

As amended by Halifax Regional Council on June 10, 2025

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:
- Adding the heading “Rural Commuter and Rural Resource Designations” after Subsection 11(4);
 - 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;
 - 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;
 - 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);
 - 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);
 - 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
 - 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:
- 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;
 - no more than 8 lots plus a Remainder lot shall have frontage on any new public street within any area of land:
 - 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
 - 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
 - that existed on or before ~~April~~ **August** 26, 2006;

10. Amending the General Provisions, as shown below in **bold** and ~~strikeout~~, by:
- Adding the heading “Schedule ‘O’ Requirements” after Section 12”; and
 - 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:
- Adding the heading “Area Specific (Chebucto Peninsula Plan Area)” after Section 12C; and
 - 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**

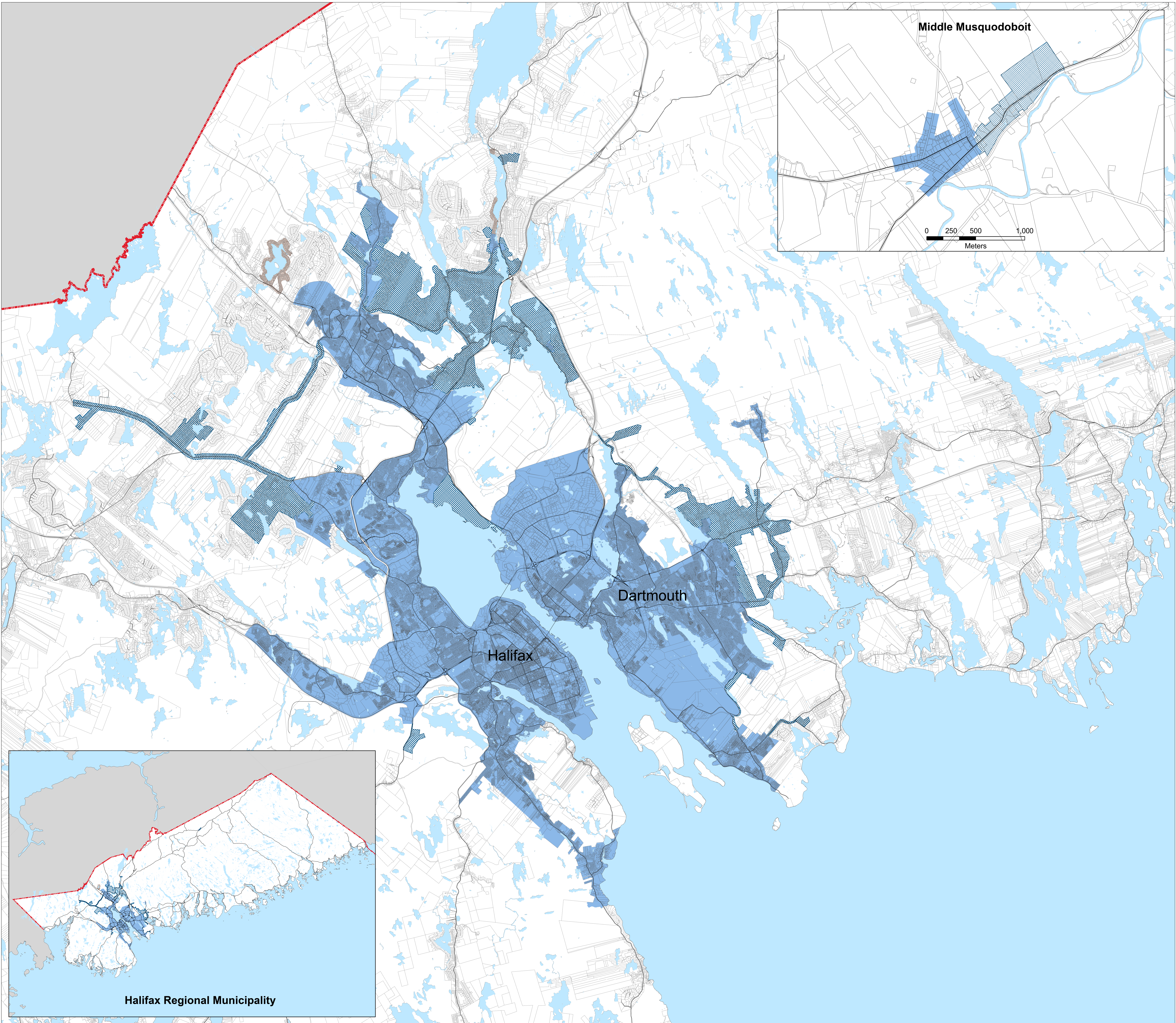
financial institution in a format acceptable to the Municipality or a development bond in a format acceptable to the Municipality ~~or letter of credit issued by a surety or guarantee company licensed by the Province of Nova Scotia~~, and shall be conditional upon the execution and completion of sections 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.

