

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.

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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

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		<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,

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		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.

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		<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>

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		<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>

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		<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.

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		<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

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		<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;

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		<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>

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		<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.