule E-18A – “Schedule A – Zoning” to rezone the lands to Open Space (P-1), Single Unit Dwelling (R-1), Single Unit Dwelling Zero Lot Line (R-1-0), R-2 (Two Unit Dwelling), and Comprehensive Development District (CDD).



Schedule E-18B – “Schedule A – Zoning” to rezone the lands to Open Space (P-1), Park Reserve (P-4), Regional Park (RPK), Single Unit Dwelling (R-1), Single Unit Dwelling Zero Lot Line (R-1-0), R-2 (Two Unit Dwelling), Rural Residential (R-6) and Comprehensive Development District (CDD).

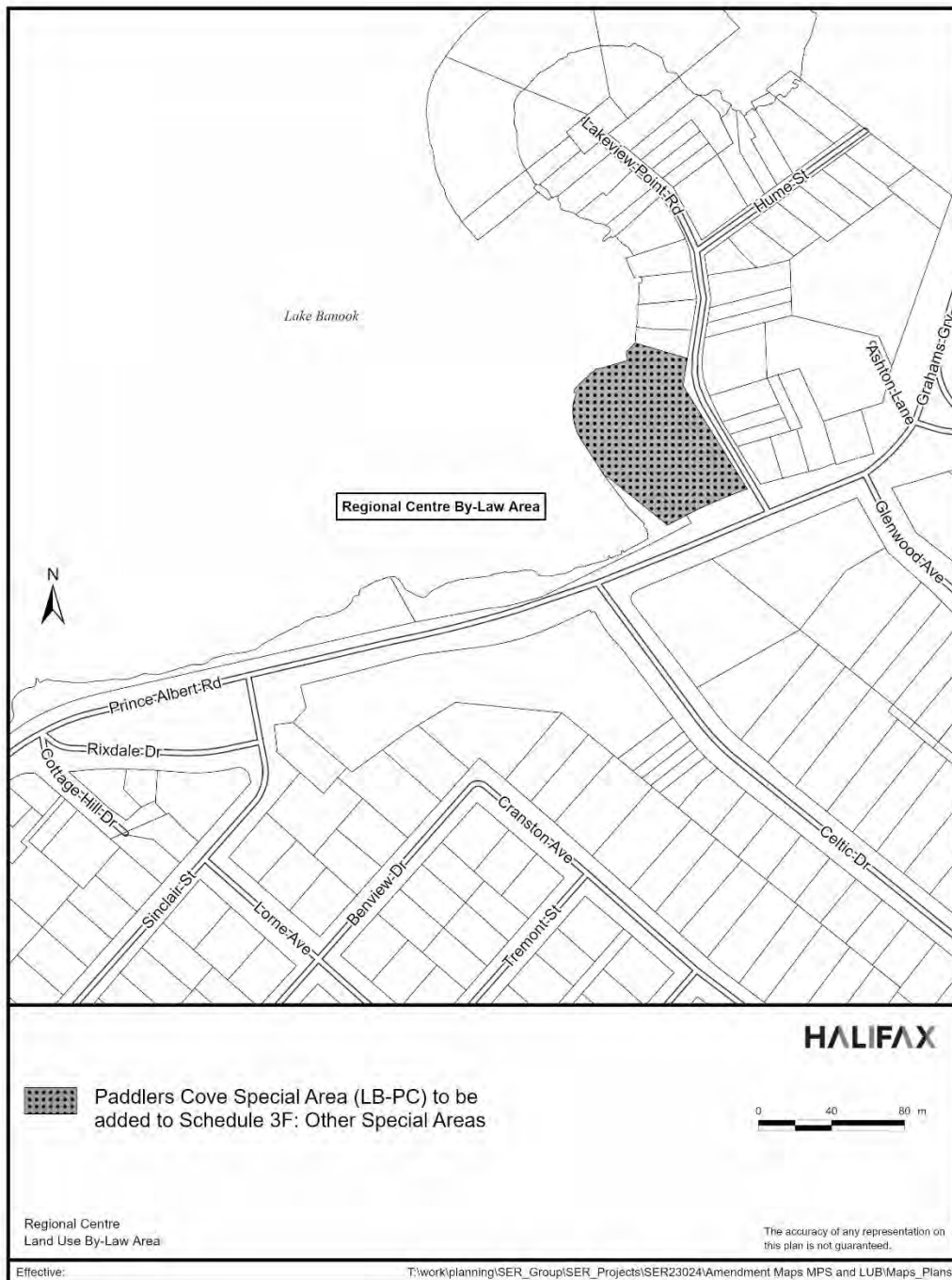


Schedule E-18C – “Schedule A – Zoning” to rezone the lands to Regional Park (RPK)



SCHEDULE E-20: SCHEDULES FOR THE REGIONAL CENTRE LAND USE BYLAW

Schedule E-20A: "Schedule 3F: Other Special Areas"



Attachment F

Proposed Amendments to the Halifax Regional Subdivision By-Law

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Regional Subdivision By-Law is hereby amended as follows:

1. Amending the Table of Contents by deleting the text “SCHEDULE I: Future Transportation Routes Separate Map” immediately below the text “SCHEDULE H: Interim Growth Management Area”.
2. Amending Clause “(aa) Public Street or highway”, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “Province” and replacing it with the text “Nova Scotia Department of Public Works” after the text “Municipality or the” and before the text “but excluding”; and
 - b. Deleting the text “Section 21 of” after the text “highways pursuant to” and before the text “the Public Highways Act”.

(aa) "Public street or highway" means any road, street or highway which has been accepted and maintained by the Municipality or the **Nova Scotia Department of Public Works** ~~Province~~ but excluding a walkway as defined by this by law or designated controlled access highways pursuant to ~~Section 21 of~~ the Public Highways Act and the HRM By-law S-900, the Controlled Access Streets By-law.
3. Amending Section 3 in Definitions, as shown below in **bold**, by adding Clause “(ax) Wetland” after Clause (aw).

(ax) **“Wetland” means land commonly referred to as marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.**
4. Amending Subsection 9(1), as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “12,” after the text “11,”
 - b. Deleting the text “or” after the newly added text “12,”
 - c. Adding the text “12D, or 12E” after the text “12C” and before the text “of this by-law”;

- d. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on the” and before the text “in the Regional Municipal”;
- e. Deleting the text “Harbour (outside of the Urban Service Area as shown on Schedule “B”)” after the text “Structure Map” and before the text “Rural Resource,”; and
- f. Deleting the text “and on new roads identified as “Future Community Connector” on Map 1 of the Regional Municipal Planning Strategy” after the text “Natural Resources”.

9(1) Unless otherwise provided for in sections 10, 11, **12**, ~~or 12C, 12D, or 12E~~ of this by-law, no subdivision which creates lots for residential uses on new public streets or highways shall be approved within the areas designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Rural Commuter, ~~Harbour (outside of the Urban Service Area as shown on Schedule “B”)~~, Rural Resource, Agricultural and Open Space and Natural Resources ~~and on new roads identified as “Future Community Connector” on Map 1 of the Regional Municipal Planning Strategy~~.

- 5. Amending the General Requirements, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the heading “Schedule H – Growth Management Areas” after Section 9;
 - b. Deleting the text “which creates lots for residential uses” after the text “a subdivision” and before the text “involving new public streets” in Subsection 10(1);
 - c. Adding Clause 10(3a).

Schedule H – Growth Management Areas

10(1) Within the Interim Growth Management Area and Central/Eastern Growth Management Area identified on Schedule "H", a subdivision ~~which creates lots for residential uses~~ involving new public streets or highways or private roads shown on a completed application for concept approval on file prior to January 22, 2004, shall be permitted subject to meeting the following requirements:

- (a) no more than 25 lots plus a Remainder lot shall be approved per one year period; and
- (b) the proposed lots must be contiguous and be designed to maximize the lot frontage of the street based on the applicable minimum required lot frontage.

- (2) Where in the opinion of the Development Officer, it is necessary to provide for efficient street connections, the requirements of clause (1)(b) may be relaxed.
 - (3) Where a tentative or final subdivision application, for the initial phase of subdivision construction, pursuant to subsection (1) has not been submitted prior to April 29, 2006, any subsequent subdivision application for these lands shall comply with the requirements of this by-law.
 - (3a) Subject to section 295 of the HRM Charter, where a tentative or final subdivision application for the final phase of subdivision construction pursuant to subsection (1) has not been submitted prior to April 29, 2031, subdivision may only be granted in accordance with the requirements of this By-law.**
6. Amending the General Requirements, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the heading “Site Specific Relaxations in Schedule H” after the newly added Subsection 10(3a);
 - b. Adding the text “10” below the heading “Site Specific Relaxations in Schedule H”;
 - c. Repealing subsection (4); and
 - d. Adding subsection (5).

Site Specific Relaxations in Schedule H

- 10** ~~(4) Notwithstanding the January 22, 2004 date of subsection (1) and notwithstanding subsection (3), the subdivision of Lands Formerly of J. E. F. Hallett in Fall River (PID No's. 00506857 and 00506840), and Lands Now or Formerly of Atlantic East Properties Ltd. (Abbecombec Village) in Clam Bay (PID No. 41054024) shall be permitted in accordance with concept plans approved on February 23, 2007 and April 24, 2007, respectively.~~
- (5) Notwithstanding Subsection (1) and clause (1)(a), the subdivision of the lands of Harbouredge Realty Administration Corp (Abbecombec Village) in Clam Bay (PID No. 41054024) shall be permitted in accordance with concept plan #13666 approved on April 24, 2007, providing, unless section 295 of the HRM Charter applies, the completed tentative or final subdivision application for subdivision is received by the development officer on or before April 29, 2031. Subject to section 295 of the HRM Charter, any application after April 29, 2031 shall comply with the requirements of this by-law.**

7. Amending the General Requirements, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the heading “Schedule J – Beaver Bank and Hammonds Plains Growth Control Areas” after the newly added Subsection 10(5);

- b. Deleting the text “6” and replacing it with the text “9” after the text April 2” and before the text “, 2006” in Subsection 11(1a).

Schedule J – Beaver Bank and Hammonds Plains Growth Control Areas

11(1) As provided for in the Regional Municipal Planning Strategy, within the Beaver Bank and Hammonds Plains Growth Control Areas identified on Schedule “J”, and notwithstanding section 12, no subdivision which creates lots for residential uses shall be approved which includes a new public street or highway.

(1a) Notwithstanding subsection (1), within the areas identified on Schedule “J”, a subdivision which creates lots for residential uses involving new public streets or highways may be approved where an active completed application for tentative or final subdivision approval was on file on or before April 29~~6~~, 2006.

- 8. Amending the General Requirements, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the heading “Outside Schedule J” after Subsection 11(1a);
 - b. Adding the text “11” below the heading “Outside Schedule J”;
 - c. Deleting the text “6” and replacing it with the text “9” after the text “April 2” and before the text “, 2006” in Subsection 11(2); and
 - d. Deleting the text “6” and replacing it with the text “9” after the text “April 2” and before the text “, 2006” in Subsection 11(4).

Outside Schedule J

11 (2) Notwithstanding section 9, within the portions of the Beaver Bank, Hammonds Plains and Upper Sackville Plan Area outside of the areas identified on Schedule "J", a subdivision which creates lots for residential uses involving new public streets or highways shown on completed concept plan applications on file prior to April 2~~6~~**9**, 2006, shall be permitted subject to meeting the following requirements:

- (a) no more than 25 lots plus a Remainder shall be approved per one year period; and
 - (b) the proposed lots must be contiguous and be designed to maximize the lot frontage of the street based on the applicable minimum required lot frontage.
- (3) Where in the opinion of the Development Officer, it is necessary to provide for efficient street connections, the requirements of clause (2)(b) may be relaxed.
- (4) Where a tentative or final subdivision application, for the initial phase of

subdivision construction, pursuant to subsection (2) was not submitted on or before April 29~~6~~, 2007, any subsequent subdivision application for these lands shall conform to the requirements of sections 9 and 12 of this by-law.

9. Amending the General Requirements, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the heading “Rural Commuter and Rural Resource Designations” after Subsection 11(4);
 - b. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on the” and before the text “in the Regional Municipal” in Section 12;
 - c. Deleting the text “which creates lots for residential uses” after the text “a subdivision” and before the text “involving new public streets” in Section 12;
 - d. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on” and before the text “in the Regional” in Subsection 12(a);
 - e. Deleting the text “April” and replacing it with the text “August” after the text “existed on” and before the text “26, 2006” in subclause 12(b)(i);
 - f. Deleting the text “April” and replacing it with the text “August” after the text “existed on” and before the text “26, 2006” in subclause 12(b)(ia); and
 - g. Deleting the text “August” and replacing it with the text “April” after the text “existed on” and before the text “26, 2006” in subclause 12(b)(ii).