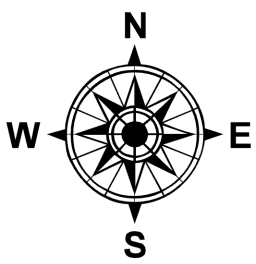
THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20____.

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



HALIFAX



Halifax Regional Municipality

Subdivision By-law

Service Requirement Map

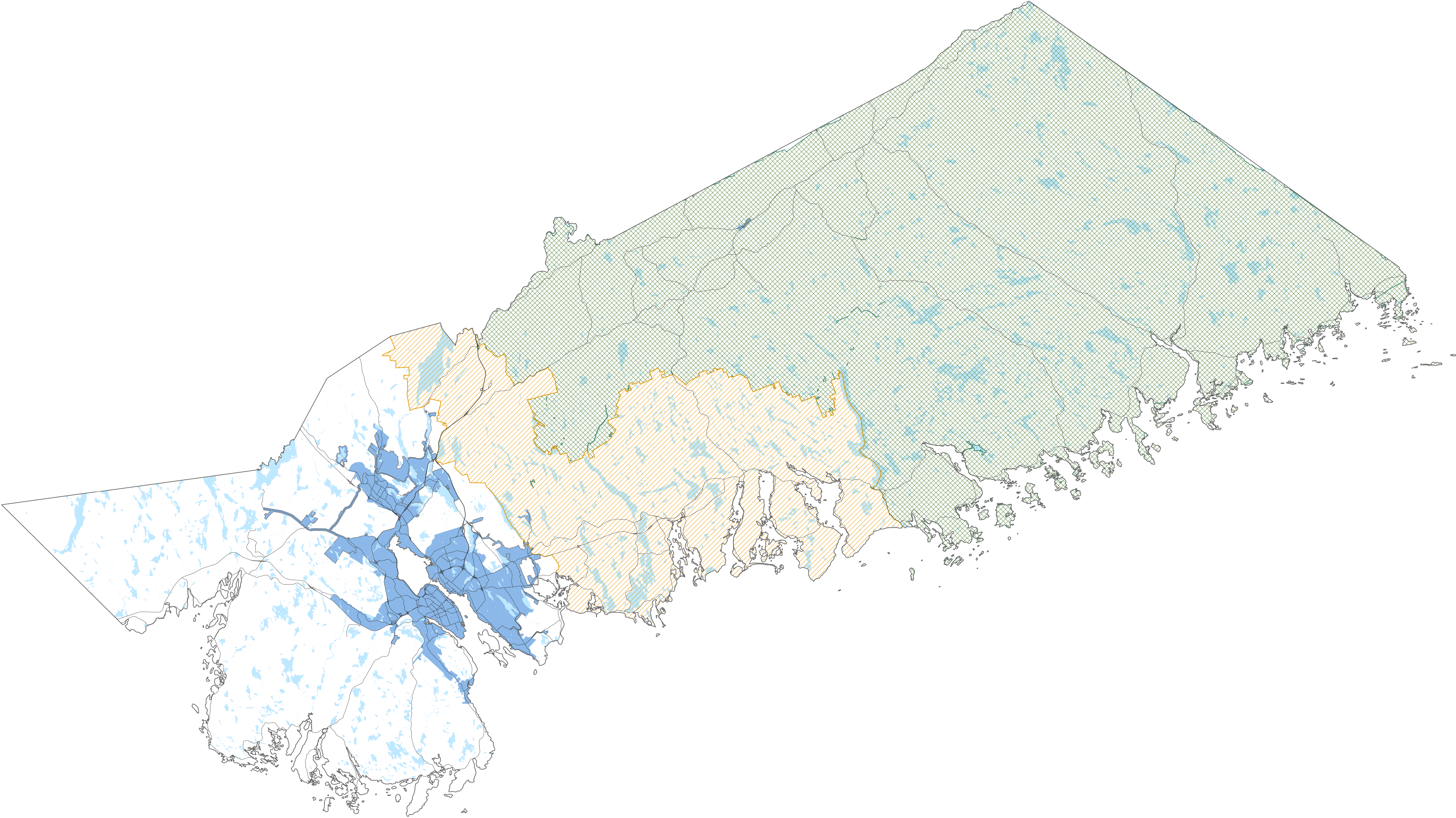
Schedule "B"



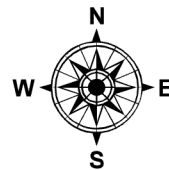
Legend

- Urban Service Area Street construction, storm drainage system, sanitary sewage system, water distribution system and other primary and secondary services in accordance with the Design Guidelines for Urban Streets.
- Water Service Area Same as Rural Service Requirements and a water distribution system where adjacent to existing water services.
- Served (Sewer Only) Infill lots required to connect to sewer system.
- Rural Service Area Street construction, storm drainage system and other primary and secondary services in accordance with the Design Guidelines for Rural Streets.
- HRM Boundary