Rural Commuter and Rural Resource Designations

- 12 Within the areas designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Rural Commuter and Rural Resource, but excluding the area identified as Rural Area Designation under the Municipal Planning Strategy in the Eastern Passage/ Cow Bay plan area, a subdivision ~~which creates lots for residential uses~~ involving new public streets or highways, shall be permitted subject to meeting the following requirements:
- (a) no street shall intersect with the trunk and route highways identified on Schedule "K", except within the areas designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Rural Resource;
 - (b) no more than 8 lots plus a Remainder lot shall have frontage on any new public street within any area of land:
 - (i) with a minimum of 20 m of frontage on a public street that existed on ~~April~~ **August** 26, 2006, from which access will be gained; or
 - (ia) with a minimum 20 m frontage on a road reserve owned by NSTIR or the Municipality, that existed on ~~April~~ **August** 26, 2006, that is capable of being upgraded to public street standards; and
 - (ii) that existed on or before ~~April~~ **August** 26, 2006;

10. Amending the General Provisions, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the heading “Schedule ‘O’ Requirements” after Section 12”; and
 - b. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on the” and before the text “involving new” in Section 12C.

Schedule “O” Requirements

- 12A (1) Notwithstanding section 12 and subject to subsection 2 of this section, new streets serving residential uses are not permitted within the Noise Exposure Forecast 30 Contour, as shown on Schedule “O”.
- (2) Subsection 1 of this section shall not apply to the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193.
- 12B (1) Notwithstanding section 12, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, new streets serving residential uses are not permitted.
- (2) Subsection 1 of this section shall come into force on December 31, 2024.
- 12C Notwithstanding Section 12, within the portion of PID 40150567 designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Rural Commuter, a subdivision which creates lots for permitted uses involving new public streets shall be permitted subject to meeting the following requirements:

11. Amending the General Provisions, as shown below in **bold**, by:
- a. Adding the heading “Area Specific (Chebucto Peninsula Plan Area)” after Section 12C; and
 - b. Adding Section 12D under the heading “Area Specific (Chebucto Peninsula Plan Area)”.

Area Specific (Chebucto Peninsula Plan Area)

- 12D Within the Chebucto Peninsula Plan Area, no subdivision on new or extended public streets within the Herring Cove Residential (HCR) Zone or the Fishing Village (F 1) Zone shall be permitted unless a development agreement is approved pursuant to the relevant MPS policies.**

12. Amending Section 15A, as shown below in **bold** and ~~strikeout~~, by deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on the” and before the text “in the Regional”.

15A Notwithstanding Schedule "B", for Business and Industrial Parks operated by the Municipality within the area designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Urban Settlement and Business/Industrial Park, the subdivider may provide the primary and secondary services in compliance with Urban Service Area requirements.

13. Amending Subsection 31(2), as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “designated on the” and before the text “in the Regional”; and
- b. Deleting the text “and Harbour” after the text “Natural Resource” and before the text “outside of the”.

(2) Notwithstanding sections 6 and 7, within the areas designated on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy as Rural Commuter, Rural Resource, Agricultural, Open Space and Natural Resource ~~and Harbour~~, outside of the Urban Service Area and Water Service Area identified on Schedule "B", lots fronting the trunk and route highways identified in Schedule "K" shall have a minimum lot frontage of 61 m.

14. Amending Section 37, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “; or” after Clause (1)(c);
- b. Adding clause (d) after Clause (c);
- c. Deleting the text “and” and replacing it with the text “or” after the text “Schedule ‘J’” and before the text “the Open Space” in Subsection (2); and
- d. Deleting the text “Generalized Future Land Use Map” and replacing it with the text “Regional Land Use Structure Map” after the text “shown on the” and before the text “in the Regional” in Subsection (2).

37 (1) For the purposes of section 38, "area of land" means:

- (a) any lot or parcel described by its boundaries as they existed on August 1, 1987; or
- (b) the Remainder of any lot or parcel subdivided since August 1, 1987 for which the lot frontage exemptions of section 38 (former Halifax County Municipality Subdivision By law section 14.1) were never applied; or

- (c) areas of land which met the requirements of clause (a) or (b) which have had their boundaries altered, but such alteration did not change the general dimensional characteristics of the parcel, and which have not utilized the provisions of section 38; **or**
- (d) **any lot or parcel described in a plan or deed approved pursuant to the *Land Titles Clarification Act* for which the lot frontage exemptions of Section 38 (former Halifax County Municipality Subdivision By-law Section 14.1) were never applied.**

- (2) Notwithstanding the August 1, 1987 date of subsection (1), for the purposes of defining area of land, the date prior to April 29, 2006 shall apply to lands within the areas identified on Schedule "J" ~~and or~~ the Open Space and Natural Resources designation as shown on the ~~Generalized Future Land Use Map~~ **Regional Land Use Structure Map** in the Regional Municipal Planning Strategy.

15. Amending Lot Design Requirements, as shown below in ~~strikeout~~, by repealing Section 46.

46 ~~Within the Chebucto Peninsula Plan Area, no subdivision on new or extended public streets or highways within the Herring Cove Residential (HCR) Zone or the Fishing Village (F-1) Zone shall be permitted unless a development agreement is approved pursuant to the relevant MPS policies.~~

16. Amending Lot Design Requirements, as shown below in **bold** and ~~strikeout~~, by deleting the text “of” and replacing it with the text “or” after the text “Same Number” and before the text “Fewer Lots” in the heading “Same Number of Fewer Lots Than There Are Dwellings”.

Same Number ~~of~~ **or** Fewer Lots Than There Are Dwellings

17. Amending the By-law, as shown below in **bold**, by:

- a. Adding the Heading “LAND TITLES CLARIFICATION AREAS” after Section 68;
- b. Adding the Heading “Same Number or Fewer Lots Than There Are Buildings” below the Heading “LAND TITLES CLARIFICATION AREAS”; and
- c. Adding Section 68A after the Heading “Same Number or Fewer Lots than There are Buildings”.

LAND TITLES CLARIFICATION AREAS

Same Number or Fewer Lots Than There Are Buildings

68A Notwithstanding the lot area and frontage requirements of sections 7, 8 and 31, for any lot or parcel located within a Land Titles Clarification Area as defined by the *Land Titles Clarification Act*, where an area of land contains more than one main building, built or placed on the land prior to August 6, 1984, the Development Officer may approve a final plan of subdivision showing the same number or fewer lots than there are main buildings provided that each proposed lot:

- (a) is approved by NS Environment or the Engineer, with respect to servicing and the Building Official, with respect to spatial separation; and**
- (b) has an easement for right-of-way and access that is assignable and perpetual and has been clearly granted by deed, registered in the registry of deeds.**

18. Amending clause 82, as shown below in **bold** and ~~strikeout~~, by:

- a. Repealing Subsection (2);
- b. Repealing Subsection (5); and
- c. Adding Subsection (6), (7), and (8) after repealed Subsection (5).

(2) ~~Notwithstanding the 10% park dedication requirements of subsection (1), the subdivider shall provide a 5% park dedication before receiving approval of a final plan of subdivision pursuant to:~~

- ~~(a) — clause (v) of subsection (3) of section 9;~~
- ~~(b) — section 10;~~
- ~~(c) — subsection (3) of section 11; or~~
- ~~(d) — an active completed application for concept subdivision approval on file on or before August 26, 2006 within the Serviceable Areas identified on Schedule "H".~~

(3) The park dedication may be in the form of land, cash or equivalent value or a combination of land, cash and equivalent value, as determined by the Development Officer, as follows:

- (a) land, where a deficiency in parkland exists;
- (b) cash, where sufficient parkland or recreation facilities are available;
- (c) site development, where sufficient parkland is available but a deficiency in recreation facilities, as outlined in Table A of section 83 of this bylaw, or similar facilities as determined by the Development Officer, exists; or

- (d) a combination of land, cash and site development, where the land dedication required by section 83 will result in more than sufficient parkland to serve the surrounding area.
- (4) Notwithstanding subsection (3), within the Bedford Plan Area, where a developed area of land is subdivided which is less than 11,148 m² in area, the park dedication shall be in the form of cash.
- (4a) Notwithstanding subsection (3), within the Bedford Plan Area, where an area of land which is more than 11,148 m² in area is subdivided, the park dedication shall be in the form of land.
- (5) ~~Notwithstanding the 10% park dedication requirements of subsection (1), the subdivider shall provide a 5% park dedication for the first three lots subdivided from an area of land in existence on June 16, 2007 within the Halifax Regional Municipality.~~
- (6) **Notwithstanding the 10% park dedication requirements of subsection (1), the subdivider shall provide a 5% park dedication for a parcel of land that:**
 - (a) **was in existence on June 16, 2007;**
 - (b) **the subdivision results in a maximum of two lots, or one lot plus a remainder; and**
 - (c) **was not previously granted an exemption for parkland dedication requirement using this provision.**
- (7) **Notwithstanding the 10% park dedication requirements of subsection (1), the subdivider shall provide a 5% park dedication for the Classic Conservation Design Developments as provided for under Section 10.4.4 of the Regional Plan.**
- (8) **Notwithstanding the 10% park dedication requirements of subsection (1) and subsection (6) there shall be no park dedication required for lots created pursuant Section 68A.**

19. Amending Table A, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “Facilities such as” before the text “play structures” in the third row and second column;
- b. Adding the text “docks” after the text “footpath,” and before the text “& trails in the third row and second column;
- c. Deleting the text “, play meadows” and replacing it with the text “that provide coastal and” after the text “trails” and before the text “watercourse access” in the third row and second column;

- d. Adding the text “play meadows,” after the text “watercourse access” and before the text “paved court” in the third row and second column;
- e. Adding the text “buildings, accessory buildings,” after the text “picnic area,” and before the text “etc.” in the third row and second column; and
- f. Adding the text “or coastal” after the text “watercourse” and before the text “access” in the third row, third column.

Table A - Parkland Classification & Service Delivery Criteria

	Parkland Type			
Criteria	Neighbourhood Park (NP)	Community Park (CP)	District Park (DP)	Regional Park (RP)
typical service area	300 +/- people 500 metre service radius 10 minute walk	1200 +/- people 2 km service radius Elementary or Junior High school	10 000 +/- people 5 km service radius Junior or Senior High school	will vary depending on unique physical or cultural heritage features
typical active and passive recreation facilities	Facilities such as play structures, footpath, docks & trails, play meadows, that provide coastal and watercourse access, play meadow , paved court, gazebo shelter, drinking fountain, outdoor spray pool & skating rink, benches, picnic area, buildings, accessory buildings, etc.	similar to NP plus sports fields, parking lots, watercourse or coastal access & engineered beach, washroom, etc.	similar to CP plus indoor/outdoor skating rink, change room, etc.	similar to DP plus indoor/outdoor sports complex, campground, etc.
typical complementary municipal facilities	mailbox, applicable primary and secondary municipal services	community mailbox, bulletin board, bus stop, applicable primary and secondary municipal services	community mailboxes, bus shelter, applicable primary and secondary municipal services	library, transit station, applicable primary and secondary municipal services

20. Amending Table B, as shown below in **bold**, by adding the text “minimum” after the text “suburban-” and before the text 0.1 ha in the second row and first column.

Table B - Parkland Quality of Land Criteria

	Parkland Type			
Criteria	Neighbourhood Park (NP)	Community Park (CP)	District Park (DP)	Regional Park (RP)
typical area	Size Range rural - 0.4 ha to 1.2 ha urban/suburban – minimum 0.1 ha	Size Range 0.1 ha urban pocket park to 6 ha sports facility	Size Range 1 ha trail head to 10 ha multi purpose facility	Size Range varies from a single point of interest to a multi-purpose recreation, cultural heritage, or wilderness preservation area

21. Amending Section 86C, as shown below in **bold** and ~~strikeout~~, by deleting the text “86A” and replacing it with the text “86B” after the text “Section”.

86C No subdivision approval for any lot shall be granted unless a positive recommendation has been provided through both the report and opinion provided under Section ~~86A~~ **86B**.

22. Amending Clause 88(c), as shown below in **bold** and ~~strikeout~~, by deleting the text “ii” and replacing it with the text “v” after subsection (iv).

- (c) in areas not serviced by a central sewer, NS Environment to determine compliance with the On-site Sewage Disposal Systems Regulations, except where the proposed lot:
 - (i) Repealed
 - (ii) Repealed
 - (iii) Repealed
 - (iv) is greater than 9000 square metres, has a width of 76 metres or more, and the applicant has certified on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system; or
 - ~~(ii~~ **v**) contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements listed in subclause (iv); and

23. Amending Section 94A, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland” and replacing it with the text “Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland” in clause (ga).

- (f) the internal street system of the development with connections to abutting public streets or highways and private roads, and anticipated major pedestrian traffic patterns;
- (g) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the provision or layout of sanitary sewer systems, storm sewer systems, water distribution systems, or public streets or highways and private roads;
- (ga) watercourse buffers, in accordance with the requirements of the applicable land use bylaw. **Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland;** ~~Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland~~

24. Amending Section 102, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland” and replacing it with the text “Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland.” after the text “land use bylaw.” and before the text “In addition,” in clause (wa).
- (w) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the number of lots or the provision or layout of sanitary sewer systems, storm sewer systems, water distribution systems or public streets or highways or private roads;
- (wa) watercourse buffers, in accordance with the requirements of the applicable land use bylaw. ~~Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland.~~ **Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland.** In addition, the watercourse buffer shall be shown graphically on the Remainder;

25. Amending clause 111(sa), as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland.” and replacing it with the text “Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland.” after the text “land use bylaw.” and before the text “In addition”.
- (sa) watercourse buffers, in accordance with the requirements of the applicable land use bylaw. ~~Where a wetland is contiguous with a watercourse the watercourse buffer shall be measured from the edge of the wetland.~~ **Where a wetland’s vegetation, hydric soils, and hydrology share a boundary with a watercourse, the buffer shall be from the edge of a wetland.** In addition, the watercourse buffer shall be shown graphically on the Remainder;

26. Amending Section 131, as shown below in **bold**, by:

- a. Adding the text “site development and site preparation 9 (if applicable),” after the text “secondary services” and before the text “the subdivider shall”; and
- b. Adding the text “site development and site preparation” after the text “secondary services,” and before the text “; and” in Clause (b).

131 Upon completion of the secondary services, **site development and site preparation (if applicable)**, the subdivider shall:

- (a) apply in writing to the Development Officer for acceptance;

- (b) request the release of security on secondary services, **site development and site preparation**; and

27. Amending Section 6 in Schedule N, as shown below in **bold** and ~~strikeout~~, by deleting the text “Asub-area@” and replacing it with the text “Sub-area” after the text “Section 4” and before the text “means the”;

6. For the purposes of section 4 ~~Asub-area@~~ **“Sub-area”** means the sub-areas illustrated on Map BW-1 and the charge per sub-area shall be applied to all lands within the external boundaries of the sub-area including any proposed public streets, walkways and parkland dedications, watercourses, open space areas or environmental reserves.

28. Amending Clause 29 in Appendix 1: Subdivision Agreement, as shown below in **bold** and ~~strikeout~~, by deleting the text “the Water Commission” and replacing it with the text “Halifax Water” after the text “Municipality and”.

- 29 The Subdivider agrees to notify the Development Officer, in writing, when services are ready for acceptance by the Municipality and ~~the Water Commission~~ **Halifax Water**.

29. Amending Clause 37(b) in Appendix 1: Subdivision Agreement, as shown below in ~~strikeout~~, by deleting the text “such” after the text “upon” and before the text “notice”.

- (a) upon ~~such~~ notice being issued by the Development Officer under clause (a) of this section, the Subdivider shall immediately cease work on the primary or secondary services and shall not resume such work until satisfactory arrangements are made with the Development Officer to rectify the default by the Subdivider under this agreement;

30. Amending Section 3 in APPENDIX 3: PARK DEDICATION AGREEMENT, as shown below in **bold** and ~~strikeout~~, by deleting the text “or letter of credit issued by a surety or guarantee company licensed by the Province of Nova Scotia,” and replacing it with the text “cash, certified cheque, bank draft, an irrevocable letter of credit issued by a recognized financial institution in a format acceptable to the Municipality or a development bond in a format acceptable to the Municipality ” after the text “in the form of” and before the text “, and shall be”.

3. Notwithstanding the requirements of sections 1 and 2 of this agreement, the Subdivider agrees to post security in favour of the Municipality equal to 10% of the assessed market value of the Lots, in the amount of _____ at the time of signing this agreement. The security may be in the form of **cash, certified cheque, bank draft, an irrevocable letter of credit issued by a recognized**

financial institution in a format acceptable to the Municipality or a development bond in a format acceptable to the Municipality ~~or letter of credit issued by a surety or guarantee company licensed by the Province of Nova Scotia~~, and shall be conditional upon the execution and completion of sections 1 and 2 hereof. The said security shall not be subject to cancellation, termination or expiration.

31. Amending Schedule B – Service Requirements Map to revise the Urban Service Area and Water Service Area as shown on Schedule F-1 attached hereto.
32. Amending Schedule H – Interim Growth Management Area as shown on Schedule F-2 attached hereto.
33. Repealing Schedule I – Future Transportation Routes.
34. Amending Schedule J – Beaver Bank and Hammonds Plains Growth Control Areas (Map), as shown on Schedule F-3 attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20_____.

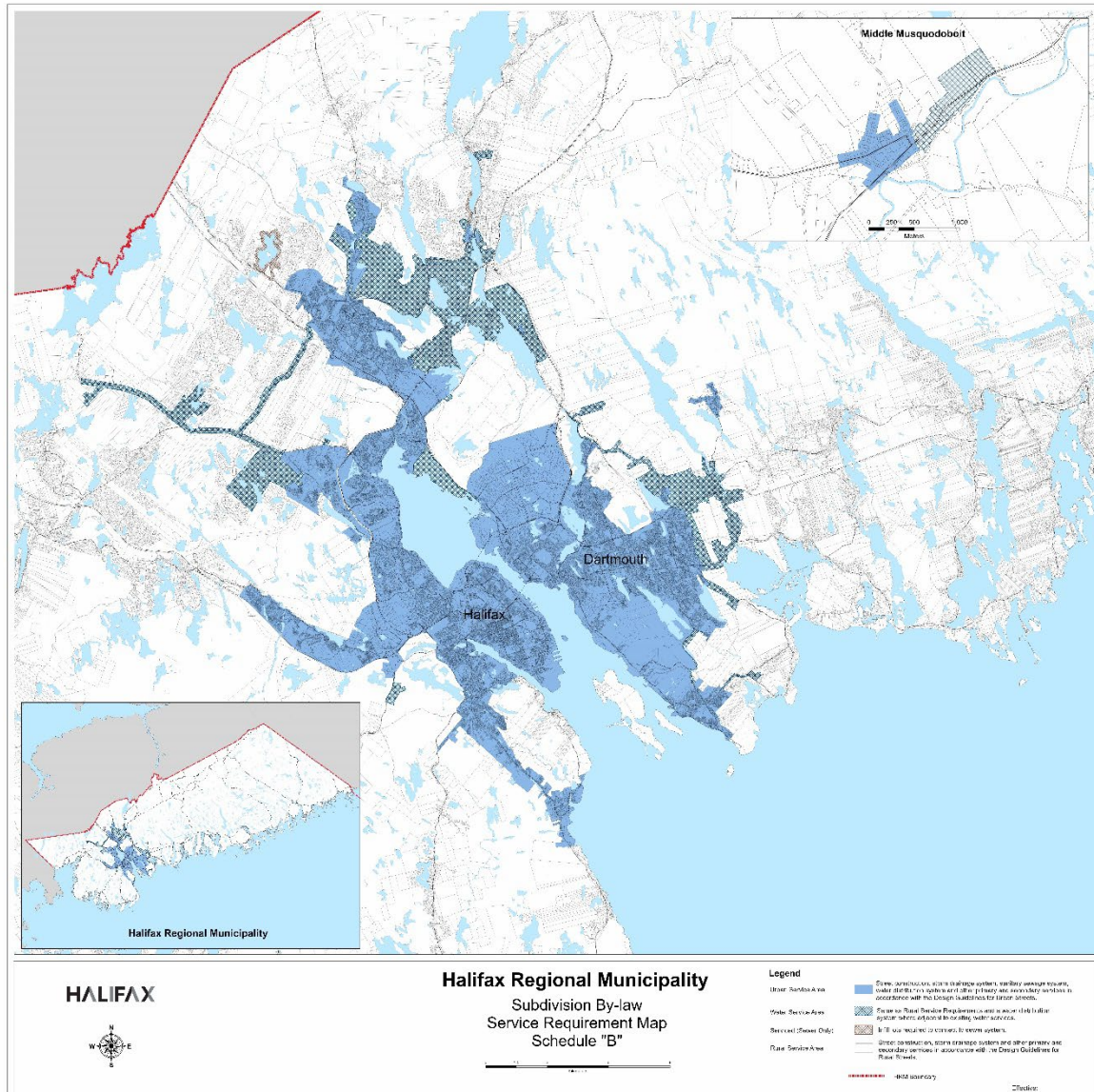
GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

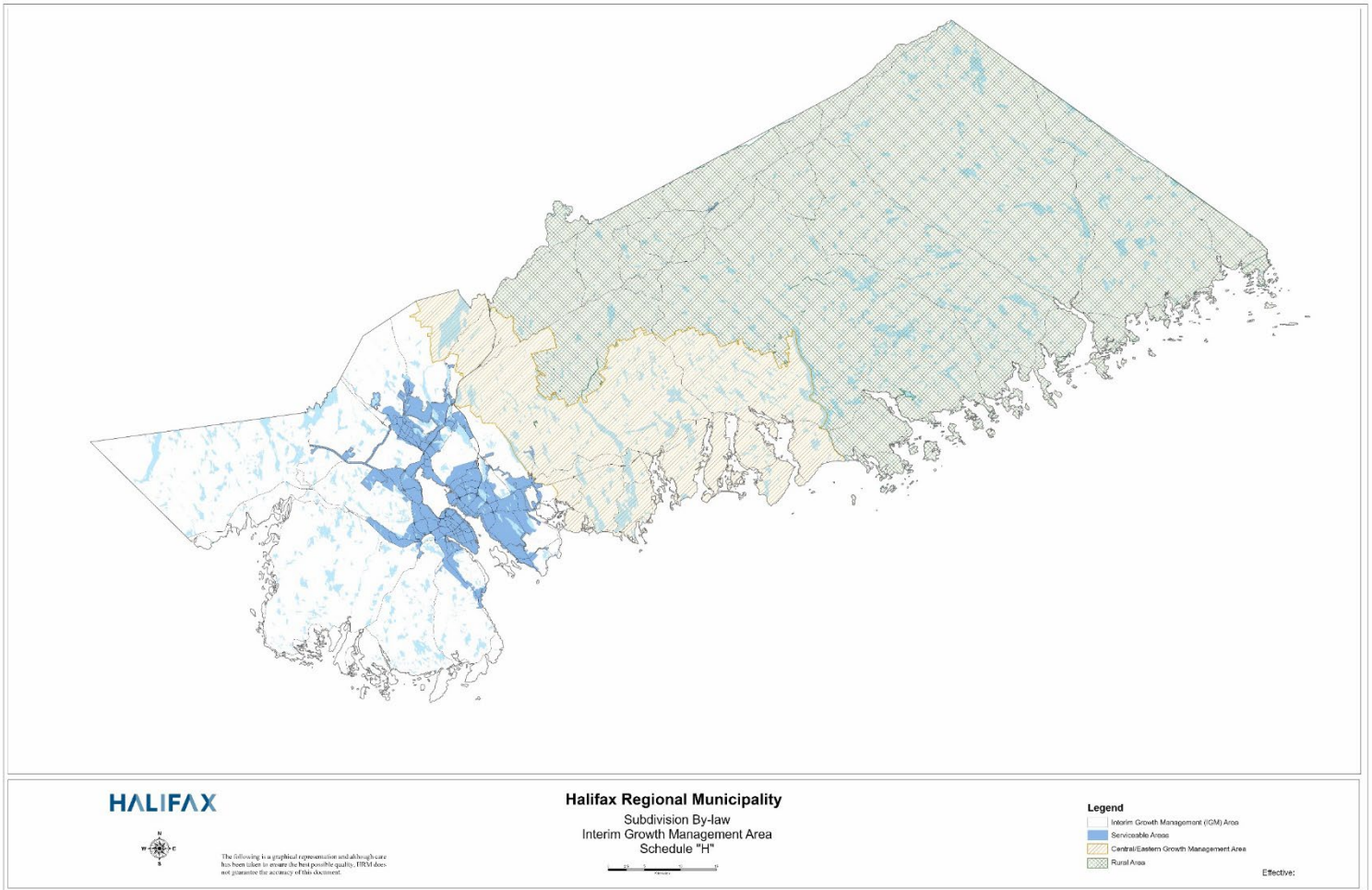
SCHEDULE F

SCHEDULES TO AMEND THE REGIONAL SUBDIVISION BYLAW

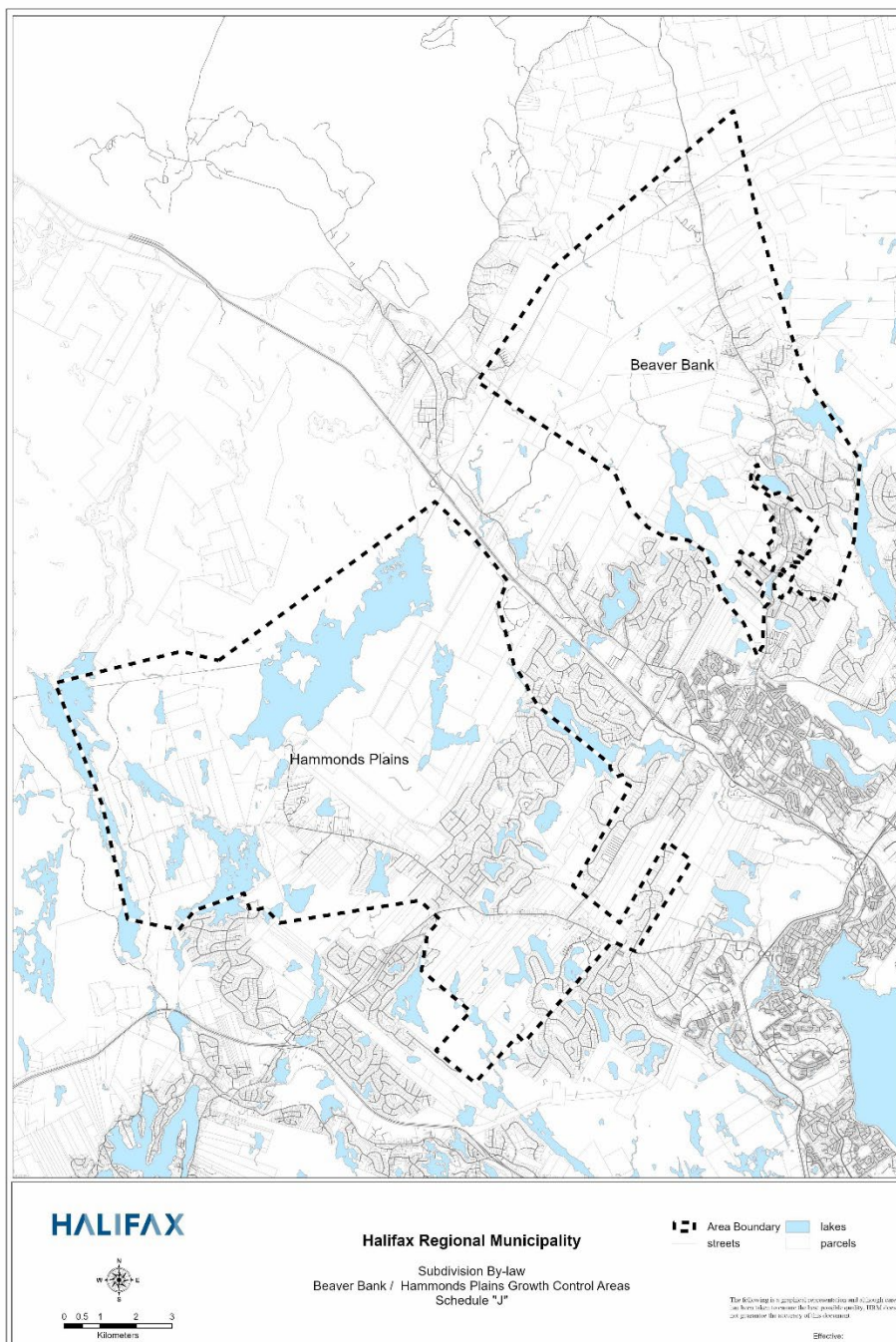
Schedule F-1: Schedule B – Service Requirements Map



Schedule F-2: Schedule H – Interim Growth Management Area



Schedule F-3: Schedule J – Beaver Bank and Hammonds Plains Growth Control Areas (Map)



ATTACHMENT G

**SCHEDULES TO AMEND LAND USE BY-LAWS AND SECONDARY MUNICIPAL
PLANNING STRATEGIES FOR MINIMUM PLANNING REQUIREMENTS**

Table of Contents

Attachment G-1	4
Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville Plan Area	4
Attachment G-2	6
Proposed Amendments to the Municipal Planning Strategy for Bedford	6
Attachment G-3	8
Proposed Amendments to the Land Use Bylaw for Bedford	8
Attachment G-4	11
Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal	11
Attachment G-5	13
Proposed Amendments to the Land Use Bylaw for Dartmouth	13
Attachment G-6	17
Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay	17
Attachment G-7	20
Proposed Amendments to the Land Use Bylaw for Eastern Shore (East)	20
Attachment G-8	21
Proposed Amendments to the Land Use Bylaw for Eastern Shore (West)	21
Attachment G-9	22
Proposed Amendments to the Land Use Bylaw for Halifax Mainland	22
Attachment G-10	27
Proposed Amendments to the Land Use Bylaw for Lawrencetown	27
Attachment G-11	28
Proposed Amendments to the Land Use Bylaw for	28
Musquodoboit Valley & Dutch Settlement	28
Attachment G-12	30
Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area	30
Attachment G-13	32
Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)	32
Attachment G-14	33
Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)	33
Attachment G-15	35

Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margarets Bay) ..	35
Attachment G-16.....	38
Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes)	38
Attachment G-17.....	41
Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)	41
Attachment G-18.....	43
Proposed Amendments to the Land Use Bylaw for Sackville Drive	43
Attachment G-19.....	47
Proposed Amendments to the Land Use Bylaw for Sackville	47
Attachment G-20	48
Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville	48
Attachment G-21	49
Proposed Amendments to the Regional Centre Secondary Municipal Planning Strategy.....	49
Attachment G-22	50
Proposed Amendments to the Regional Centre Land Use Bylaw.....	50
Attachment G-23	57
Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw	57
Attachment G-24	58
Proposed Amendments to the Downtown Halifax Land Use Bylaw	58

Attachment G-1
Proposed Amendments to the Land Use Bylaw for Beaver Bank, Hammonds Plains and Upper Sackville Plan Area

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville Plan Area is hereby amended as follows:

1. Amending Section 4.13 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

2. Amending Section 4.26 in PART 4, as shown below in **bold**, by adding subsection (c) after subsection (a) and (b).

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate

Seal of the said Municipality this _____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-2
Proposed Amendments to the Municipal Planning Strategy for Bedford

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

1. Amending Policy C-13, as shown below in **bold** and ~~strikeout~~, by deleting the text “75 feet” and replacing it with the text “8 storeys” after the text “the maximum building height is to be”.

Policy C-13:

It shall be the intention of Town Council to enter into a Development Agreement with the owners of the Travellers' Motel, Esquire Motel and Clearwater Lobster Limited properties to permit CCDD development when municipal services become available. In recognition of the site's unique position at the entrance to the Town overlooking the Bedford Basin, an agreement if entered into shall specify that two thirty foot wide separations are to be provided between the buildings on either side of the entrance road to the waterfront project to provide views from the highway and from the existing homes above the site. Buildings are to be set back 60 feet on either side of the entrance road to the waterfront project to provide a view. As well, the maximum building height is to be ~~75 feet~~ **8 storeys**.

2. Amending Policy C-20, as shown below in **bold**, by adding the text “For multi-unit residential buildings that begin construction before April 1, 2027, ground floor residential uses located on the street front of the first floor are permitted” after the text “and existing residential uses.”

Policy C-20:

Town Council shall establish a Mainstreet Commercial Zone within the Land Use By-Law and apply it to the portion of the mainstreet commercial core area extending from the Sackville River south to Locke Street on the north side of the street and between the Sackville River and Shore Avenue on the south side of the street as shown on Map 2. Permitted uses within the Mainstreet Commercial Zone shall be small scale, pedestrian oriented uses including but not limited to general retail stores, business and professional offices, personal and household service shops, financial institutions, full service restaurants, pubs, lounges, recycling depots, dwelling units within a commercial building not to exceed 50 percent of the gross floor area and not located on the street front of the first floor, and existing residential uses. **For multi-unit residential buildings that begin construction before April 1, 2027, ground floor residential uses located on the street front of the first floor are permitted.** In addition, shared housing with

special care will be permitted by development agreement pursuant to Policy R-19A. All commercial developments shall be subject to specific signage, landscaping, parking, and architectural design controls as specified in the Land Use By-Law. Town Council shall prohibit front yard parking and deep front and side yard setbacks for new development. Town Council shall consider modification of the requirements for such items as front and side yard setbacks as well as front yard parking through a development agreement in situations involving the redevelopment of existing buildings. Those properties designated Mainstreet Commercial, but not zoned Mainstreet Commercial, shall continue to have an RSU Zone consistent with current land uses.

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-3
Proposed Amendments to the Land Use Bylaw for Bedford

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

1. Amending PART 2, as shown below in **bold**, by adding the definition “Mezzanine” after the definition “Massage Parlour”.

Mezzanine means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding the definition “Grade-Related Dwelling Unit” after the definition “Garden Markets”.

Grade-Related Dwelling Unit - means a dwelling unit within a multi-unit dwelling use that is accessible by pedestrians from a private entrance that fronts and faces a streetline.

3. Amending PART 2, as shown below in **bold** and ~~strikeout~~, by repealing and replacing the definition of “Storey” after the deleted definition of “Special Care Facilities”.

~~Storey - means that portion of a building between any floor and the floor or ceiling or roof next above, provided that any portion of building partly below grade level shall not be deemed to be a storey unless its ceiling is at least six feet above grade. Provided also that any portion of a storey exceeding fourteen feet in height shall be deemed an additional storey for each fourteen (14) feet or fraction of such excess.~~

Storey means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

4. Amending PART 2, as shown below in **bold**, by adding the definition “Urban Service Area” after the definition “Town”.

URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.

5. Amending Section 6 in PART 5, as shown below in **bold** and ~~strikeout~~, by:
- Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

6. Amending PART 4, as shown below in **bold**, by adding Section 11 after Section 10:

11. Notwithstanding any other provisions of this By-law, development proposals for residential or mixed-use buildings that provide primarily residential uses within the Suburban area may be permitted by development agreement in accordance with Policy IM-25, Policy IM-26 and Policy IM-27 of the Regional Municipal Planning Strategy.

7. Amending Section 34 in PART 5, as shown below in **bold**, by adding subsection (d) after subsection (c).

(d) Notwithstanding subsections (a), (b), and (c), there shall be no required parking for residential uses within the Urban Service Area.

8. Amending PART 14 as shown below in ~~strikeout~~, by deleting the text “, not to exceed 50% of the gross floor area and not to be located fronting on a street on the first floor” in Subsection (a).

(a) dwelling units, including shared housing uses, ~~not to exceed 50% of the gross floor area and not to be located fronting on a street on the first floor~~

9. Amending the ZONE REQUIREMENTS in PART 14, as shown below in **bold** and ~~strikeout~~, but deleting the text “floors” and replacing it with the text “storeys”.

ZONE REQUIREMENTS CMC

In any Mainstreet Commercial (CMC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area4,000 sq. ft
Minimum Lot frontage 40 ft.
Minimum Rear Yard 40 ft.
Minimum Front Yard 0 ft.
Minimum Sideyard0 feet; 25 ft. corner vision triangle required for corner lots.
Maximum Height of Building.....2 ~~floors~~ **storeys** above Bedford Highway

10. Amending PART 14, as shown below in **bold**, by adding the section “SPECIAL REQUIREMENT: DWELLING UNITS” after the ZONE REQUIREMENTS and before the section “SPECIAL REQUIREMENT: PARKING.”

SPECIAL REQUIREMENT: DWELLING UNITS

- a) **Dwelling units, including shared housing uses, shall not exceed 50% of a building’s gross floor area, and**
- b) **Dwelling units, including shared housing uses, shall not be located fronting a street on the first floor.**
- c) **Notwithstanding clause (b), grade-related dwelling units may front up to 80% of the streetline for multiple unit residential buildings that begin construction before April 1, 2027.**

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of

_____, A.D., 20_____.

Municipal Clerk

Attachment G-4
Proposed Amendments to the Land Use Bylaw for Cole Harbour/Westphal

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition “2.41A MEZZANINE” after Section 2.41.

2.41A MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding at the definition “2.67B STOREY” after Section 2.67A.

2.67B STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending Section 4.12 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land on or near a worksite for ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is

directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

4. Amending Section 4.25 in PART 4, as shown below in **bold**, by adding subsection (d) after subsection (c).

(d) Notwithstanding subsections (a), (b), and (c), there shall be no required parking for residential uses within the Urban Service Area.

5. Amending Section 15A.3.3 in PART 15A, as shown below in **bold**, by adding Subsection (ba) after Subsection (b).

Building Form

(a) No building footprint shall exceed 929 sq. m (10,000 sq. ft.);

(b) No building shall exceed 13.7 m (45 ft.) in height;

(ba) Notwithstanding clause (b), the height of a mid-rise multiple unit building with more than 4 units shall not exceed 4 storeys;

(c) Non-residential uses shall only be permitted on the ground floor of any mixed use building;

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of _____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment G-5
Proposed Amendments to the Land Use Bylaw for Dartmouth

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

1. Amending the “Table of Contents” by deleting the text “PART 25: GC (GENERAL COMMERCIAL ZONE)” immediately after the text “PART 24: MF-1 (MULTIPLE FAMILY RESIDENTIAL) ZONE.”
2. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(zab) MEZZANINE” after subsection 1(zaaa).

(zab) MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

3. Amending “SECTION 1: DEFINITIONS”, as shown below in **bold**, by adding the definition “(aibc) STOREY” after subsection (aib).

(aibc) STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

4. Amending Subsection 14 in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold**, by adding clause (q) after clause (p).

(q) Notwithstanding clauses (b) and (l), there shall be no required parking for residential uses within the Urban Service Area.

5. Amending Subsection 18B as shown below in **bold** and ~~strikeout~~ by replacing the words “GC” with the words “C-3”.

18B Notwithstanding any other provision of this By-law, and except within the Main Street Designation, apartment development in R-3, R-4, C-2, MF-1 and ~~GC C-3~~ Zones may also be permitted by Development Agreement.

6. Amending SECTION 2, as shown below in **bold**, by adding Section 18(Zd) after Section 18(Zc):

18(Zd). Notwithstanding any other provisions of this By-law, development proposals for residential or mixed-use buildings that provide primarily residential uses within the Suburban area may be permitted by development agreement in accordance with Policy IM-25, Policy IM-26 and Policy IM-27 of the Regional Municipal Planning Strategy.

7. Amending Subsection 25 in “SECTION 2: GENERAL PROVISIONS”, as shown below in **bold** and ~~strikeout~~, by:
- a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (g);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (g); and
 - c. Adding Clause (i) after Subsection (g).

(g) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

8. Amending Subsection 34(3) in “PART 4: R-3 MULTIPLE FAMILY RESIDENTIAL) ZONE – MEDIUM DENSITY”, as shown below in **bold**, by adding clause (fa) after clause (f).

(fa) Notwithstanding clause (f), the maximum height of a main building with more than 4 units shall be 4 storeys.

9. Amending Subsection 34(3) in “PART 4: R-3 (MULTIPLE FAMILY RESIDENTIAL) ZONE – MEDIUM DENSITY”, as shown below in **bold**, by adding Clause (k) after Clause (j).

(k) Notwithstanding Clause (j), requirements for dwelling unit mix shall not apply for a new apartment building that begins construction before April 1, 2027.

10. Amending Subsection 35(3) in “PART 5: R-4 (MULTIPLE FAMILY RESIDENTIAL) ZONE – HIGH DENSITY, as shown below in **bold**, by adding Clause (j) after Clause (i).

(j) Notwithstanding Clause (i), requirements for dwelling unit mix shall not apply for a new apartment building that begins construction before April 1, 2027.

11. Amending clause 40(1)(a) in “PART 10: C-3 (GENERAL BUSINESS) ZONE”, as shown below in ~~strikeout~~, by deleting the words “, excepting therefrom any residential uses”.

40(1) The following uses only shall be permitted in a C-3 Zone:

- (a) C-2 uses as herein set out, ~~excepting therefrom any residential uses;~~

12. Repealing “PART 25: GC (GENERAL COMMERCIAL) ZONE”, as shown below in ~~strikeout~~.

~~PART 25: GC (GENERAL COMMERCIAL) ZONE~~

~~52(1) The following uses only shall be permitted in a GC Zone:~~

~~(a) R-4 uses as herein set out;~~

~~(b) any business or commercial enterprise except obnoxious uses and uses creating a hazard to the public.~~

~~52(2) Buildings used for R-4 uses in a GC Zone shall comply with the requirements of an R-4 Zone.~~

~~52(3) Where apartments are to be constructed above commercial uses, the maximum density of apartments shall be as in the R-4 Zone, provided however, that the commercial uses may cover 100% of the lot. In this case, the area of any floor where any portion is devoted to apartments shall not exceed 40% of the total area.~~

~~(As amended by By-law C-392, Dec 22/79)~~

13. Repealing and replacing “SCHEDULE AF” after “SCHEDULE AD”, as shown as Schedule G-5A, attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of

_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this _____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-6
Proposed Amendments to the Land Use Bylaw for Eastern Passage/Cow Bay

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition “2.40AA MEZZANINE” after Section 2.40.

2.40AA MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in bold, by adding the definition “2.63C STOREY” after Section 2.63B.

2.63C STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending Section 4.13 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land on or near a worksite for ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is

directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

4. Amending Section 4.25 in PART 4, as shown below in **bold**, by adding subsection (c) after subsection (b).

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

5. Amending Section 14.2 in PART 14, as shown below in **bold**, by:
- Adding the text “Maximum height for Multiple Unit dwellings with more than 4 units: 4 storeys” below the text “Maximum Lot Coverage 50 percent”; and
 - Adding the text “(all other uses)” after the text “Maximum Building Height”.

14.2 LOT AND YARD REQUIREMENTS: COMMERCIAL AND INSTITUTIONAL USES, MULTIPLE UNIT DWELLINGS, AND SHARED HOUSING USES

Minimum Lot Area:	4000 square feet
Minimum Lot Frontage:	50 feet
Minimum Front / Flankage Yard:	4 feet except for 25 foot daylighting triangle on corner lots.
Minimum Rear Yard:	20 feet
Minimum Side Yard:	4 feet on one side, 20 feet on the other
Maximum Lot Coverage:	50 percent
Maximum Height for Multiple Unit dwellings with more than 4 units:	4 storeys
Maximum Building Height (all other uses):	46 feet

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of _____,
A.D., 20_____.

GIVEN under the hand of the Municipal

Clerk and under the Corporate
Seal of the said Municipality this _____ day
of

_____, A.D., 20_____.

Municipal Clerk

Attachment G-7
Proposed Amendments to the Land Use Bylaw for Eastern Shore (East)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (East) is hereby amended as follows:

1. Amending Section 4.13 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment G-8
Proposed Amendments to the Land Use Bylaw for Eastern Shore (West)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (West) is hereby amended as follows:

1. Amending Section 4.12 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment G-9
Proposed Amendments to the Land Use Bylaw for Halifax Mainland

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

1. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Mezzanine” after the definition “Medical Clinic”.

“Mezzanine” means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending DEFINITIONS, as shown below in **bold**, by adding the definition “Storey” after the definition “Stepback”.

“Storey” means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending PARKING in GENERAL PROVISIONS, as shown below in **bold**, by adding subsection 9(e) after subsection 9(d).

9(e) Notwithstanding subsection (a), there shall be no required parking for residential uses within the Urban Service Area.

4. Amending Section 14V in GENERAL PROVISIONS, as shown below in **bold** and ~~strikeout~~, by:

- a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
- b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
- c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land ~~on or near a worksite for~~ or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp,

mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

5. Amending the R-2AM Zone, as shown below in **bold**, by adding Section 28BD (1) and Section 28BD(2) after Section 28BD.

28BD(2) Notwithstanding Section 28BD, an apartment with a minimum of 5 units and a maximum of 14 units has a maximum height of three storeys and the maximum height of additions shall be three storeys, but under no circumstances shall a permitted addition exceed the established height of the existing building.

6. Amending Section 28BF(1) in the R-2AM zone, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “the” and replacing it with the text “an” after the text “if” and before the text “existing building”;
 - Adding the text “with three or four units” after the text “existing building” and before the text “is a full storey”; and
 - Adding clause (ab) after clause (a).

SPECIAL CONDITION

a) if ~~the~~**an** existing building **with three or four units** is a full storey lower than the average number of storeys of the existing residential buildings in the immediate neighbourhood;

ab) if an existing building with a minimum of 5 units and a maximum of 14 units is a full storey lower than the average number of storeys of the existing residential buildings in the immediate neighbourhood;

DEVELOPMENT PERMITTED

the number of storeys may be increased to, but not exceed, the average number of storeys of the existing residential buildings in the immediate neighbourhood provided that the height of the building shall not exceed 35 feet.

the number of storeys may be increased to, but not exceed, the average number of storeys of the existing residential buildings in the immediate neighbourhood provided that the height of the building shall not exceed three storeys.

7. Repealing Section 28CD(5) in the R-3 Zone, as shown below in ~~strikeout~~.

~~28CB(5) One separately accessible parking space at least 9 feet by 20 feet shall be provided for each stacked attached unit, exclusive of the area of the front yard and entrance or driveway leading to such building.~~

8. Amending Section 28CE in the R-3 Zone, as shown below in **bold** and ~~strikeout~~, by:
- Adding the text “with more than four units and” after the text “Apartment buildings”;
 - Deleting the text “of” after the text “four units and” and before the text “four (4)”;
 - Deleting the text “and not exceeding 50 feet in height” after the text “storeys” and before the text “shall be permitted”.

28CE Apartment buildings **with more than four units and** ~~of~~ four (4) storeys or less ~~and not exceeding 50 feet in height~~ shall be permitted in an R-3 Zone provided the following requirements are complied with:

9. Amending the R-3 Zone, as shown below in **bold**, by adding subsection 28CI(2) after Section 28CI.

28CI An apartment house which is located in the "Mainland South Area", shall be required to provide one two-bedroom unit for every three bachelor and/or one bedroom units.

28CI(2) Notwithstanding Subsection 28CI, requirements for bedroom counts shall not apply for any residential multi-unit dwelling use that begins construction before April 1, 2027.

10. Amending the R-4A Zone, as shown below in **bold**, by adding Subsection 34AAD(2) after Subsection 34AAD(1).

34AAD(1) Buildings erected, altered or used for R-4A uses, with the exception of shared housing use, in an R-4A Zone shall include a mixture of dwelling unit types. A minimum of 30 percent of the dwelling units within a building shall contain two or more bedrooms.

34AAD (2) Notwithstanding Subsection 34AAD(1), requirements for bedroom counts shall not apply for any residential multi-unit dwelling use that begins construction before April 1, 2027.

11. Amending the R-4B Zone, as shown below in **bold**, by adding Subsection 34B22(2) after Subsection 34B22.

34B22 At least 25% of all dwelling units in a new apartment house use, rounded up to the nearest whole number, shall contain at least two bedrooms.

34B22(2) Notwithstanding Subsection 34B22(1), requirements for bedroom counts shall not apply for any residential multi-unit dwelling use that begins construction before April 1, 2027.

12. Amending Section 38C(1) in the C-2A Zone, as shown below in **bold**, by adding the text “, except for apartment buildings with more than four units which shall have a maximum height of 3 storeys” after the text “exceed 35 feet”.

38C(1) The height of any building in a C-2A Zone shall not exceed 35 feet, **except for apartment buildings with more than four units which shall have a maximum height of 3 storeys.**

13. Repealing Section 38C(2) in the C-2A Zone, as shown below in ~~strikeout~~.

38C(2) ~~In the Bedford Highway Secondary Plan, notwithstanding Section 38B (2), R-3 uses shall not exceed 35 feet in height.~~

14. Amending Section 38C(3) in the C-2A Zone, as shown below in ~~strikeout~~, by deleting the text “including a maximum height of 50 feet” after the text “requirements of the R-3 Zone”.

38C(3) Notwithstanding Section 38C(2), in the Bedford Highway Secondary Plan, where commercial use(s) occupy the full ground floor of a mixed commercial and multiple unit residential development, inclusive of a residential entrance, the residential portion of the building shall be subject to the requirements of the R-3 Zone ~~including a maximum height of 50 feet.~~

15. Amending the C-2C Zone, as shown below in **bold**, by adding Subsection 38BF(2) after Subsection 38BF(1).

38BF(2) Notwithstanding Subsection 38BF(1), requirements for bedroom counts shall not apply for any residential multi-unit dwelling use that begins construction before April 1, 2027.

16. Amending the C-2D Zone, as shown below in **bold**, by adding Subsection 38CG(2) after Subsection 38CG(1).

38CG(2) Notwithstanding Subsection 38CG(1), requirements for bedroom counts shall not apply for any residential multi-unit dwelling use that begins construction before April 1, 2027.

17. Amending Section 71 under SCHEDULES as shown below in **bold**, by adding subsection 71(17) after subsection 71(16):

71(17) Notwithstanding any other provisions of this By-law, development proposals for residential or mixed-use buildings that provide primarily residential uses within the Suburban area may be permitted by development agreement in accordance with Policy IM-25, Policy IM-26 and Policy IM-27 of the Regional Municipal Planning Strategy.

18. Repealing and replacing “ZM-32: Plan Dutch Village Road Height Map” after “ZM-31”, as shown as Schedule G-9A, attached hereto.
19. Repealing and replacing “ZM-34: Maximum Height in the Dunbrack Multi Unit Zone” after “Zm-33”, as shown in Schedule G-9B, attached hereto.

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-10
Proposed Amendments to the Land Use Bylaw for Lawrencetown

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

1. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-11
Proposed Amendments to the Land Use Bylaw for
Musquodoboit Valley & Dutch Settlement

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Musquodoboit Valley & Dutch Settlement is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition “2.55A MEZZANINE” after Section 2.55.

MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding the definition “2.81B STOREY” after Section 2.81A.

2.81B Storey means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

2. Amending PART 2, as shown below in **bold**, by adding the definition “2.85AA URBAN SERVICE AREA” after Section 2.85.

2.85AA URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.

3. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land on or near a worksite for or

the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

4. Amending Section 4.23 in PART 4, as shown below in **bold**, by adding Subsection (c) after Subsection (b).

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

5. Amending Section 8.2, as shown below in **bold**, by adding clause (g) after clause (f).

(f) Maximum height of main building: 35 feet (10.7 m) 35 feet (10.7 m)

(g) Maximum height of multi-unit dwelling with more than 4 units: 3 storeys 3 storeys

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of _____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment G-12
Proposed Amendments to the Land Use Bylaw North Preston / Lake Major / Lake Loon /
Cherry Brook / East Preston Area

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law North Preston / Lake Major / Lake Loon / Cherry Brook / East Preston Area is hereby amended as follows:

1. Amending PART 2 of the By-law by adding the new definition after Section 2.67.5 as shown below in **bold**:

2.67AA URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.

2. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

3. Amending PART 4, Section 4.22 of the By-law by inserting the new subsection, shown below in bold, immediately following subclause (c):

(d) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this _____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-13
Proposed Amendments to the Land Use Bylaw for Planning District 4 (Prospect)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby amended as follows:

1. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment G-14
Proposed Amendments to the Land Use Bylaw for Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use Bylaw for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition “2.42A MEZZANINE” after Section 2.42.

MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding the definition “2.67B STOREY” after Section 2.67A.

2.67B STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending PART 2, as shown below in **bold**, by adding the definition “2.70AA URBAN SERVICE AREA” after Section 2.70.5.

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

4. Amending Section 4.15 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

5. Amending Section 4.27 in PART 4, as shown below in **bold**, by adding Subsection (c) after Subsection (d).

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

6. Amending Section 15.2 in PART 15, as shown below in **bold**, to add the text “Maximum height of a multiple unit dwelling with more than 4 units 3 storeys” below the text “Maximum Height of Main Building 35 feet (10.7m)”

Maximum Height of Main Building 35 feet (10.7 m)

Maximum Height of a Multiple Unit dwelling with more than 4 units 3 storeys

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of _____,
A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk

Attachment G-15
Proposed Amendments to the Land Use Bylaw for Planning Districts 1 and 3 (St. Margaret's Bay)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 1 and 3 (St. Margaret's Bay) is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition "2.47B MEZZANINE" after Section 2.47A".

2.47B MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding the definition "2.73AB STOREY" after Section 2.73AA.

2.73AB STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text "on or near a worksite for" after the text "use of land" and before the text "or the use" in Subsection (a);
 - b. Deleting the text "or" after the text "worksite for" and before the text "the use" in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a

shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

4. Amending Section 11B.3 in PART 11B, as shown below in **bold**, by adding the text “Maximum Height of a Multiple unit dwelling with more than 4 units 3 storeys” below the text “Maximum Height of Building 10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building.

Maximum Height of Building

10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building.

**Maximum Height of Multiple Unit Dwelling
with more than 4 units**

3 storeys

5. Amending Section 11C.2 in PART 11C, as shown below in **bold**, by adding the text “Maximum Height of a Multiple unit dwelling with more than 4 units 3 storeys” below the text “Maximum Height of Building 10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building.

Maximum Height of Building

10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building.

**Maximum Height of Multiple Unit Dwelling
with more than 4 units**

3 storeys

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Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-16
Proposed Amendments to the Land Use Bylaw for Planning Districts 14/17 (Shubenacadie Lakes)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14/17 (Shubenacadie Lakes) is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding the definition “2.49A MEZZANINE” after Section 2.49.

2.49A MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in **bold**, by adding the definition “2.74B STOREY” after Section 2.74A.

2.74B STOREY means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending PART 2 of the By-law by adding the new definition after section 2.77A as shown below in **bold**:

2.77B URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.

4. Amending Section 4.12 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

5. Amending PART 4, Section 4.25 of the By-law by inserting the new subsection, shown below in **bold**, immediately following subclause (d):

(e) Notwithstanding subsections (b) and (c), there shall be no required parking for residential uses within the Urban Service Area.

6. Amending Section 14G.4 in PART 14G, as shown below in **bold**, by adding the text:

- a. Adding the text “Maximum Height of a Multiple Unit Dwelling (more than 4 units): 4 storeys” below the text “Minimum Rear Yard: 50 feet (15.24m); and
- b. Adding the text “(All other uses)” after the text “Main Building”.

14G.4 RLRC ZONE REQUIREMENTS

In any RLRC Zone, a development shall meet the following requirements:

(a) Minimum Lot Area:	5 acres (2.02 hectares)
Minimum Frontage:	100 feet (30.48 m)
Minimum Front or Flankage Yard:	30 feet (9.1 m)
Minimum Side Yard:	50 feet (15.24 m)
Minimum Rear Yard:	50 feet (15.24 m)
Maximum Height of Multiple Unit Building (more than 4 units):	4 storeys
Maximum Height of Main Building (All other uses):	50 feet (15.24 m) and 4 storeys

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of

_____,
A.D., 20____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this _____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-17
Proposed Amendments to the Land Use Bylaw for Planning Districts 8 & 9 (Lake Echo/Porters Lake)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 8 & 9 (Lake Echo/Porters Lake) is hereby amended as follows:

1. Amending PART 2, as shown below in **bold**, by adding Section “2.38A MEZZANINE” after Section 2.38.

MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

2. Amending PART 2, as shown below in bold, by adding Section “2.59B STOREY” after Section 2.59A.

Storey means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

3. Amending Section 4.13 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land on or near a worksite for ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is

directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

4. Amending Section 14.3 in PART 14, as shown below in **bold**, by adding the text “Maximum Height of Multiple Unit Dwelling with more than 4 units storeys” below the text “Maximum Height of Main Building 35 feet (10.7m).

Maximum height of main building

35 ft. (10.7 m)

**Maximum height of Multiple Unit Dwelling
with more than 4 units**

3 Storeys

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which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional
Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-18
Proposed Amendments to the Land Use Bylaw for Sackville Drive

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use Bylaw for Sackville Drive is hereby amended as follows:

1. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Grade-Related Dwelling Unit” after the definition “Garden Market”.

Grade-Related Dwelling Unit Use means a dwelling unit within a multi-unit dwelling use that is accessible by pedestrians from a private entrance that fronts and faces a streetline.

2. Amending PART 2: DEFINITIONS, as shown below in **bold**, by adding the definition “Mezzanine” after the definition “Medical Clinic”.

Mezzanine means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

3. Amending PART 2: DEFINITIONS, as shown below in **bold** and ~~strikeout~~, by repealing and replacing the definition “Storey” after the definition “Soft Landscaping”.

~~Storey means that portion of a building between any floor and floor or ceiling or roof above, provided that any portion of a building partly below grade shall not be deemed to be a story unless its ceiling is at least six feet above grade. Provided also that any portion of a storey exceeding fourteen feet in height shall be deemed to be an additional storey.~~

Storey means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

4. Amending Section 15 in PART 6, as shown, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);

- b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
- c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

- 5. Amending Subsection 27(a) in PART 6, as shown below in **bold**, by adding the text “, except for Multiple Unit dwellings with more than 4 units which shall have a maximum height of 4 storeys” after the text “property line”.

27 (a) The height of a building in all zones shall be not more than 50ft (15.24m) in height measured from the established grade at front property line, **except for Multiple Unit Dwellings with more than 4 units which shall have a maximum height of 4 storeys.**

- 6. Amending the table “SPACES” after Section 16(a) in PART 7, as shown below in **bold** and ~~strikeout~~, by:
 - a. Deleting the text “except as specified below” after the text “Any dwelling” in the first column, third row;
 - b. Deleting the text “Per each dwelling unit” in the third column, third row;
 - c. Deleting the text “Multiple Unit Dwelling” in the first column, fourth row;
 - d. Deleting the text “0.33” in the second column, fourth row; and
 - e. Deleting the text “Per each dwelling unit” in the third column, fourth row.

SPACES		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Any dwelling except as specified below:	0	Per each dwelling unit
Multiple Unit Dwelling	0.33	Per each dwelling unit

7. Amending the table “MOBILITY DISABLED SPACES” after Section 18 in PART 7, as shown below in **bold** and ~~strikeout~~, by:
- Deleting the text “1” and replacing it with the text “0” in second column, fourth row;
 - Deleting the text “Reserved parking spaces for the mobility disability per 30 units to a maximum of 10 spaces” in the third column, fourth row; and
 - Adding the text “residential,” after the text “excluding” and before the text “fire stations in the first column, sixth row.

MOBILITY DISABLED SPACES		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Medical Clinics of any health practitioner	1	Reserved parking spaces for the mobility disabled per 5-15 parking spaces required 1 additional parking space for each additional 15 required space or part thereof to a maximum of 10 spaces
Multiple Unit Dwellings	1 0	Reserved parking spaces for the mobility disabled per 30 units to a maximum of 10 spaces
Restaurants and Theater	1	Reserved parking spaces for the mobility disabled per 50 seats to a maximum of 10 spaces
All other uses excluding residential , fire stations, and any industrial use which does not have a retail function	1	Reserved parking space for the mobility disabled per 15-100 parking spaces required 1 additional space for each additional 100 required space or part thereof to a maximum of 10.

8. Amending Section 5 in PART 12, as shown below in **bold**, by adding Subsection (3) after Subsection (2).

(3) Notwithstanding Subsection 5(1),

(a) for any new multi-unit dwelling that begins construction before April 1, 2027, commercial uses located within the ground floor of a building shall occupy a minimum of 20% of the ground floor abutting the street line and

(b) the remaining ground floor of a building abutting the streetline shall be a permitted use listed in Part 12 Section 1, or a grade-related dwelling unit.

(c) For the purpose of calculating the 20% in Subsection 3(a), the following shall not be counted:

- (i) lobbies,**
- (ii) elevators,**
- (iii) mechanical areas,**
- (iv) vestibules,**
- (v) garages, and**
- (vi) ramps to access internal motor vehicle spaces.**

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of

_____, A.D., 20_____.

Municipal Clerk

Attachment G-19
Proposed Amendments to the Land Use Bylaw for Sackville

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

1. Amending Section 4.12 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

2. Amending Section 4.24 in PART 4, as shown below in **bold**, by adding subsection (c) after subsection (d).

(d) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of _____,
A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment G-20
Proposed Amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Amending Section 4.14 in PART 4, as shown below in **bold** and ~~strikeout~~, by:
 - a. Adding the text “on or near a worksite for” after the text “use of land” and before the text “or the use” in Subsection (a);
 - b. Deleting the text “or” after the text “worksite for” and before the text “the use” in Subsection (a); and
 - c. Adding Clause (i) after Subsection (a).

(a) Nothing in this by-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

2. Amending Section 4.27 in PART 4, as shown below in **bold**, by adding Subsection (d) after Subsection (c).

(d) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk

Attachment G-21

Proposed Amendments to the Regional Centre Secondary Municipal Planning Strategy

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

1. Amending clause (a) in Policy UD-22, as shown below in **bold**, by adding the text “. For multi-unit residential buildings that begin construction before April 1, 2027, ground floor residential uses are also permitted” after the text “institutional land uses.”
 - a) limiting the uses permitted on the ground floor to active commercial, cultural, and institutional land uses. **For multi-unit residential buildings that begin construction before April 1, 2027, ground floor residential uses are also permitted;**

Attachment G-22
Proposed Amendments to the Regional Centre Land Use Bylaw

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

2. Amending Section 38 in PART II under Chapter 2, as shown below in **bold**, by adding Subsection 38(4) after Subsection 38(3).

38 (4) Notwithstanding Subsections 38(1) and 38(2),

(a) for a new multi-unit dwelling that begins construction before April 1, 2027, commercial uses located within the ground floor of a building shall occupy a minimum of 20% of the ground floor abutting the streetline, and

(b) the remaining ground floor of a building abutting the streetline shall be:

(i) in an DD or DH zone, a permitted use listed in subsection 38(1) or a grade-related dwelling unit, or

(ii) in any CEN-2, CEN-1, or COR zone, a permitted use listed in subsection 38(2) or a grade-related dwelling unit.

(c) For the purpose of calculating the 20% in 38(4)(a), the following shall not be counted:

- (i) lobbies,**
- (ii) elevators,**
- (iii) mechanical areas,**
- (iv) vestibules,**
- (v) garages, and**
- (vi) ramps to access internal motor vehicle spaces.**

- (d) Amending Section 64 in PART III under Chapter 2, as shown below in **bold**, by adding Subsection (3) after Subsection (2).

(3) Notwithstanding Subsection 64(1), requirements for dwelling unit mix shall not apply for a new building that begins construction before April 1, 2027.

- (e) Amending Section 65 in PART III under Chapter 2, as shown below in **bold**, by adding Subsection (5) after Subsection (4).

(5) Notwithstanding Subsections 65(1) and 65(4), the requirements for dwelling mix shall not apply for an addition to an existing building that results in 40 dwelling units or more for the entire building, providing construction begins before April 1, 2027.

- (f) Amending Section 66 in PART III under Chapter 2, as shown below in **bold**, by adding Subsection (6) after Subsection (5).

(6) Notwithstanding Subsection 66(1), the requirements for dwelling unit mix shall not apply for any change of use in an existing building that results in 40 dwelling units or more, providing construction begins before April 1, 2027.

- (g) Amending Subsection 116(3) in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by deleting the text “20.0 metres” and replacing it with the text “7 storeys” after the text “height of” and before the text “shall have”.

(3) Subject to Subsection 116(4), for a tall mid-rise building, any portion of the main building exceeding a height of ~~20.0 metres~~ **7 storeys** shall have a minimum required setback of 4.5 metres from a rear lot line

- (h) Amending Section 117 in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “Subject to Subsections 117(2) and 117(3), a” and replacing it with the text “A” in Subsection (1) after the text “main building’s” in Subsection (1);
- b. Deleting the text “any” after the text “for” and before the text “main building” in Clause (1)(b);
- c. Deleting the text “taller than 11.0 metres in height but no taller than 14.0 metres in height” and replacing it with the text “except under Clause 117(1)(a), that is no taller than 5 storeys,” after the text “main building” and before the text “the building height” in Clause (1)(b);
- d. Deleting the text “11.0 metres” and replacing it with the text “3 storeys” before the text “elsewhere” in Clause (1)(c);
- e. Repealing Subsection (2); and
- f. Repealing Subsection (3).

Maximum Streetwall Heights

117(1) ~~Subject to Subsections 117(2) and 117(3), a~~ **A** main building’s maximum required streetwall height shall be:

- (a) on a registered heritage property, the streetwall height of the registered heritage building on the coming into force date of this By-law;

(b) ~~for any a main building taller than 11.0 metres in height but no taller than 14.0 metres in height~~ **except under Clause 117(1)(a), that is no taller than 5 storeys,** the building height; or

(c) ~~11.0 metres~~ **3 storeys** elsewhere.

(2) ~~On a site having sloping conditions, the maximum streetwall height required in Subsection 117(1), may be exceeded by:~~

~~(a) 10%, where any main building is located on a streetline or a transportation reserve that has an average finished grade that results in a slope that is between 4% and 8% across the entire width of the streetwall; or~~

~~(b) 20%, where any main building is located on a streetline or a transportation reserve that has an average finished grade that results in a slope that exceeds 8% across the entire width of the streetwall.~~

(3) ~~The maximum required streetwall height may be exceeded by 1.5 metres to permit a clear glass guard and railing system or a parapet.~~

(i) Amending Section 118 in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “8.0 metres” and replacing it with the text “2 storeys” after the text “Schedule 7,” and before the text “; or” in Clause (1)(a);
- b. Deleting the text “less than 8.0 metres in height” and replacing it with the text “that is 2 storeys or less,” after the text “for any main building” and before the text “, the building height” in Clause (1)(b); and
- c. Repealing and replacing with the text “for any main building that is more than 2 storeys, 2 storeys” in Subclause (1)(b)(ii).

Minimum Streetwall Heights

118 (1) Subject to Subsections 118(2) and 118(3), any main building’s minimum required streetwall height shall be:

(a) along pedestrian-oriented commercial streets, as shown on Schedule 7, ~~8.0 metres~~ **2 storeys**; or

(b) along all other streets or transportation reserves:

(i) for any main building ~~less than 8.0 metres in height~~ **that is 2 storeys or less**, the building height, or

(ii) ~~8.0 metres elsewhere~~ **for any main building that is more than 2 storeys, 2 storeys.**

- (j) Amending Section 118 in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by deleting the text “3.5 metres” and replacing it with the text “1 storey” after the text “reduced below” and before the text “(Diagram 7)” in Subsection (2);

(2) Twenty percent or less of the entire streetwall width, to a maximum of 10.0 metres, may be reduced in height, providing the height is not reduced below ~~3.5 metres~~ **1 storey** (Diagram 7).

- (k) Amending Section 118 in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by deleting the text “3.5 metres” and replacing it with the text “1 storey” after the text “reduced to” and before the text “along a streetline” in Subsection (3).

(3) The minimum streetwall height required in Subsection 118(1) may be reduced to ~~3.5 metres~~ **1 storey** along a streetline or a transportation reserve, if the slope exceeds 4% across the building width or building depth.

- (l) Amending Subsection 125(1) in PART V under Chapter 2, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “at a height between 6.0 metres and 11.0 metres,” after the text “rear stepback” and before the text “as measured from”; and
- b. Adding the text “, on the 2nd, 3rd, or 4th storey” after the text “main building”.

125 (1) Subject to Subsection 125(3), where a lot abuts another lot, any portion of which, is zoned ER-3, ER-2, ER-1, CH-2, CH-1, PCF, or RPK zone, the wall of any main building facing such zone shall have a required side or rear stepback ~~at a height between 6.0 metres and 11.0 metres,~~ as measured from the lowest finished grade on that side of the main building, **on the 2nd, 3rd, or 4th storey**.

- (m) Amending Subsection 335 in PART V under Chapter 19, as shown below in **bold** and ~~strikeout~~, by:

- a. Deleting the text “In” and replacing it with the text “Subject to subsection 335(5) and 335 (6), in” before the text “in all other zones” in Section (4);
- b. Adding the text “that does not contain a dwelling unit” after the text “shipping container” and before the text “shall not be” in Section (4);
- c. Adding Subsection (5) after Subsection (4); and
- d. Adding Subsection (6) after Subsection (5).

(4) **Subject to subsections 335(5) and 335(6),** in ~~In~~ all other zones a shipping container **that does not contain a dwelling unit** shall not be located within a front or flanking yard.

(5) If permitted in Subsection 335(2.4), a shipping container used as a main building shall meet the requirements for main buildings in the zone.

(6) If permitted in Subsection 335(2.4), a shipping container used as a backyard suite shall meet the requirements for backyard suites.

(n) Amending Section 499 in Part XVII, Chapter 1, as shown below in **bold**, by:

- a. Adding the text “DD,” after the text “within the” and before the text “CEN-2” in Clause (115)(b);
- b. Adding the text “DD,” after the text “within the” and before the text “CEN-2” in Clause (115.5)(b).

(115) High-Rise Building means a main building that:

(a) within the DH Zone, exceeds a height of 33.5 metres above the average finished grade;

(b) within the **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys; or

(c) in all other areas, exceeds a height of 30.0 metres above the average finished grade.

(115.5) High-Rise Typology means a portion of a main building, above the height of a streetwall, that:

(a) within the DH Zone, exceeds a height of 33.5 metres above the average finished grade to the top of the roof; or

(b) within the **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys to the top of the roof; or

(c) in all other areas, exceeds a height of 30.0 metres above the average finished grade to the top of the roof.

(o) Amending clause 499(160)(a) in Part XVII, Chapter 1, as shown below in **bold**, by adding the text “DD,” after the text “within” and before the text “CEN-2”.

(a) more than 4 storeys but no more than 7 storeys within **DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone;

- (p) Amending Subsection 499(155) in Part XVII, Chapter 1, as shown below in ~~strikeout~~, by deleting the text “Space” after the text “Mezzanine” and before the text “an intermediate”.

(155) Mezzanine ~~Space~~ means an intermediate floor assembly between the floor and ceiling of any room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine shall count as two full storeys.

- (q) Amending Subsection 499(242) in Part XVII, Chapter 1 as shown below in **bold** and ~~strikeout~~, by striking out “a portion of building between a floor and another floor including a mezzanine” and replacing it with “the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it” after the text “Storey means” and before the text “, and”.

(242) Storey means ~~a portion of building between a floor and another floor including a mezzanine~~ **the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and**

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade

- (r) Amending Clause 499(252)(b) in Part XVII, Chapter 1 as shown below in **bold**, by adding the text “the DD,” after the text “within” and before the text “CEN-2,”.

(b) within **the DD**, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, is more than 7 storeys but no more than 10 storeys; or

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal Clerk

Attachment G-23
Proposed Amendments to the Suburban Housing Accelerator Land Use Bylaw

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Suburban Housing Accelerator Land Use By-law is hereby amended as follows:

1. Amending Section 16 in Division A in Part II, as shown below in **bold**, by adding Subsection (3) after Subsection (2).

(3) Notwithstanding subsection 16(1), the required dwelling unit mix shall not apply to new buildings that begin construction before April 1, 2027.

2. Amending Division C in Part II, as shown below in **bold** and ~~strikeout~~, by replacing Section 57 with the following.

Shipping container

57 (1) Subject to subsections (2) and (3), a shipping container is not permitted.

(2) A shipping container may be used as a dwelling unit, including as a main building, and must meet zone requirements for the main building.

(3) A shipping container may be used as a backyard suite use and must meet the requirements for a backyard suite use.

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

Municipal
Clerk

Attachment G-24
Proposed Amendments to the Downtown Halifax Land Use Bylaw

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

1. Amending section 7 in Land Use Requirements, as shown below in **bold**, by adding subsection (4b) after subsection (4a).

(4a) One third of the total number of dwelling units, rounded up to the nearest full number, in a building erected, altered or used as a multiple unit dwelling shall be required to include two or more bedrooms.

(4b) Notwithstanding subsection (4a), requirements for dwelling unit mix shall not apply for a residential multi-unit dwelling use that begins construction before April 1, 2027.

2. Amending clause 8(20)(f) in Land Use Requirements, as shown below in **bold**, by: Adding the text “, except where a converted shipping container is used for a permitted residential use” after the text “exposed fasteners”.

(f) metal siding utilizing exposed fasteners, **except where a converted shipping container is used for a permitted residential use;**

THIS IS TO CERTIFY that the by-law of
which this is a true copy was duly passed at
a duly called meeting of the Council of
Halifax Regional

Municipality held on the ____ day of
_____,
A.D., 20_____.

GIVEN under the hand of the Municipal
Clerk and under the Corporate
Seal of the said Municipality this ____ day
of
_____, A.D., 20_____.

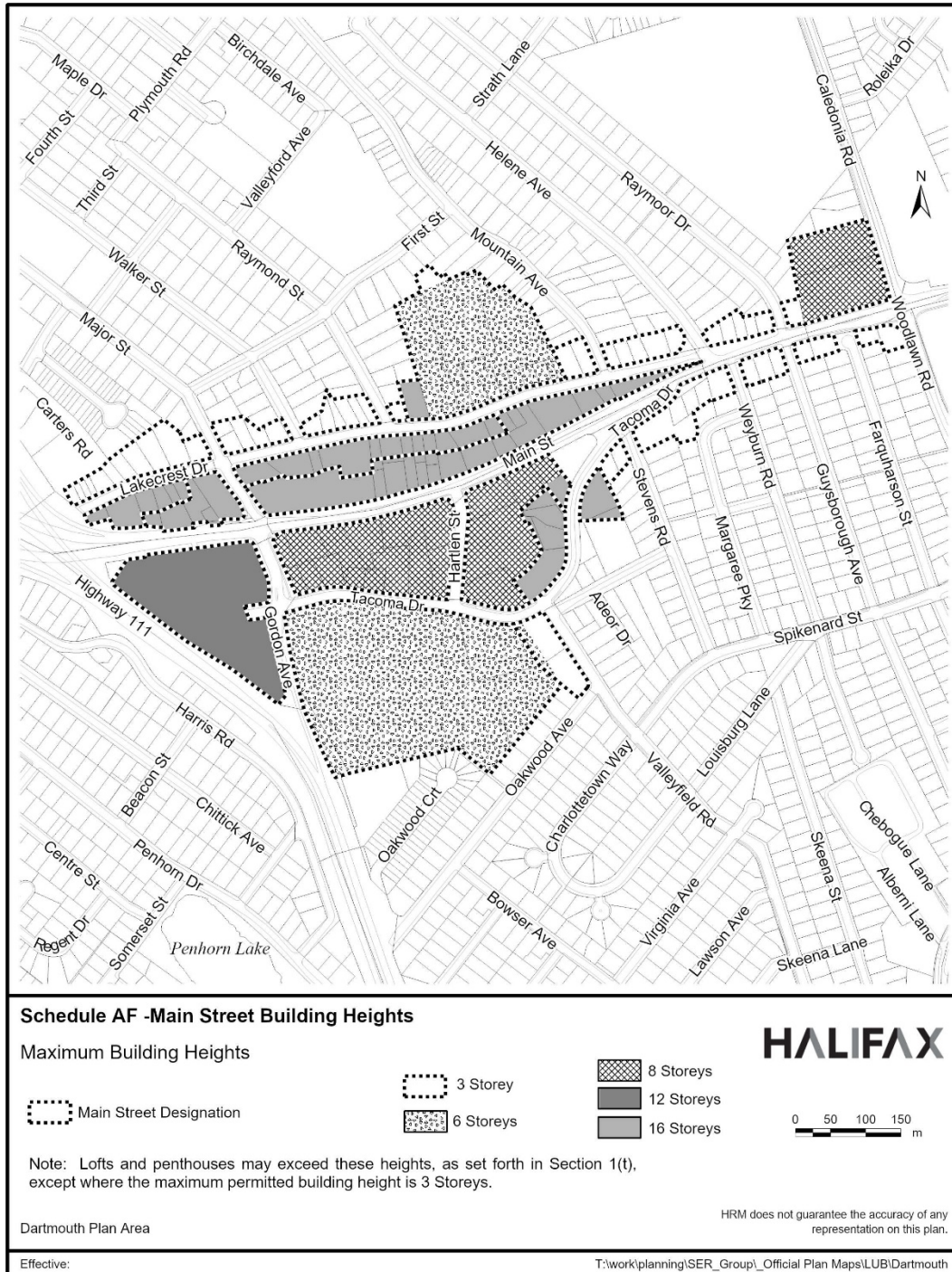
Municipal Clerk

SCHEDULE G

SCHEDULES TO AMEND LAND USE BY-LAWS OF THE HALIFAX REGIONAL MUNICIPALITY

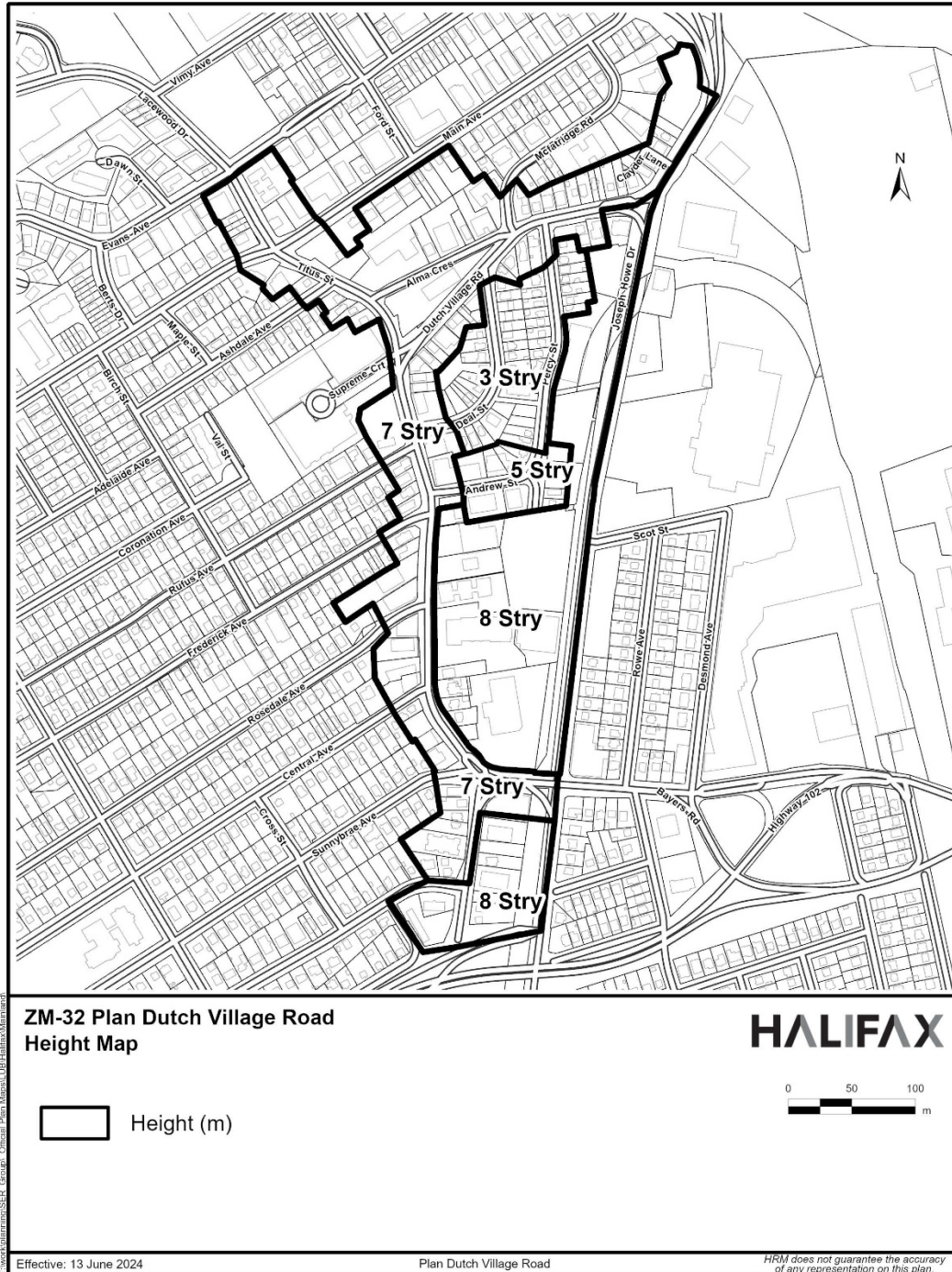
SCHEDULE G-5: DARTMOUTH LAND USE BYLAW

Schedule G-5A – “SCHEDULE AF”

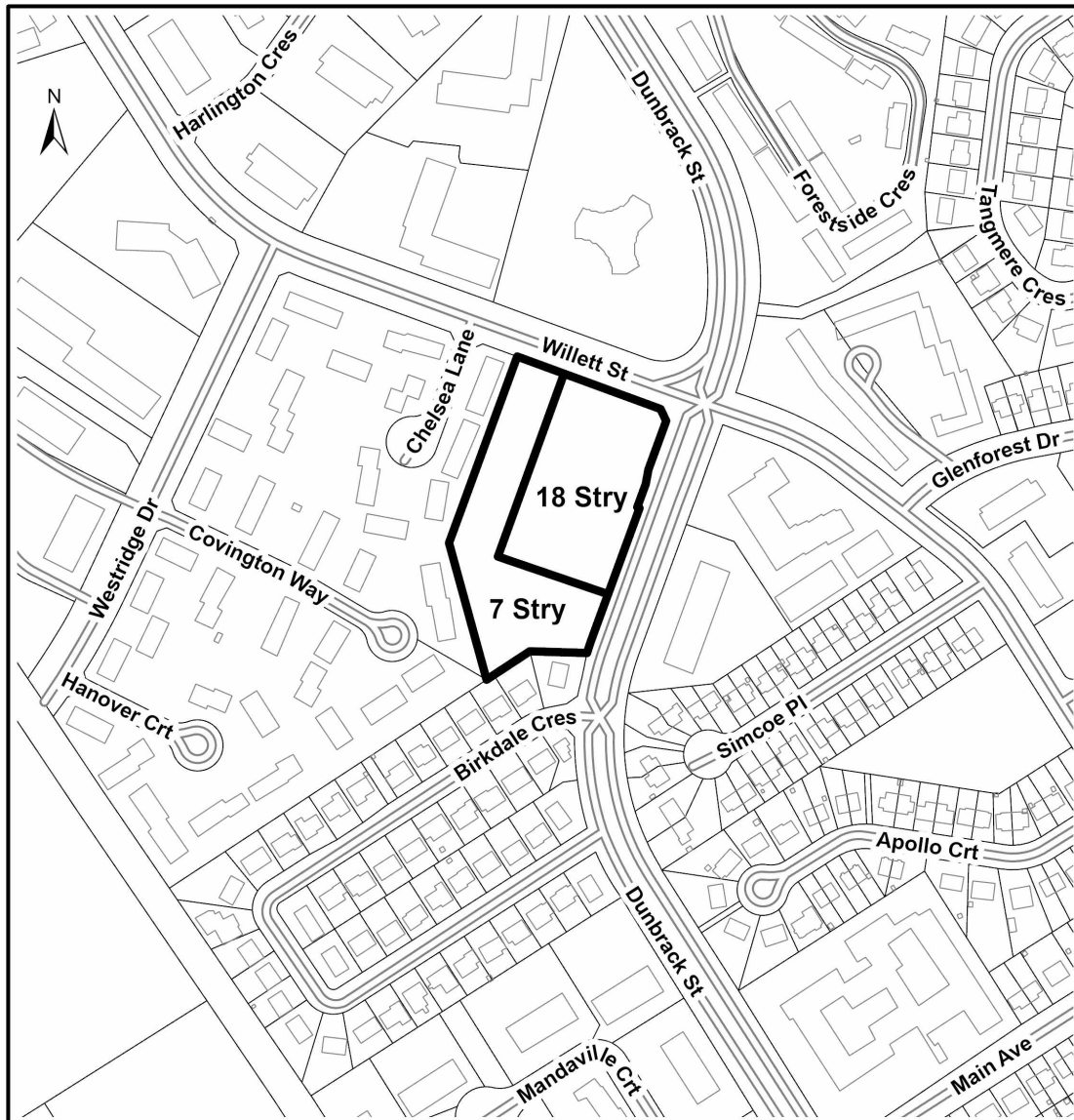


SCHEDULE G-9: HALIFAX LAND USE BYLAW

Schedule G-9A – “ZM-32: Plan Dutch Village Road Height Map”



Schedule G-9B – “ZM-34: Maximum Height in the Dunbrack Multi Unit Zone”



ZM-34 Maximum Height in the Dunbrack Multi Unit Zone

HALIFAX

 Maximum Heights Precinct (Storeys)



Halifax Mainland Land Use By-law Area

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

Effective:

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