Effective:

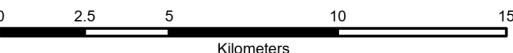


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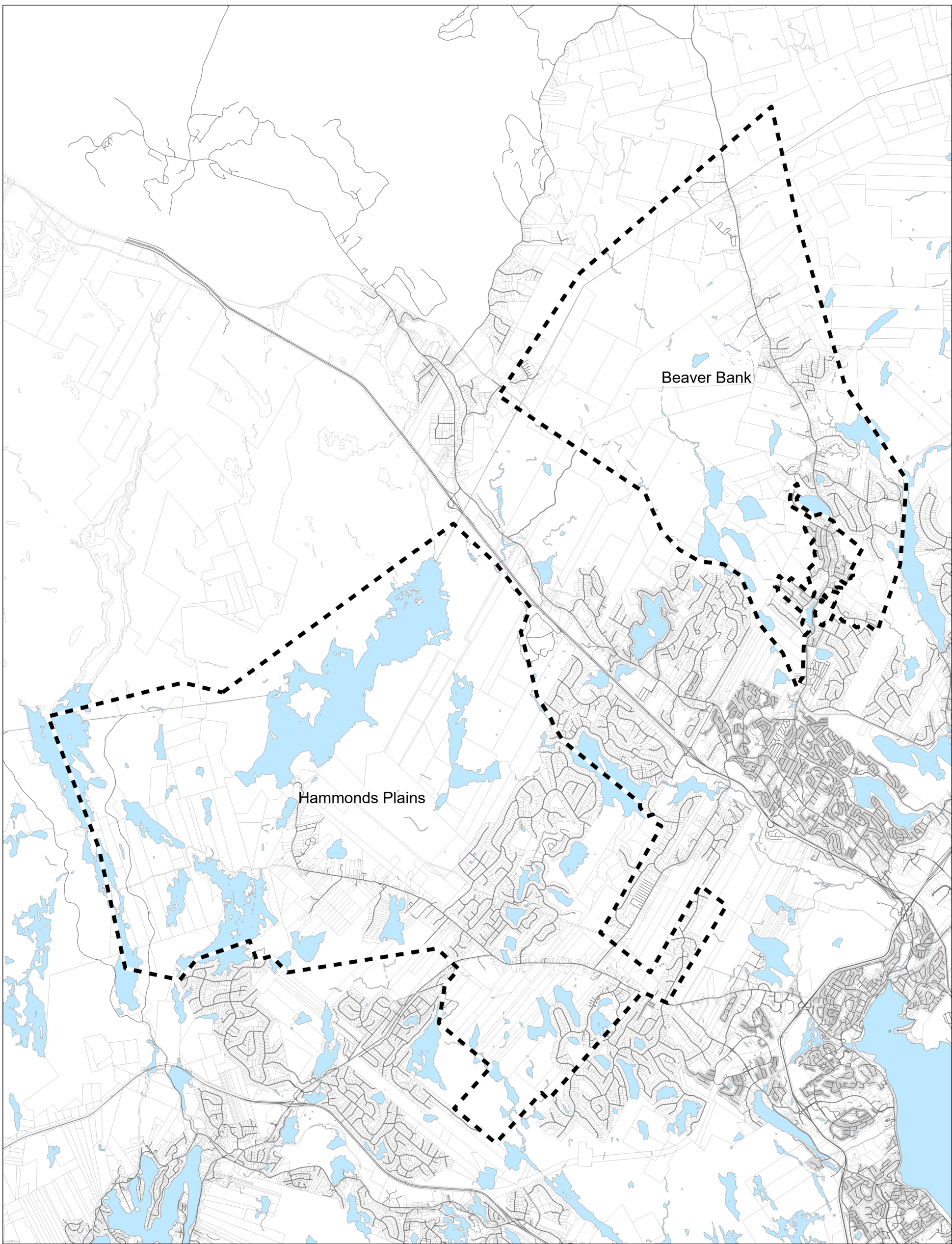
Halifax Regional Municipality
Subdivision By-law
Interim Growth Management Area
Schedule "H"



Legend

- Interim Growth Management (IGM) Area
- Serviceable Areas
- Central/Eastern Growth Management Area
- Rural Area





Effective:

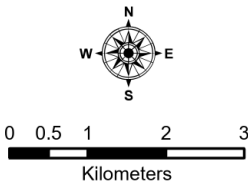


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Halifax Regional Municipality

Subdivision By-law
Beaver Bank / Hammonds Plains Growth Control Areas
Schedule "J"

- | | |
|---|---|
|  Area Boundary |  lakes |
|  streets |  parcels |



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Effective: