

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**

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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-l(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,	1 space for every 250m² GFA
Universities	20% Class A/ 80% Class B
Recreation Facilities,	1 space per 200m² GFA
Community	20% Class A/ 80% Class B
Centres, Libraries	Minimum of 2 Class B spaces
General Industrial Uses	1 space per 1000 m² GFA 80% Class A/ 20% Class B
Commercial Parking	Minimum of 2 Class B spaces Maximum of 20 spaces
Structures/Lots	5% of motor vehicle parking provided
(>20 Motor Vehicle Spaces)	Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified	1 space per 500 m² GFA
Above	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

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:
- Adding the text “ / Shared Housing Uses” to the subheading “Development agreements: Multiple unit dwellings”;
 - Adding the text “shared housing uses” after the text “the need for” and before the text “in the community”;
 - Adding the text “larger scale housing uses” after the text “applications for” and before the text “should only be”;
 - 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 $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, 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 0.33 spaces per dwelling unit”. *[As amended at First Reading]*.

Multiple dwellings	0.33 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

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;

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 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 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) 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 WATERCOURSES”.
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:

- Adding Subsection (f) after deleted Subsection (e);
- Adding Subsection (g) after Subsection (f); and
- 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:

- Adding Section “3.7 LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT” after Section 3.6; and
- 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

- property boundary.
 - 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:

- a. Adding Subsection (u) after Subsection (t);
- b. Adding Subsection (v) after Subsection (u);
- c. Adding preamble and Clause (i) after Clause (v);
- d. 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

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

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

- building on an adjacent property;
 - 1) 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;
 - 3) 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 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. *Repealed* **[As amended at First Reading]**

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 m ²) 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

- 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

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

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”;
 - 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

(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.

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:	930m²
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

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

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:
- Adding the text “Shared housing use with 10 or fewer bedrooms” below the text “Educational institutions and uses”; and
 - 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:	930m ²
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-l 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

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

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

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:
- Adding the text “Short-term Rentals” below the text “Composting operations”; and
 - 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:
- Adding the text “or any shared housing use” after the text “or two unit dwellings” and before the text “unless such a dwelling”;
 - Adding the text “or shared housing use” after the text “such a dwelling” and before the text “is located”; and
 - 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

- 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.

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:
- a. Adding the text “HCR” after the text “permitted in the” and before the text “(“; and
 - b. 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:	930m²
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:
- a. 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”;
 - b. 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);
 - c. Adding Clauses (h) through (p) after the first paragraph below Clause (g);
 - d. 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
 - e. 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:

- (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 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;
- (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 substantially landscaped;
- (e) the means by which solid and liquid wastes will be treated;
- (f) 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
- (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.**

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

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

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

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.**
- c) **Notwithstanding the above, one dwelling unit per lot may be used as a short-term rental if all other requirements of the Land Use By-law are met. *[as amended at First Reading]***

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:

- a. 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 REQUIREMENTS: 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	3716m²
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	278.7m²

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 m ²
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

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

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;

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)

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)

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)

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)

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

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

Attachment C-37

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

- 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

- Parking lots
Cannabis production facilities

- ## **15.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES**

- 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.**

- Two unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit

- ## 17.5 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- 618

- (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, *[as amended at First Reading]* and COR in the row “Short-term bedroom rentals”;
- c. *Repealed; [as amended at First Reading]*
- 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, *[as amended at First Reading]* and COR in the row “Short-term bedroom rentals”;
- h. *Repealed; [as amended at First Reading]*

- 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 *[as amended at First Reading]* “Cannabis lounge use” and “Cannabis retail use”;
 - c. Repealing the row “Short-term rental use” above the row “Studio use”;
 - d. *[as amended at First Reading]* Repealing a black dot in the columns DD, DH, CEN-2, and COR” 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 (*deleted text*) 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. *[as amended at First Reading]* Adding a black dot in the columns DD, DH, CEN-2, and COR” 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. *Repealed*; *[as amended at First Reading]*
 - c. *Repealed*; *[as amended at First Reading]*
 - 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. *Repealed*; *[as amended at First Reading]*
 - (e) Repealing Footnote 15 in the columns ER-2 and ER-1 in the row “Short-term bedroom rentals”;
 - (f) Adding a new row “Short-term bedroom rental use” above the row “Home occupation use”; *[as amended at First Reading]*
 - g. *Repealed*; *[as amended at First Reading]*
 - h. *Repealed*; *[as amended at First Reading]*
 - 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. *Repealed*; *[as amended at First Reading]*
 - 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. *Repealed*; and *[as amended at First Reading]*
 - 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. *Repealed*; **[as amended at First Reading]**
 - 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. *Repealed*; and **[as amended at First Reading]**
 - 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. *Repealed*; **[as amended at First Reading]**
 - 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. *Repealed*; and **[as amended at First Reading]**

- 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. *Repealed; [as amended at First Reading]*
 - 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. *Repealed; [as amended at First Reading]*
 - 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. *Repealed; [as amended at First Reading]*
 - d. *[as amended at First Reading]* Repealing 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. *Repealed*; and **[as amended at First Reading]**
 - 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 *[as amended at First Reading]* “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 minimum required 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, CHAPTER 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

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).

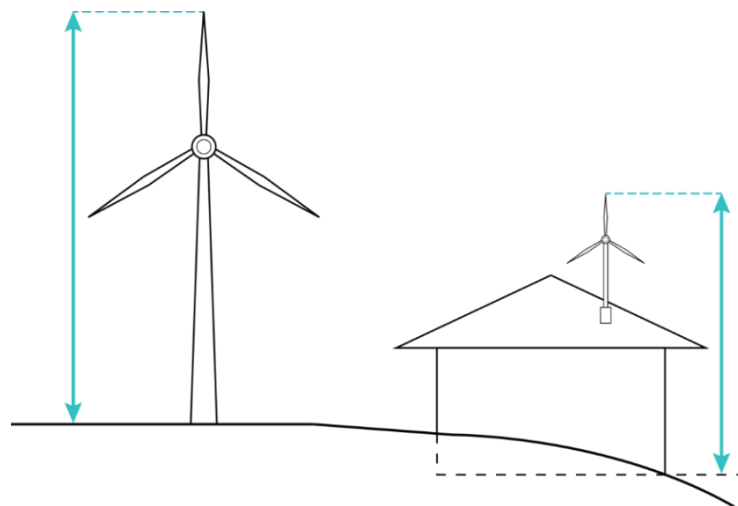


Diagram 37: Wind turbine height, per Subsection 499(284)

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. *Repealed; [As amended at First Reading]*

4. Repealing sections 130 and 131 and Diagram 13 *[As amended at First Reading]*, 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).

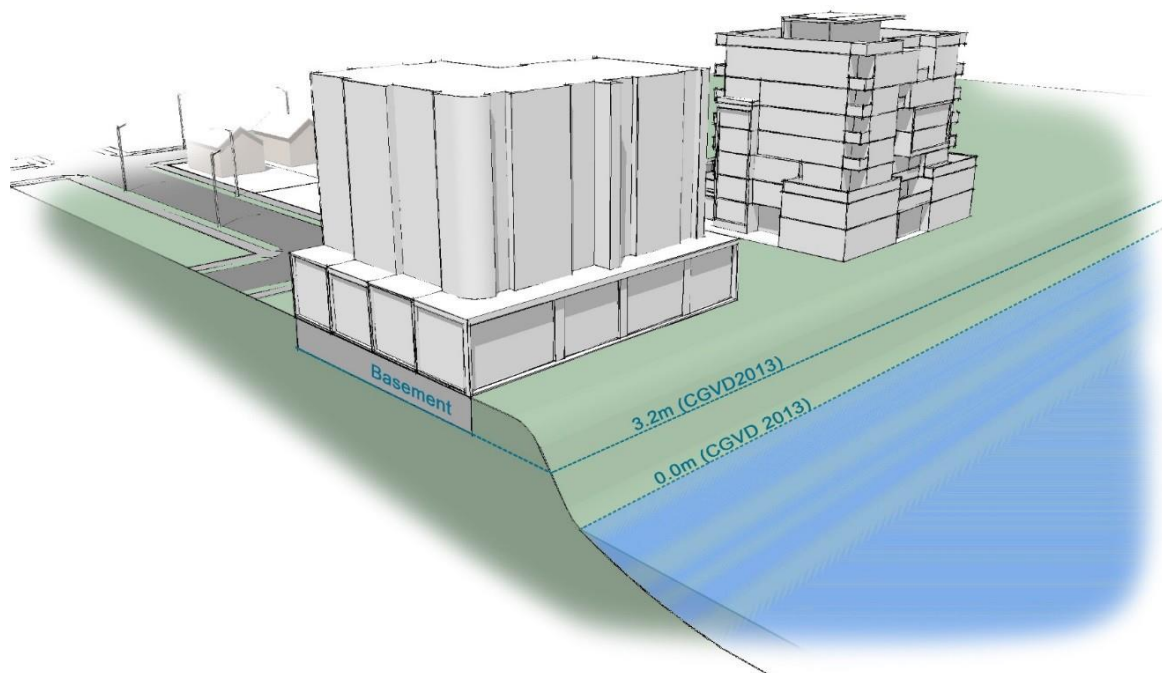


Diagram 13: Coastal area elevation requirements, per subsection 130(1) *[As amended at First Reading]*

- (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

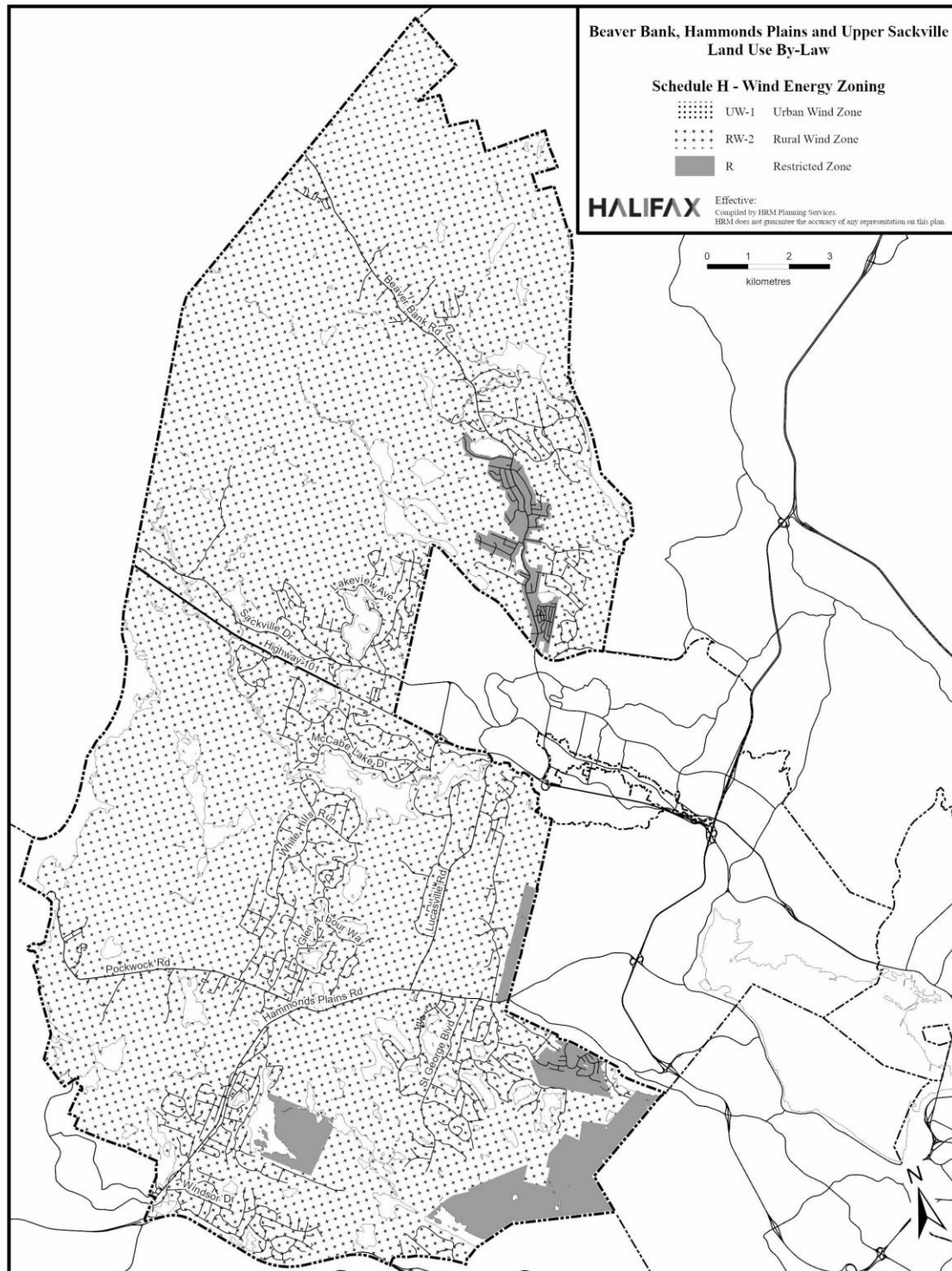
- 19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
 - (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
- 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

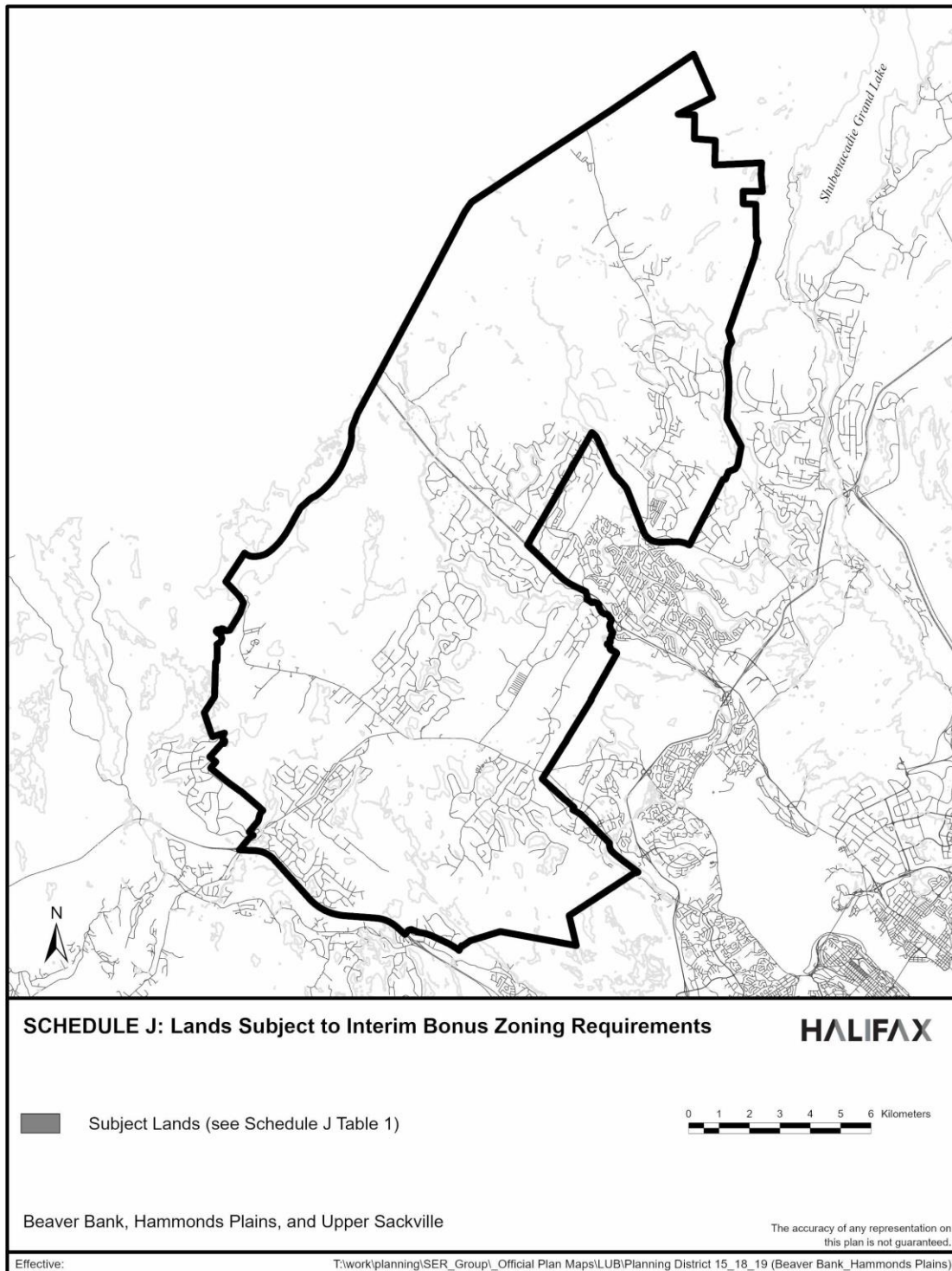
- 21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
 - (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided

- 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”

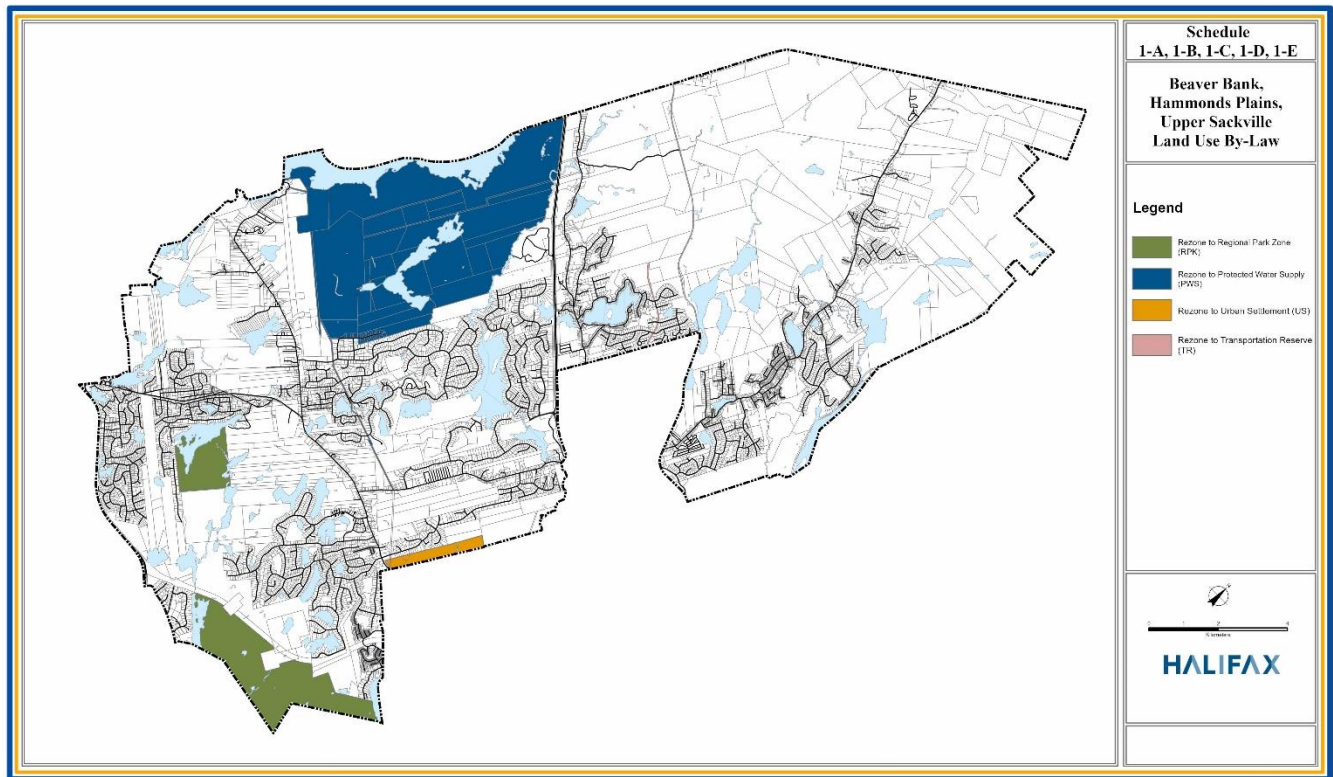


Schedule C-2E – “Schedule J, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

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	WFCD	ITR
● USES PERMITTED AS OF RIGHT ◆ USES PERMITTED BY REZONING ★ USES PERMITTED BY DEVELOPMENT AGREEMENT												
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

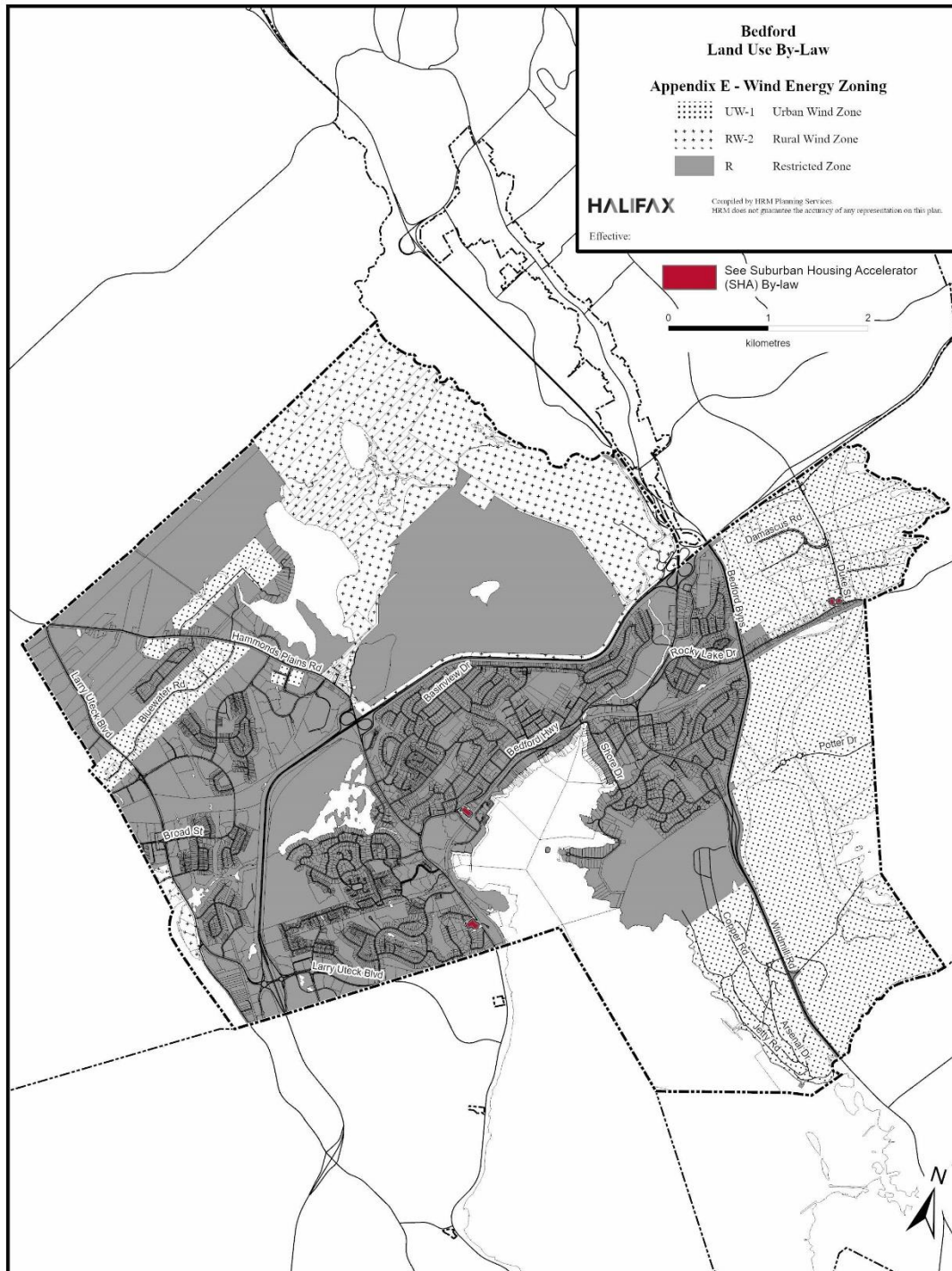
⁵ Daycare Facilities to a maximum of 14 children

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

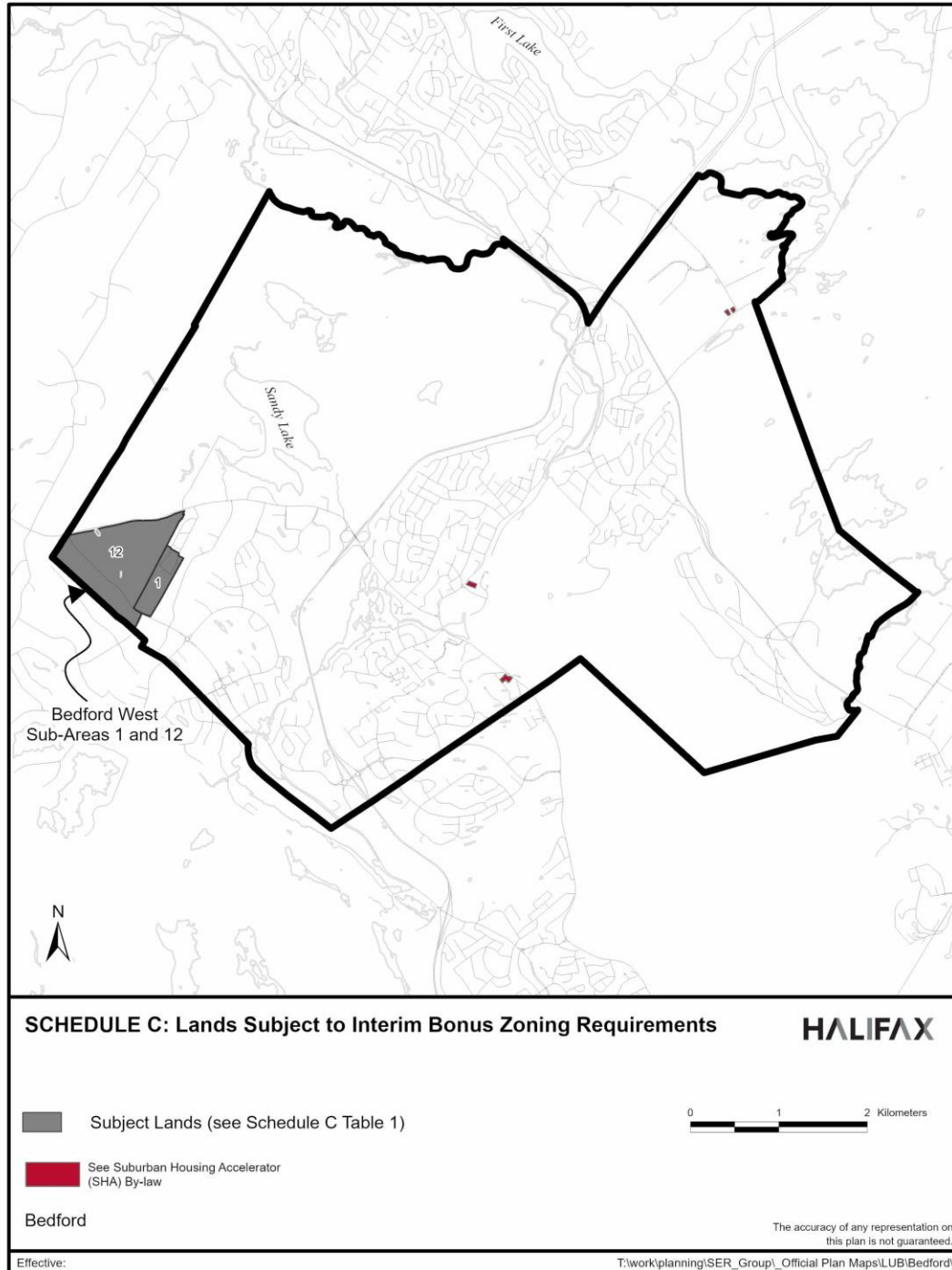
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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;

- 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

Schedule C-4C – “Schedule C: Lands Subject to Interim Bonus Zoning Requirements”

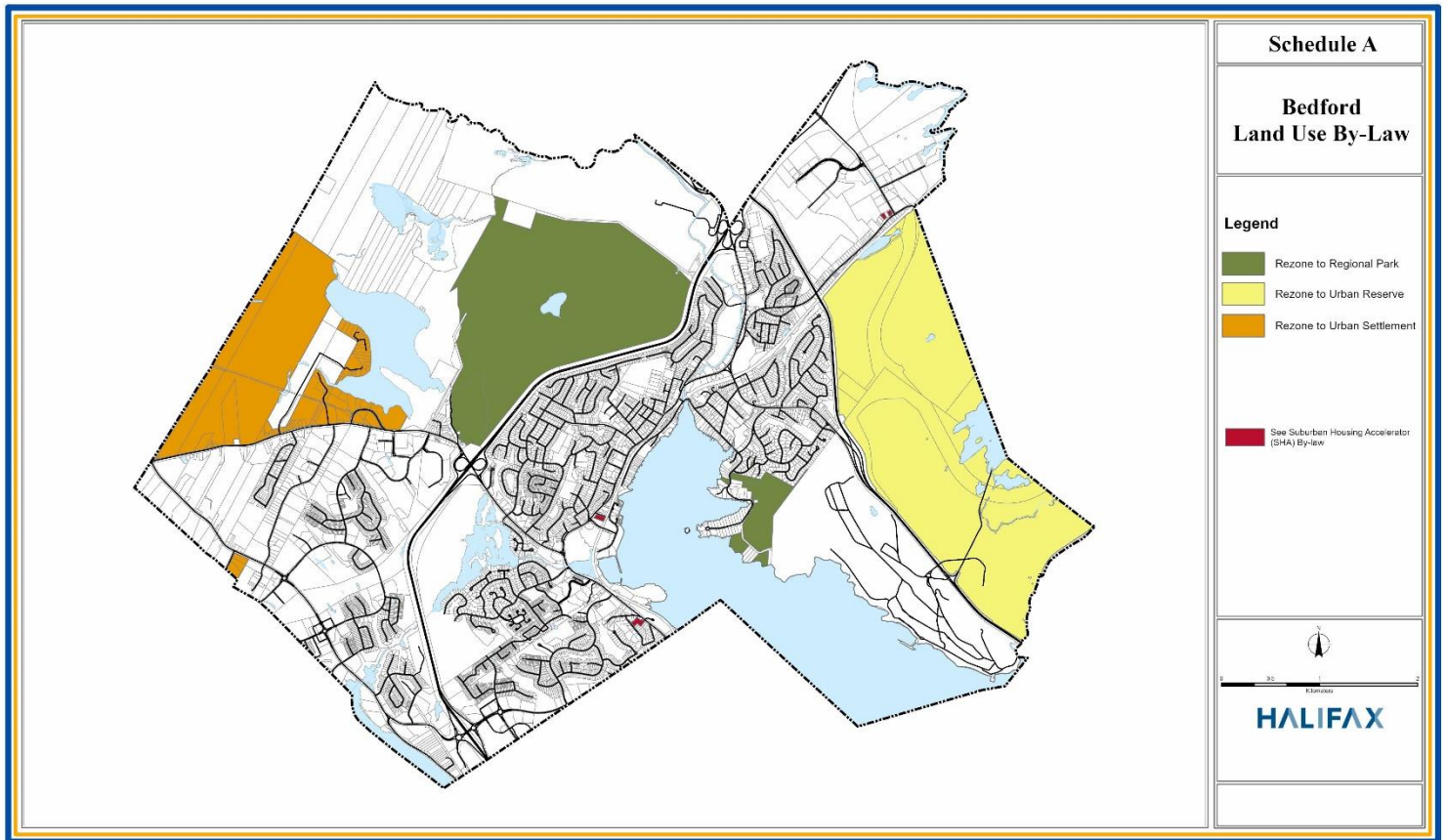


Schedule C-4D – “Schedule C, Table 1: Lands Subject to Interim Bonus Zoning”

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.

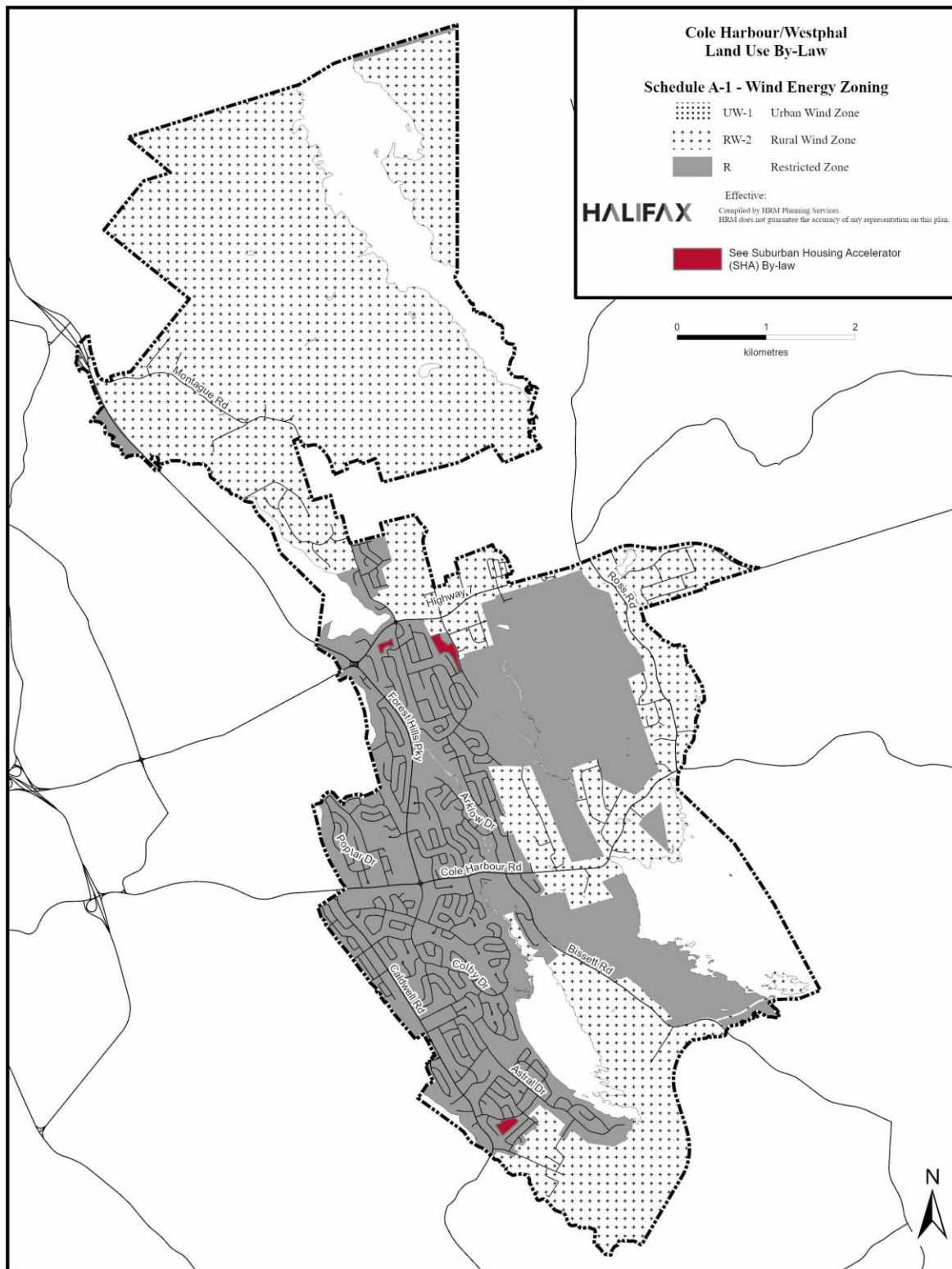
- 20. The following items shall not qualify as public art under Clause 16(h):

- (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.

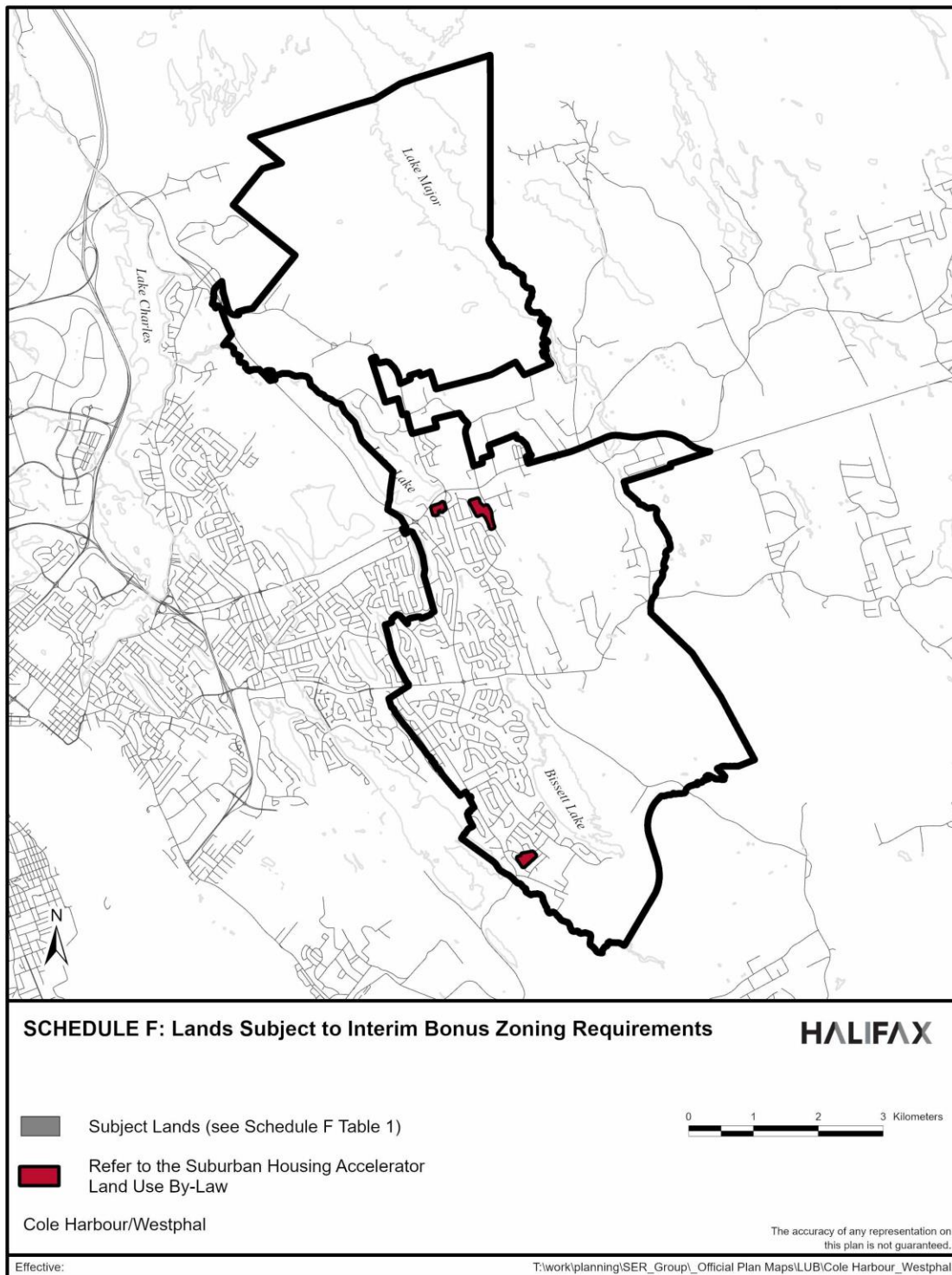
Incentive or Bonus Zoning Agreement

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”

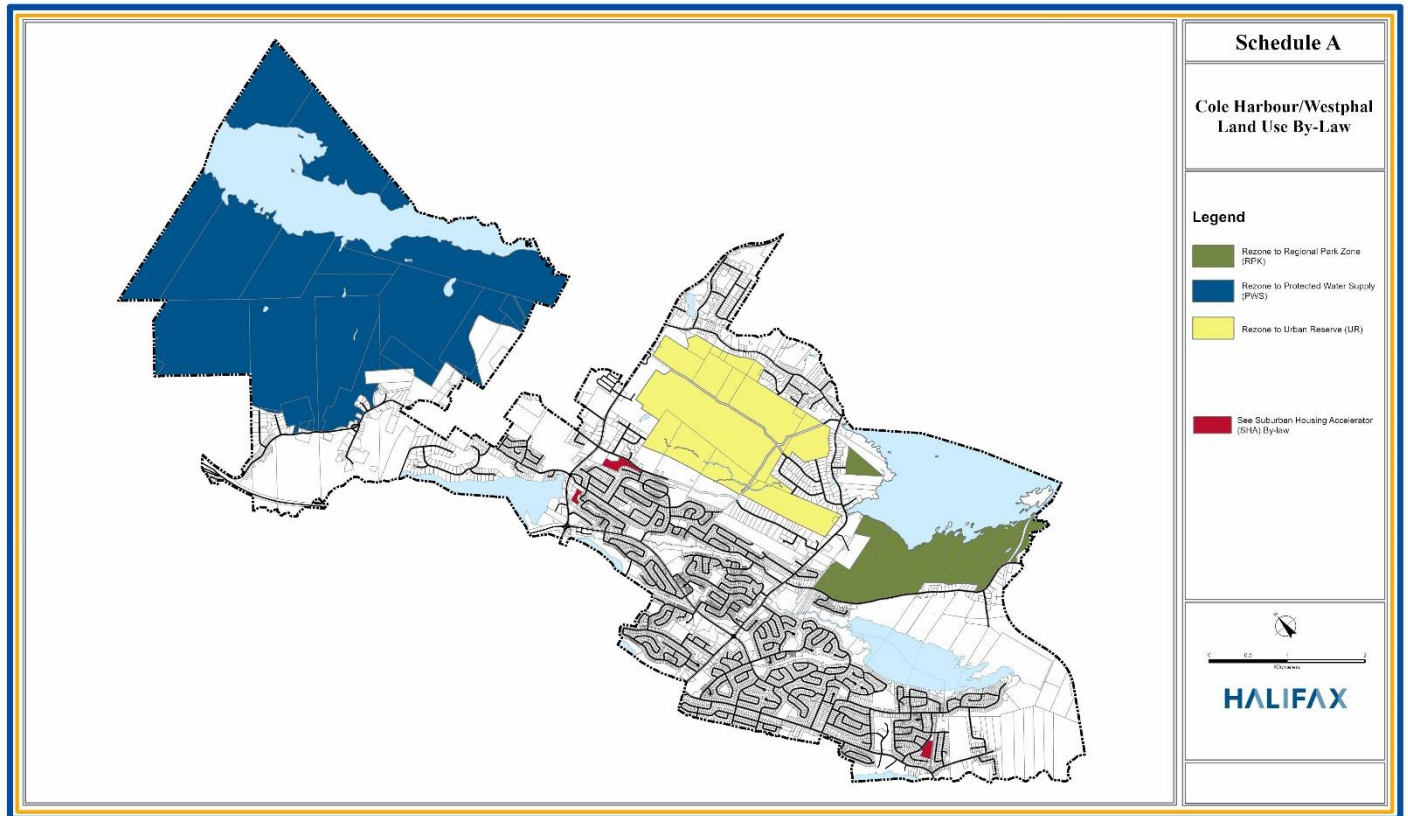


Schedule C-6D – “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements

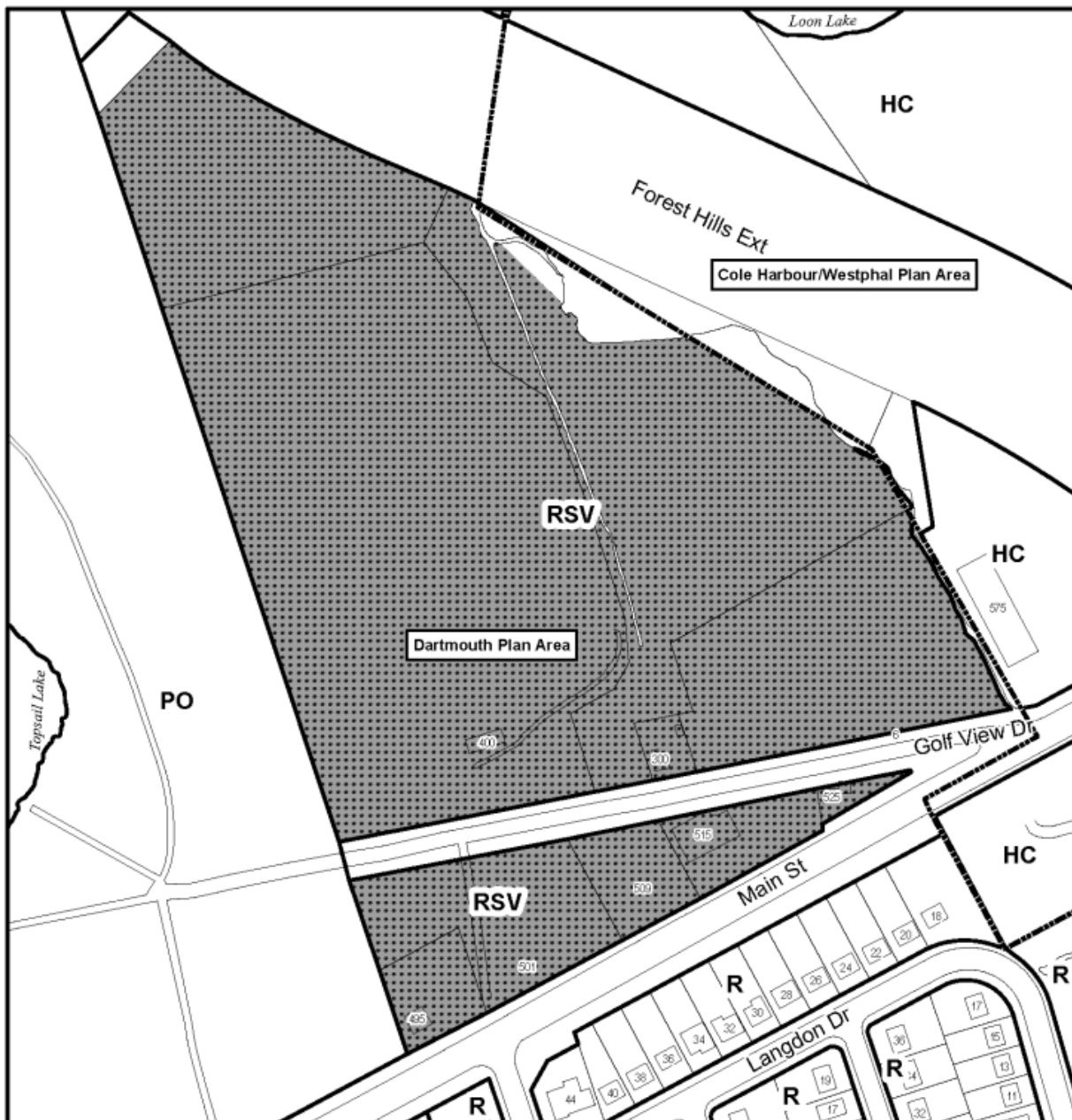
Ref. #	Case #	PIDs

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 B-1

C003 - Lake Loon Golf Centre lands,
on Main Street and Golf View Drive, Dartmouth

 Area redesignated from
RSV (Reserve) to CDD (Comprehensive
Development District)

Designation

DART	PO	Park & Open Space
	R	Residential
	RSV	Reserve
CHW	HC	Highway Commercial

Dartmouth & Cole Harbour / Westphal
Community Plan Areas

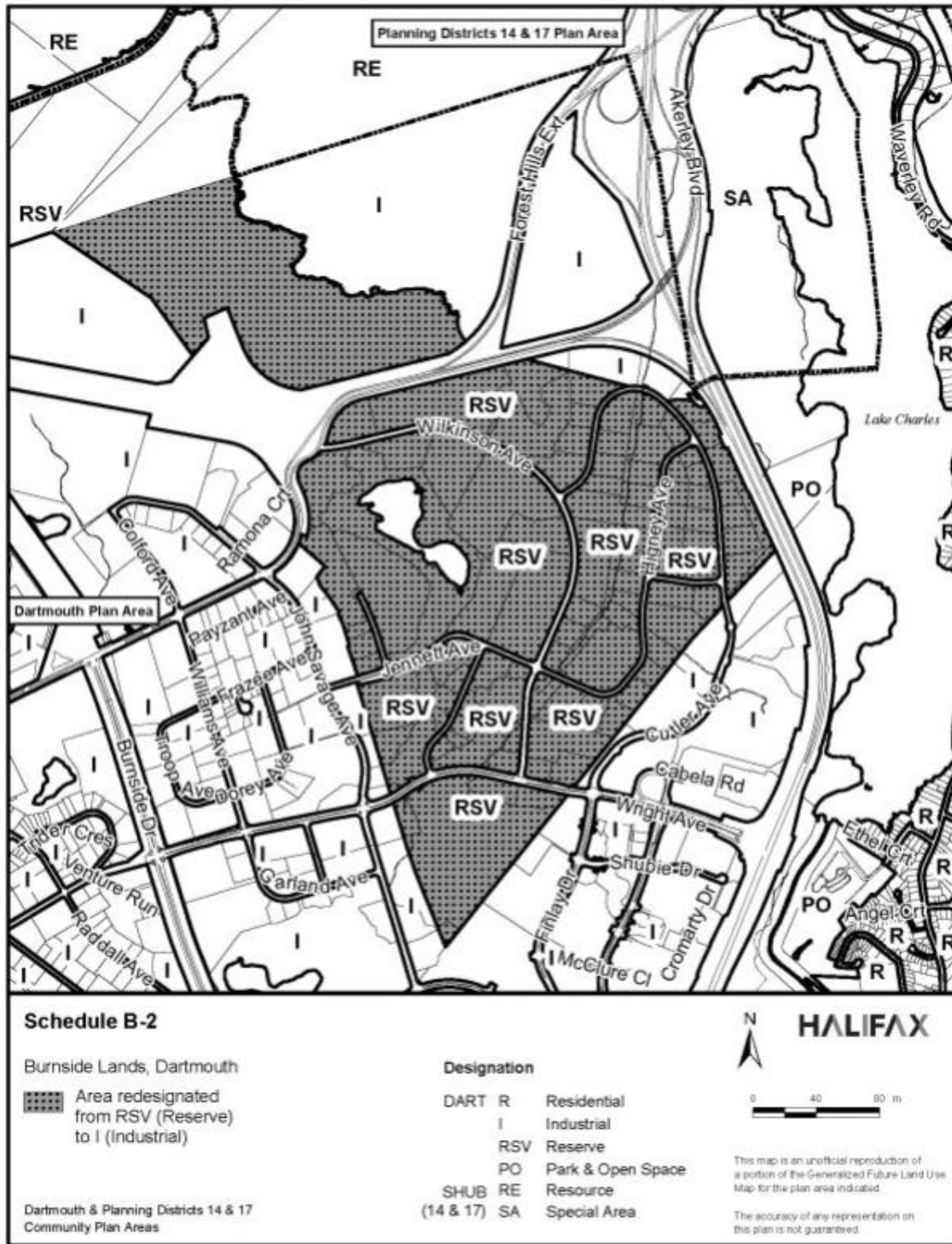


0 40 80 m

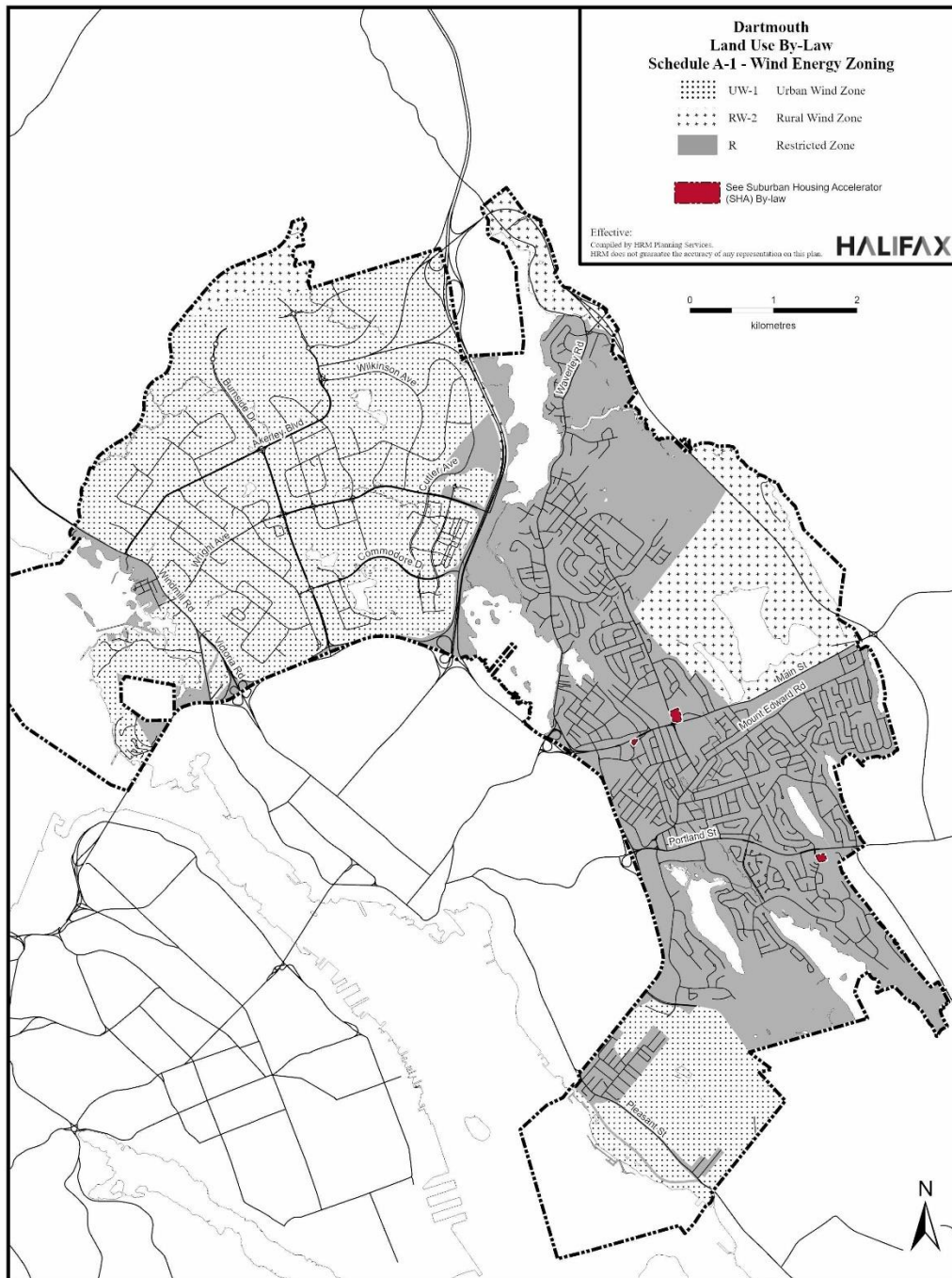
This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.

The accuracy of any representation on
this plan is not guaranteed.

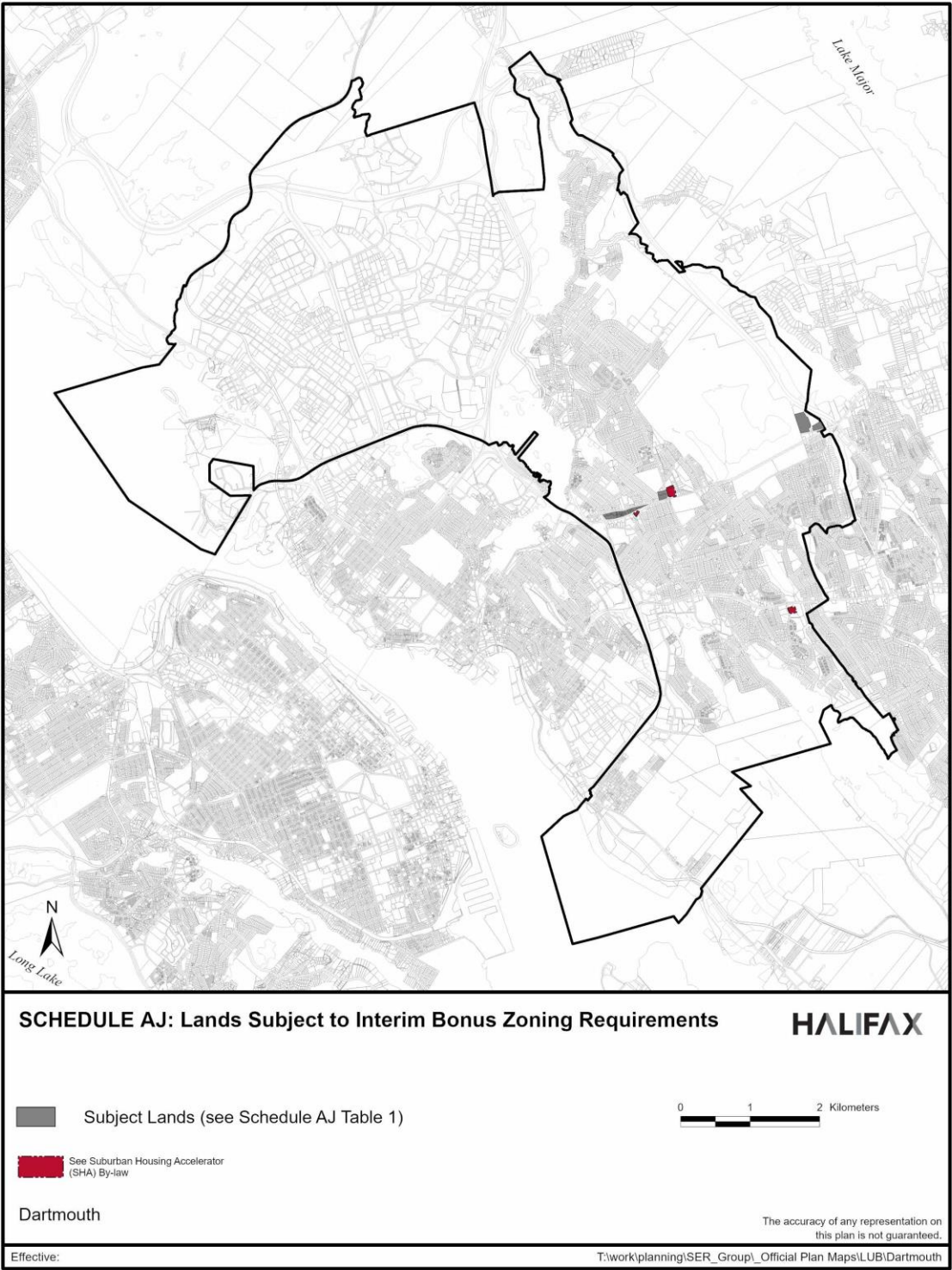
Schedule C-7B – “Map 10 – Generalized Future Land Use Map”



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

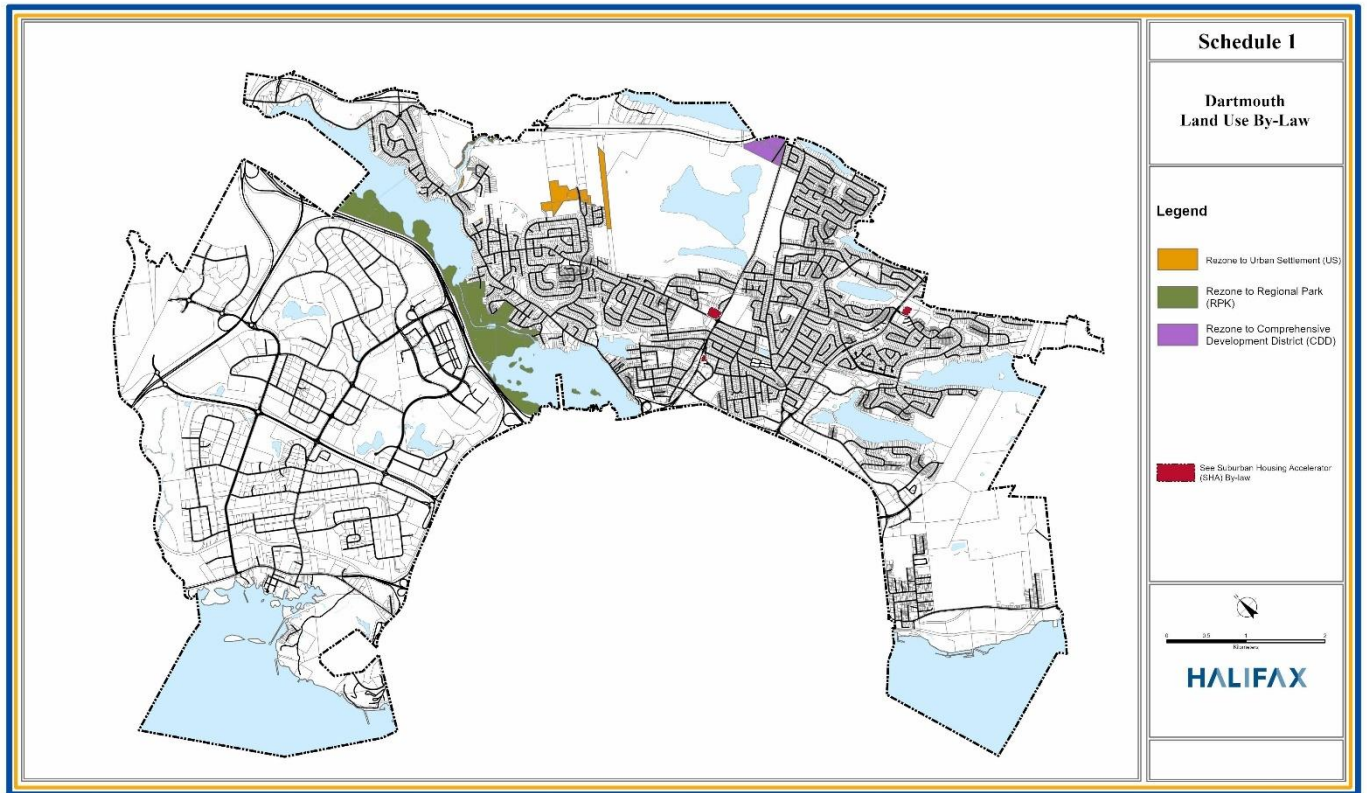
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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

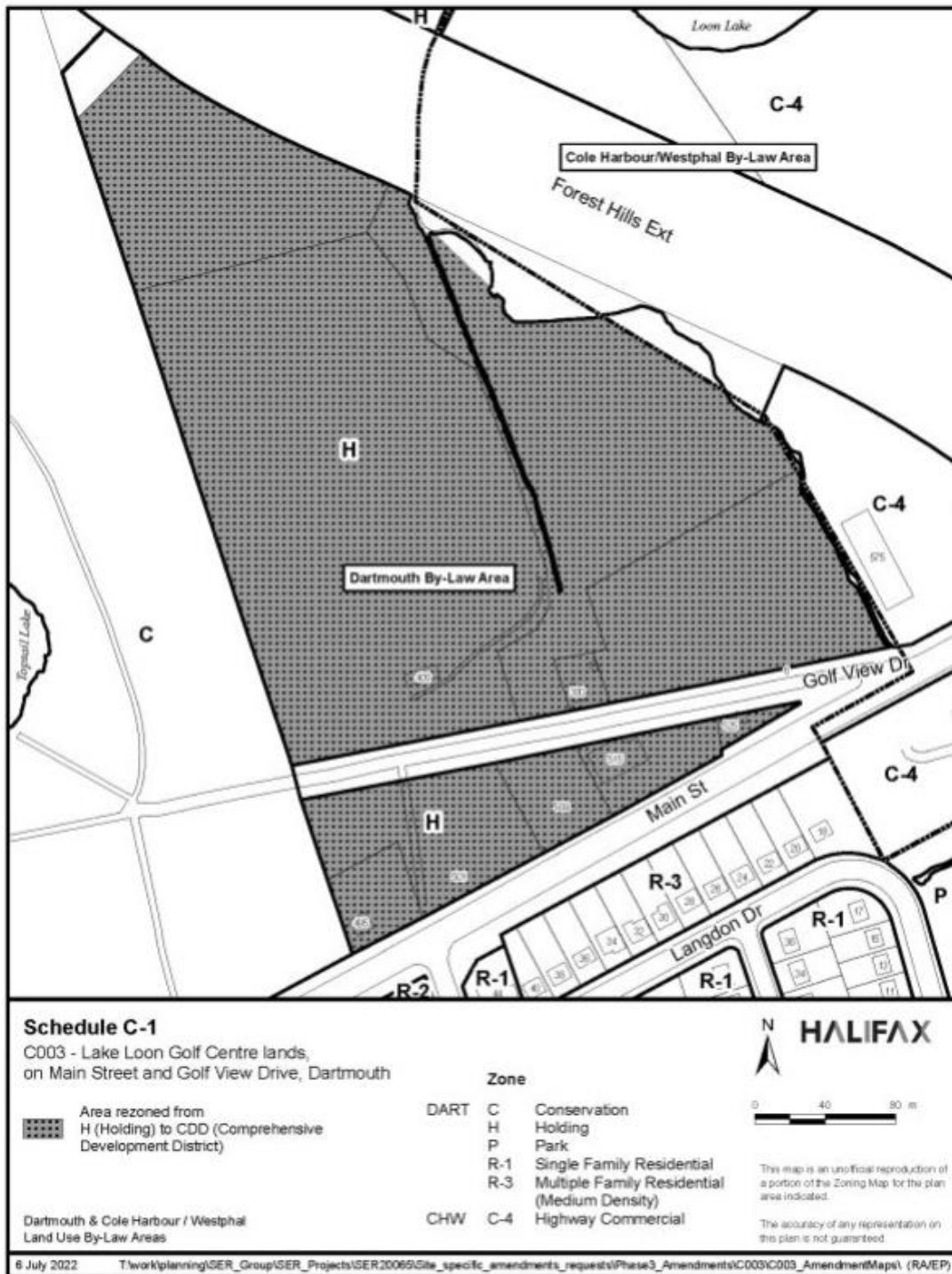
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, 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;

- 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

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

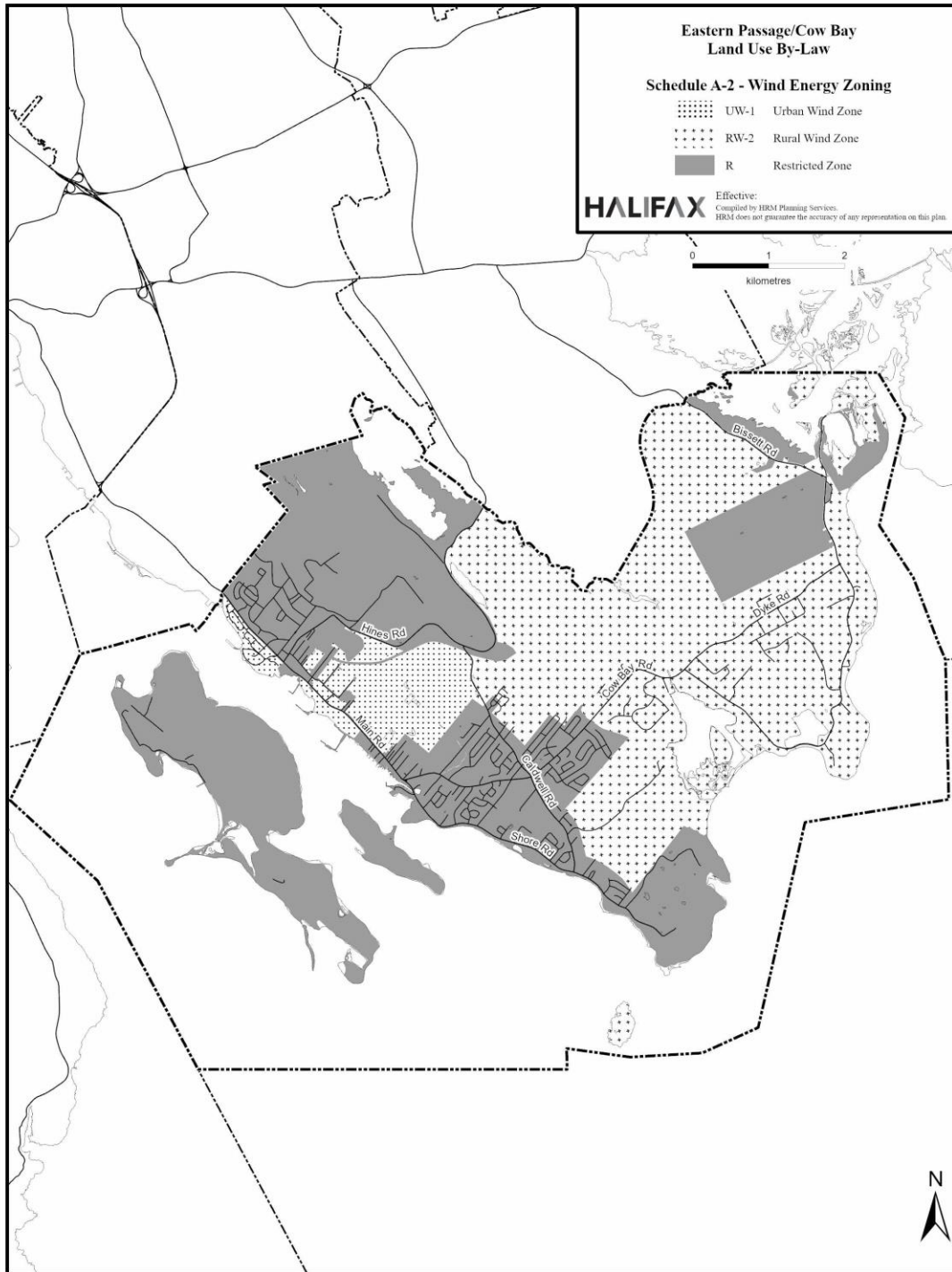
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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

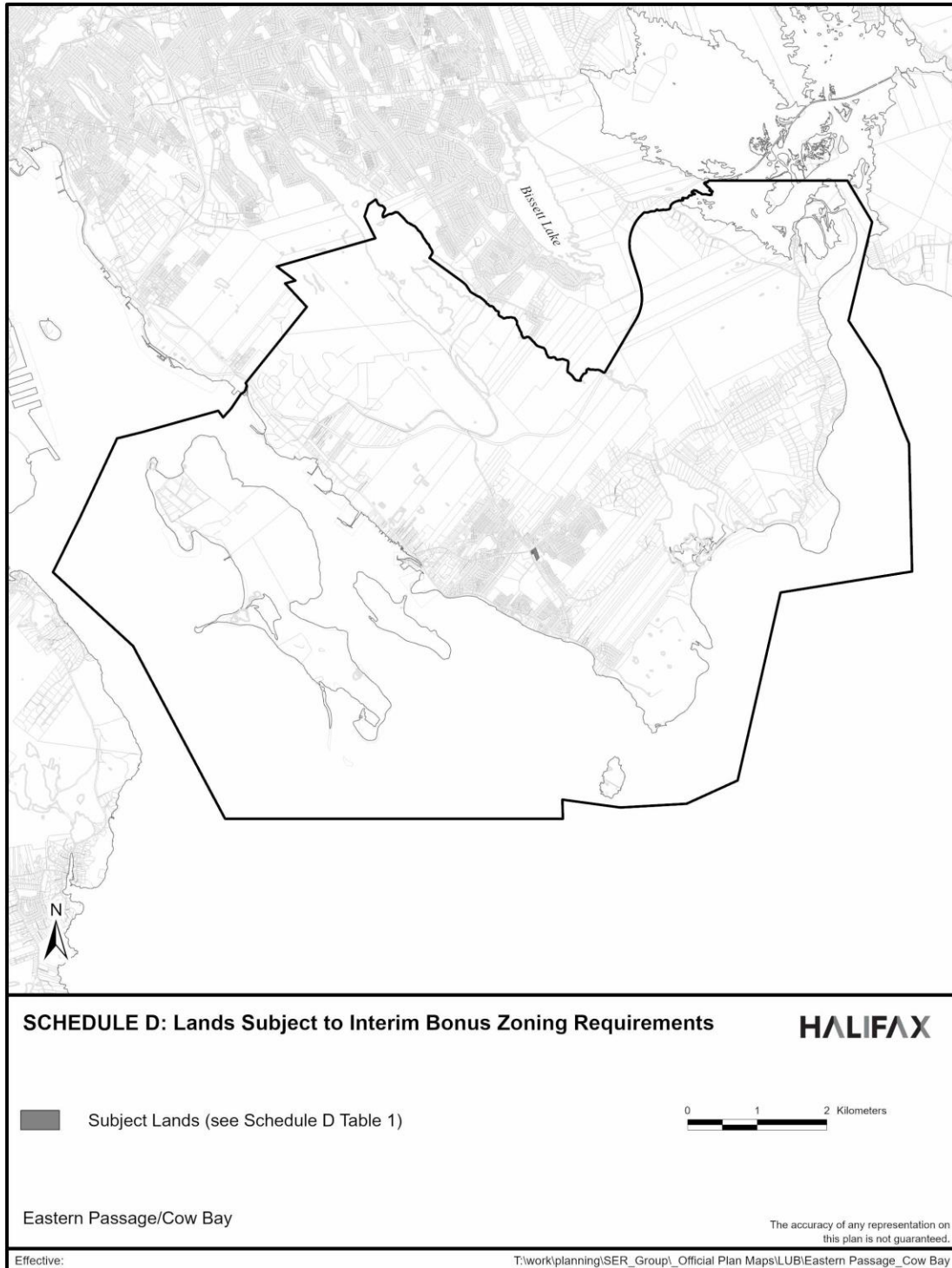
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, 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”

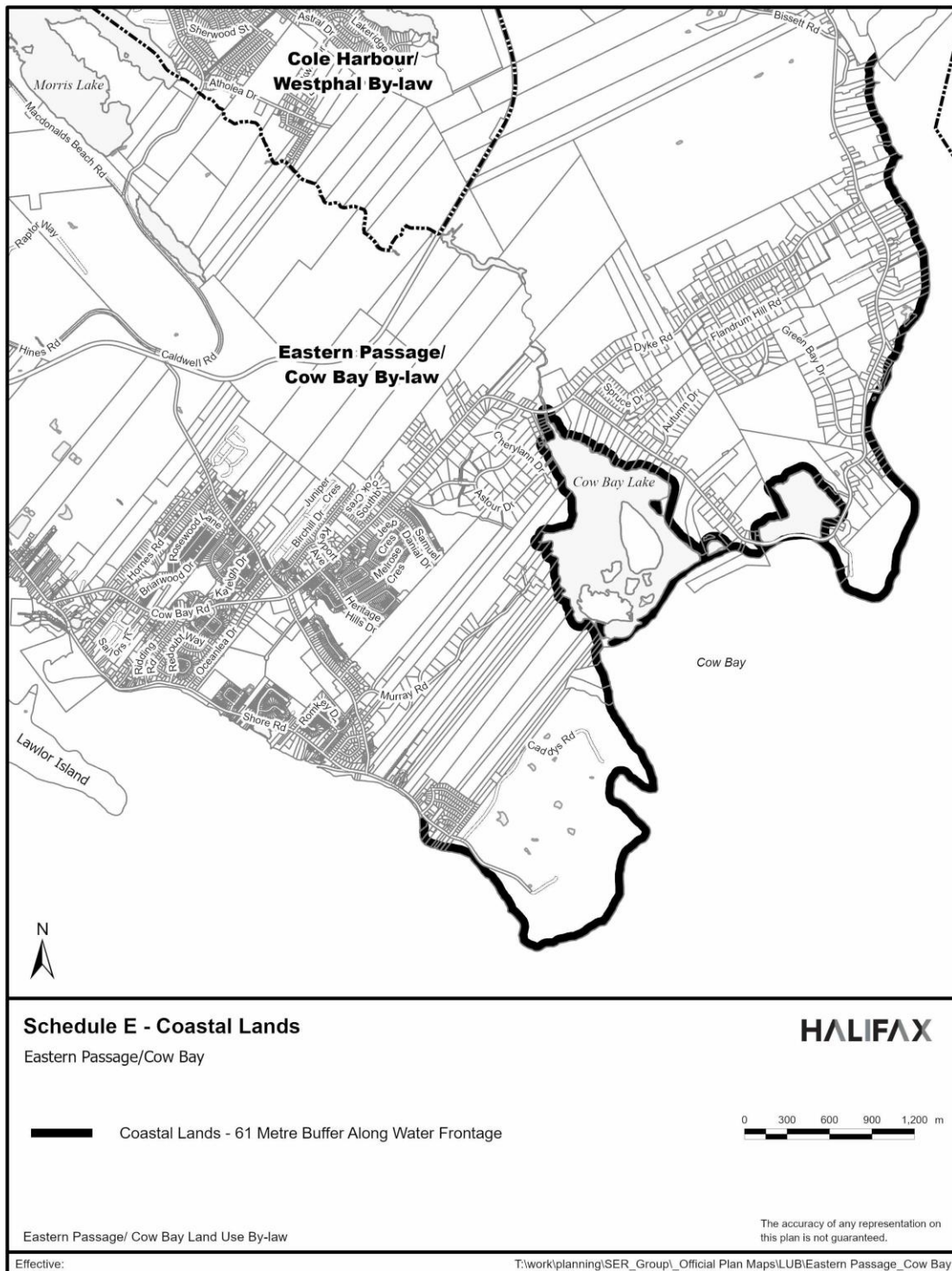


Schedule C-10D – “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

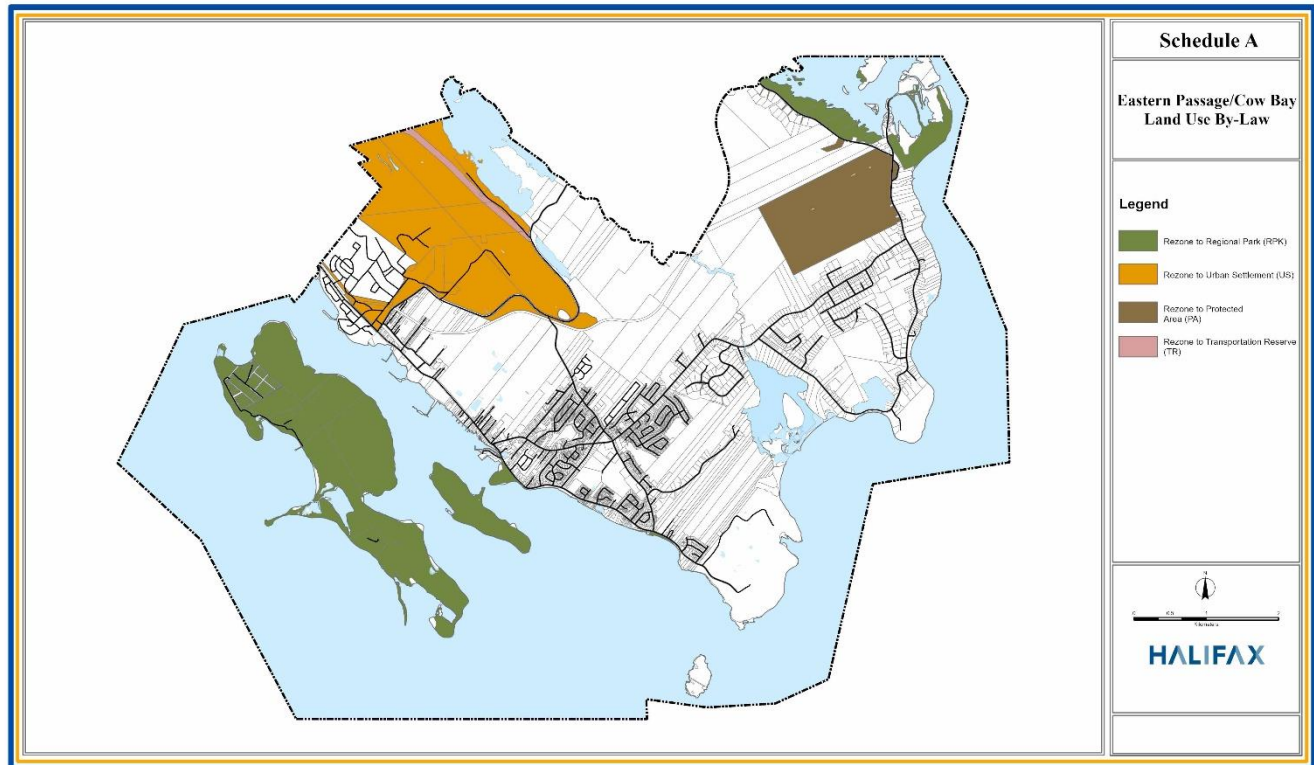
Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs
SS112	2023-01065 (HAF)	40081176, 00373167, 00373142

Schedule C-10E – “Schedule E – Coastal Lands”

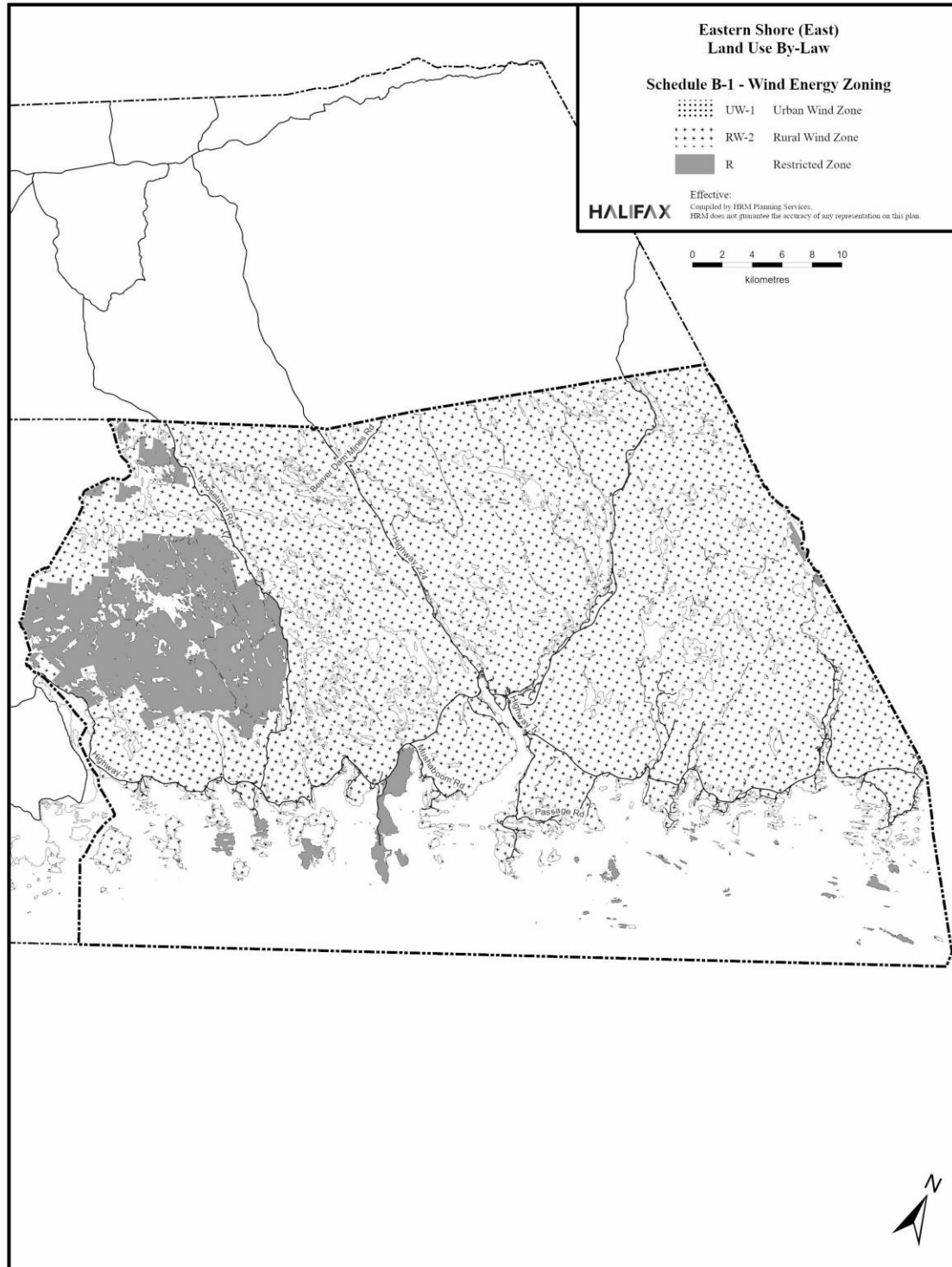


Schedule C-10F – “Schedule A: Eastern Passage / Cow Bay Zoning Map”

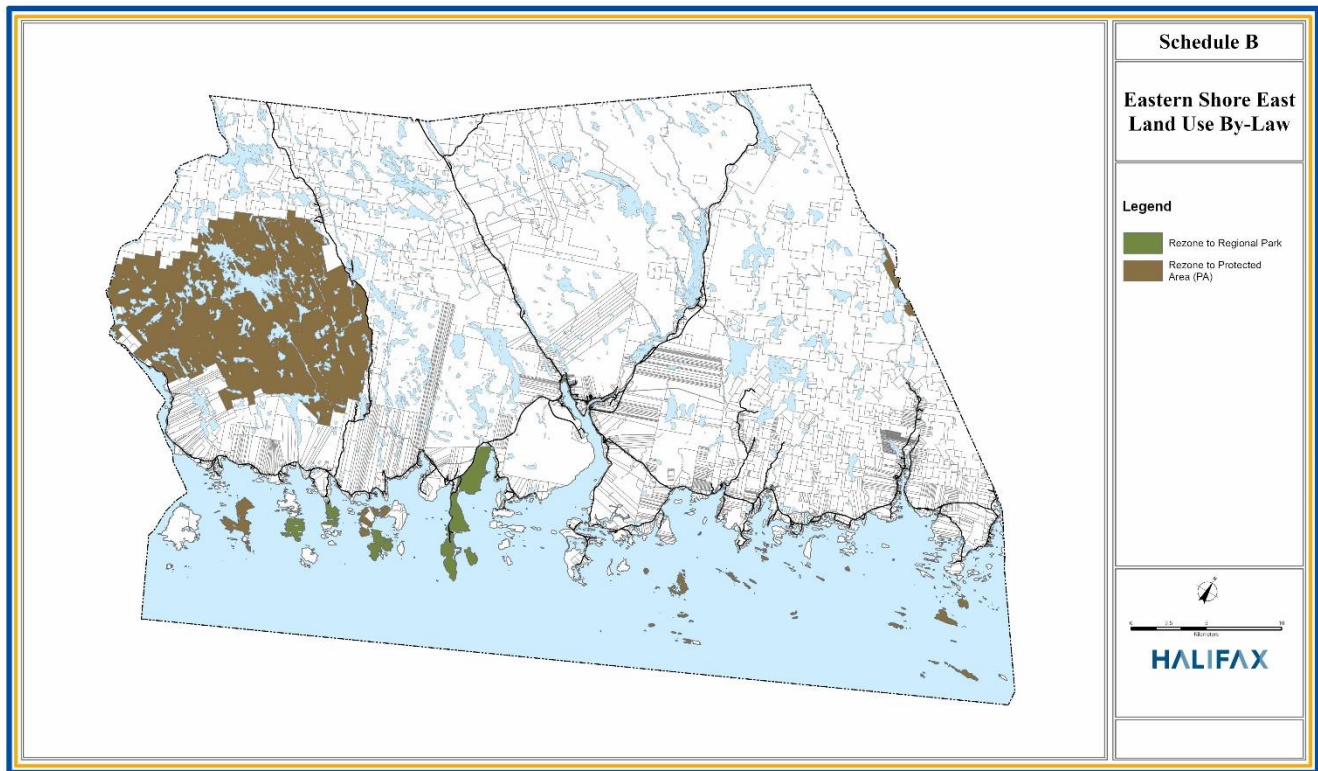


SCHEDULE: C-12 EASTERN SHORE (EAST) LAND USE BY-LAW

Schedule C-12A – “Schedule B-1- Wind Energy Zoning”

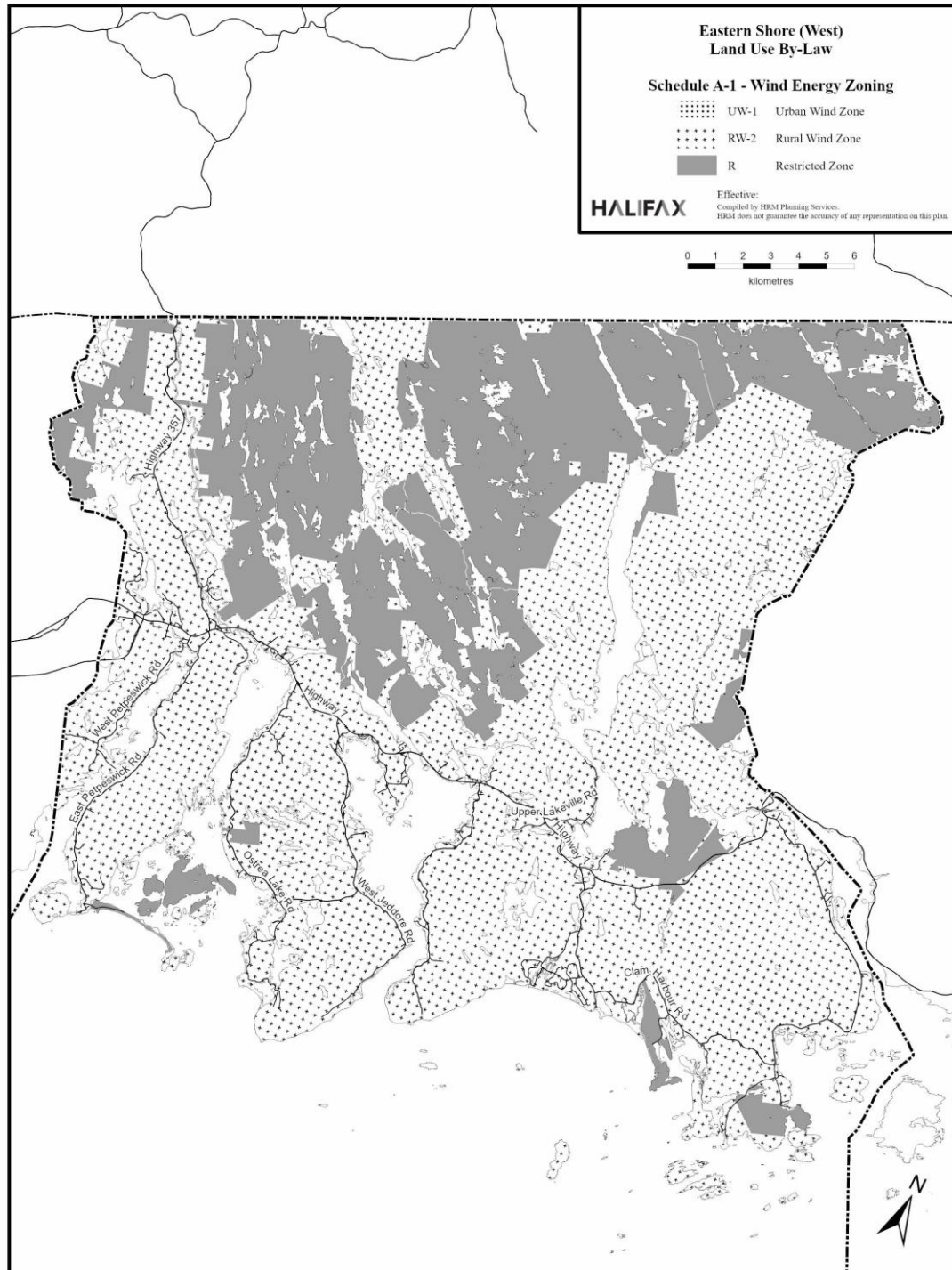


Schedule C-12B – “Schedule B: Eastern Shore East Zoning Map”



SCHEDULE C-14: EASTERN SHORE (WEST) LAND USE BY-LAW

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:

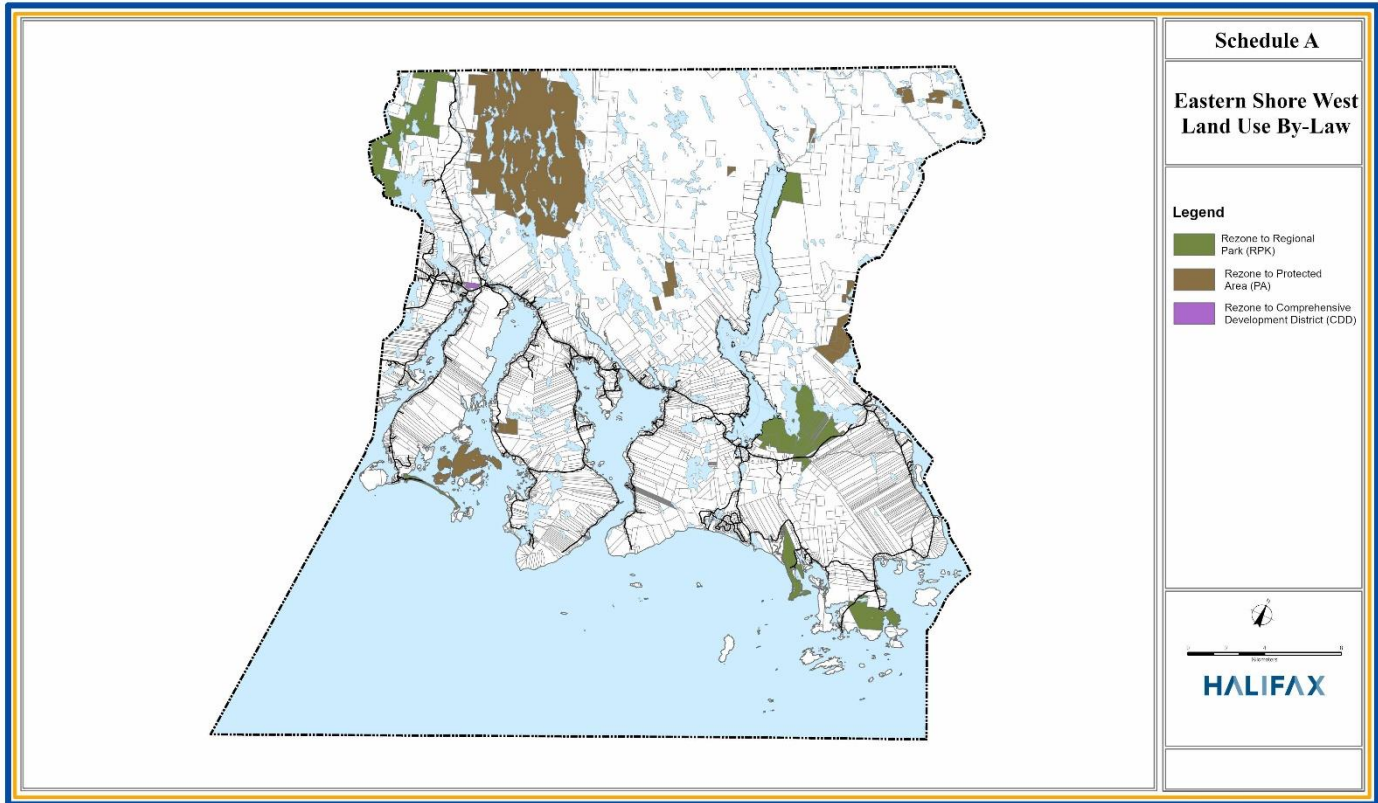
T:\work\planning\SER_Group\Official Plan Maps\LUB\Eastern Shore West\ (AKT)

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.

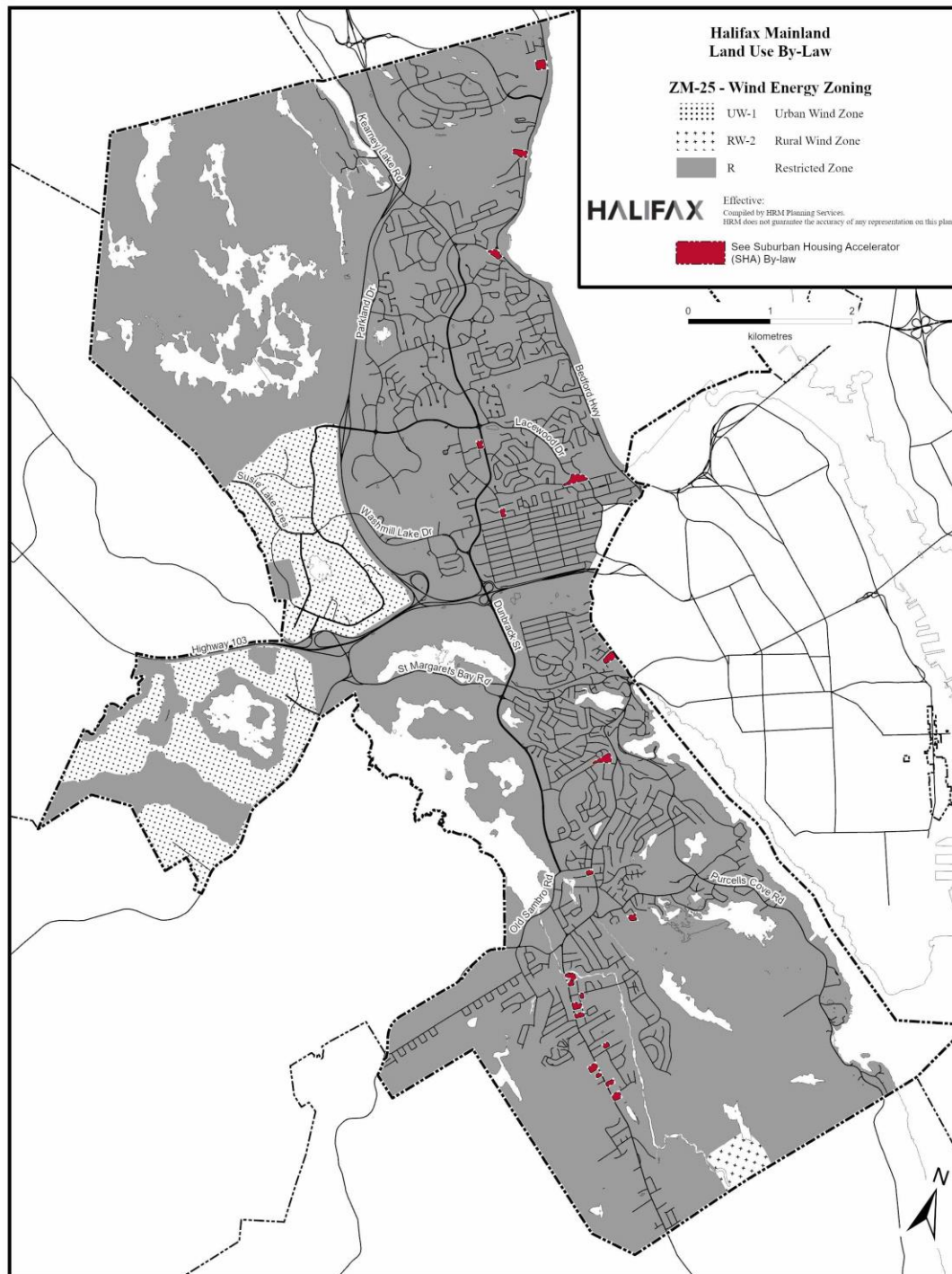
1. All shared private driveways shall have a minimum clear width of 6 meters (19.7 feet) as follows:
 - (a) Travel lanes shall be a minimum of 3 meters (9.8 feet) for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with gravel or 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

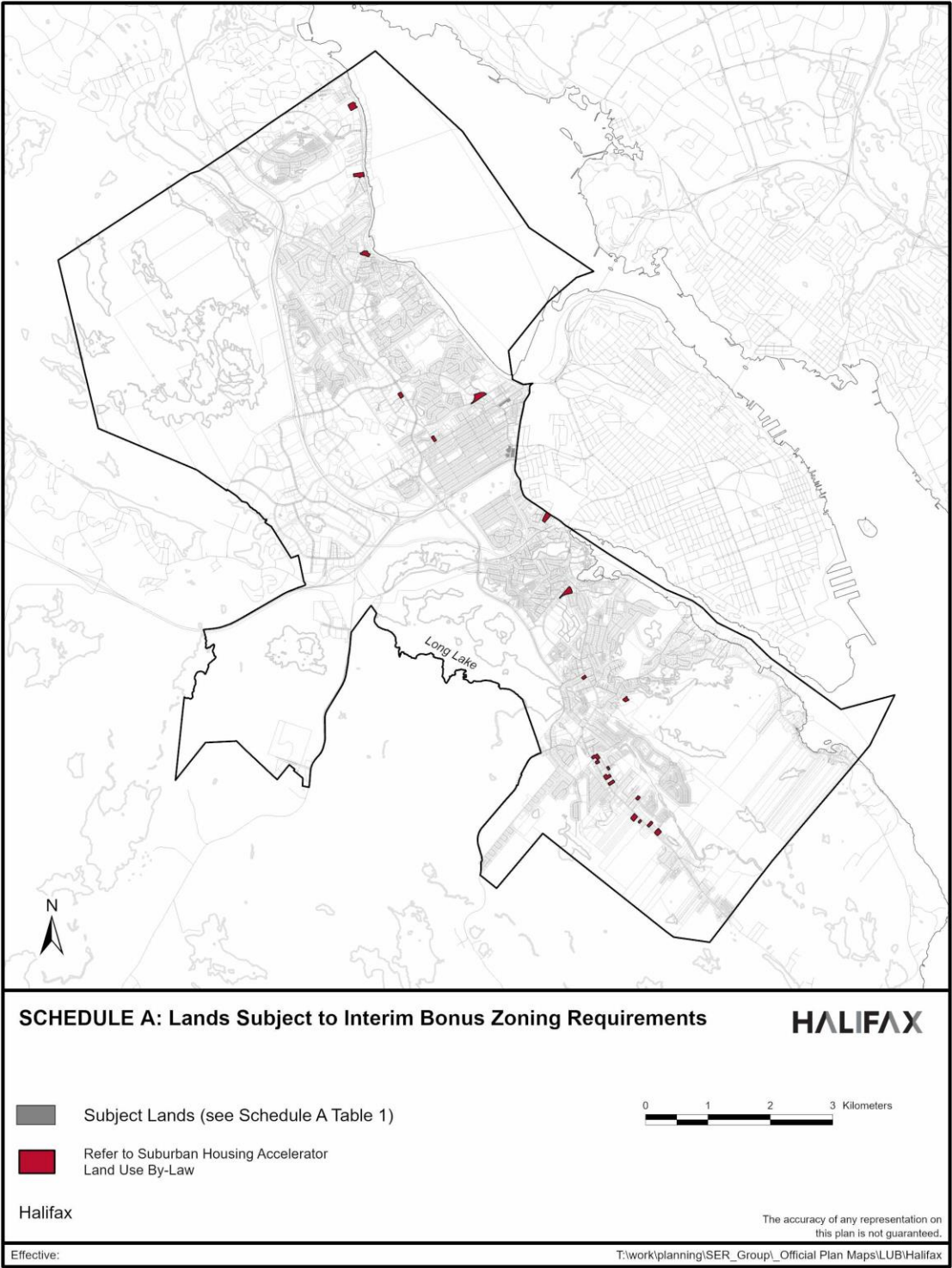
- 19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
 - (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
- 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”

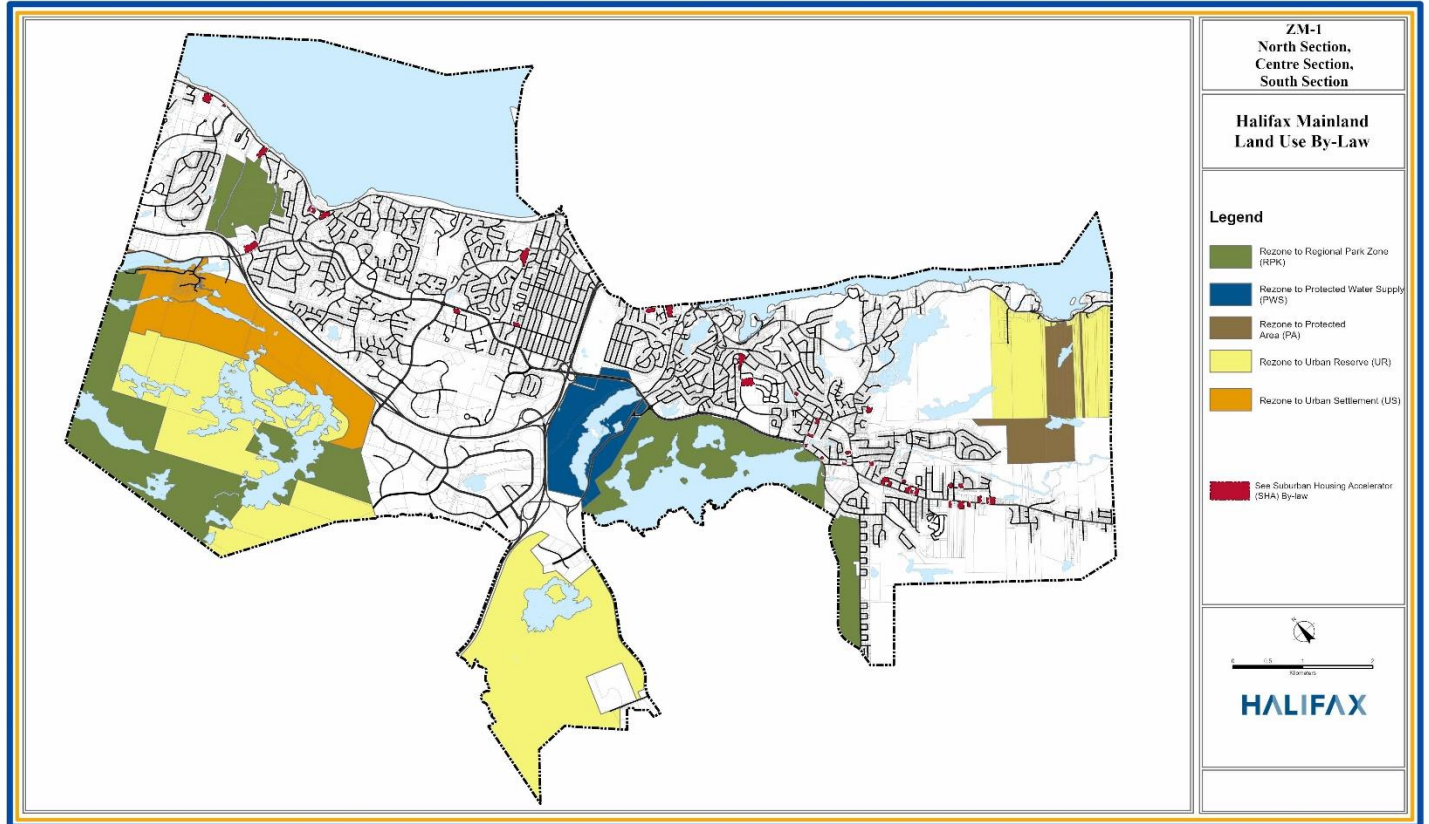


Schedule C-16D – “Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule A, Table 1: Lands Subject to Interim Bonus Zoning Requirements

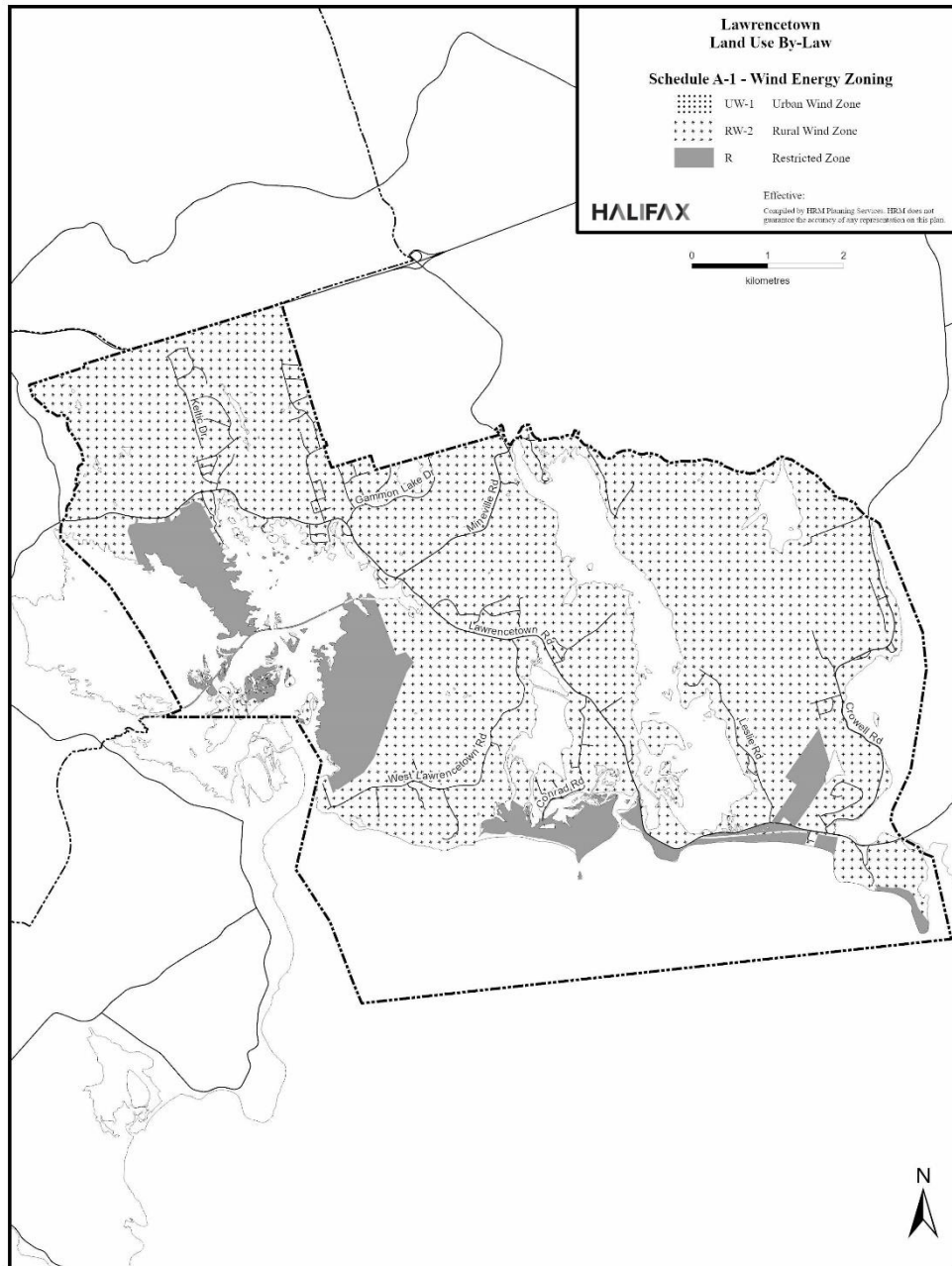
Ref.#	Case#	PID#s
1	Cases 22816 and 23245: Amendments to the Halifax MPS and Halifax Mainland LUB — Westerwald Street Study Area and Main Avenue and Titus Street, Halifax — Supplementary Report	PID #: 00198523, 00198531, 00198549, 00198564, 00198572, 00198580, 00198598, 00198606, 00198242, 00189795, 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)”

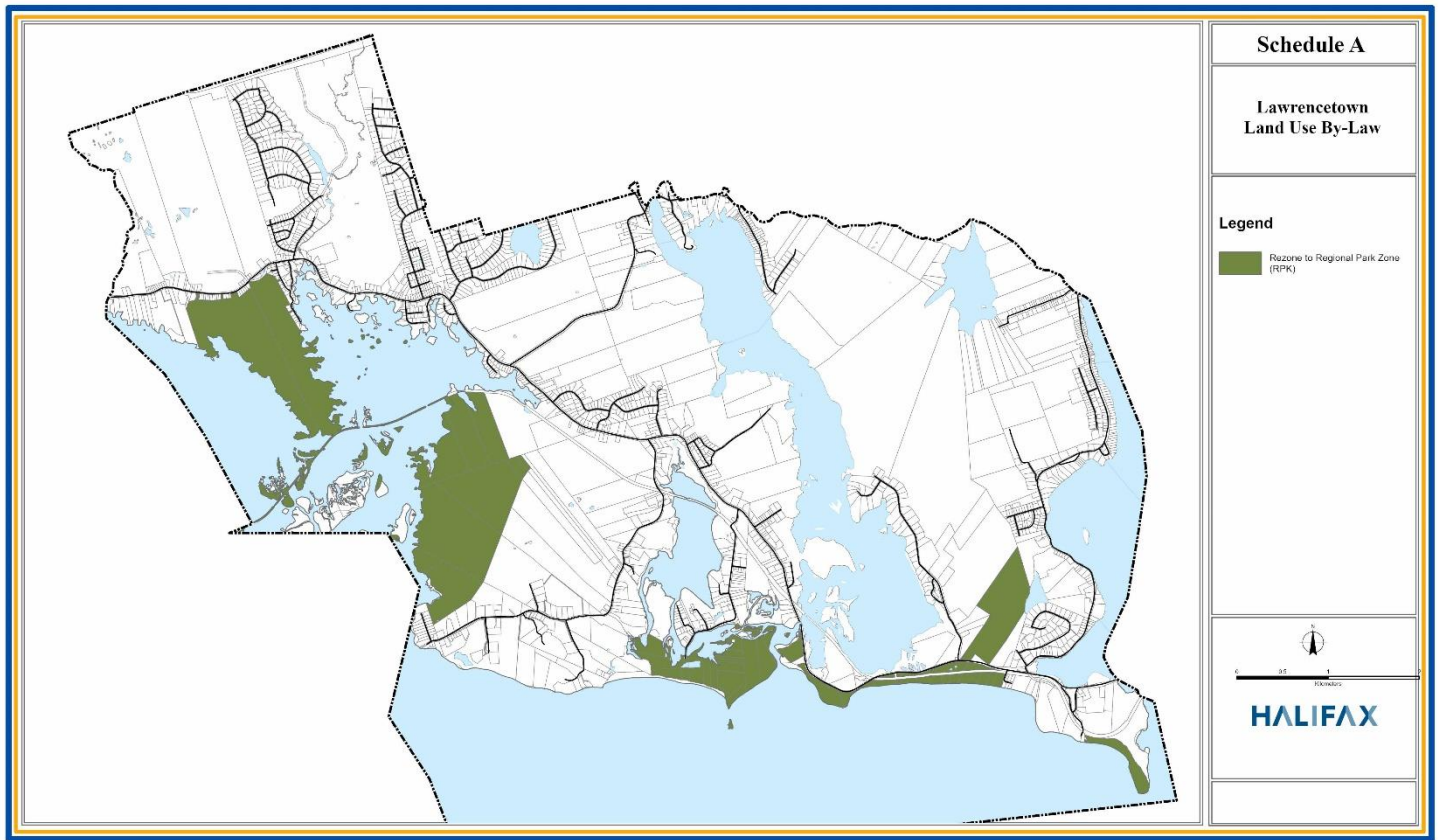


SCHEDULE C-18: LAWRENCETOWN LAND USE BY-LAW

Schedule C-18A – “Schedule A-1- Wind Energy Zoning”

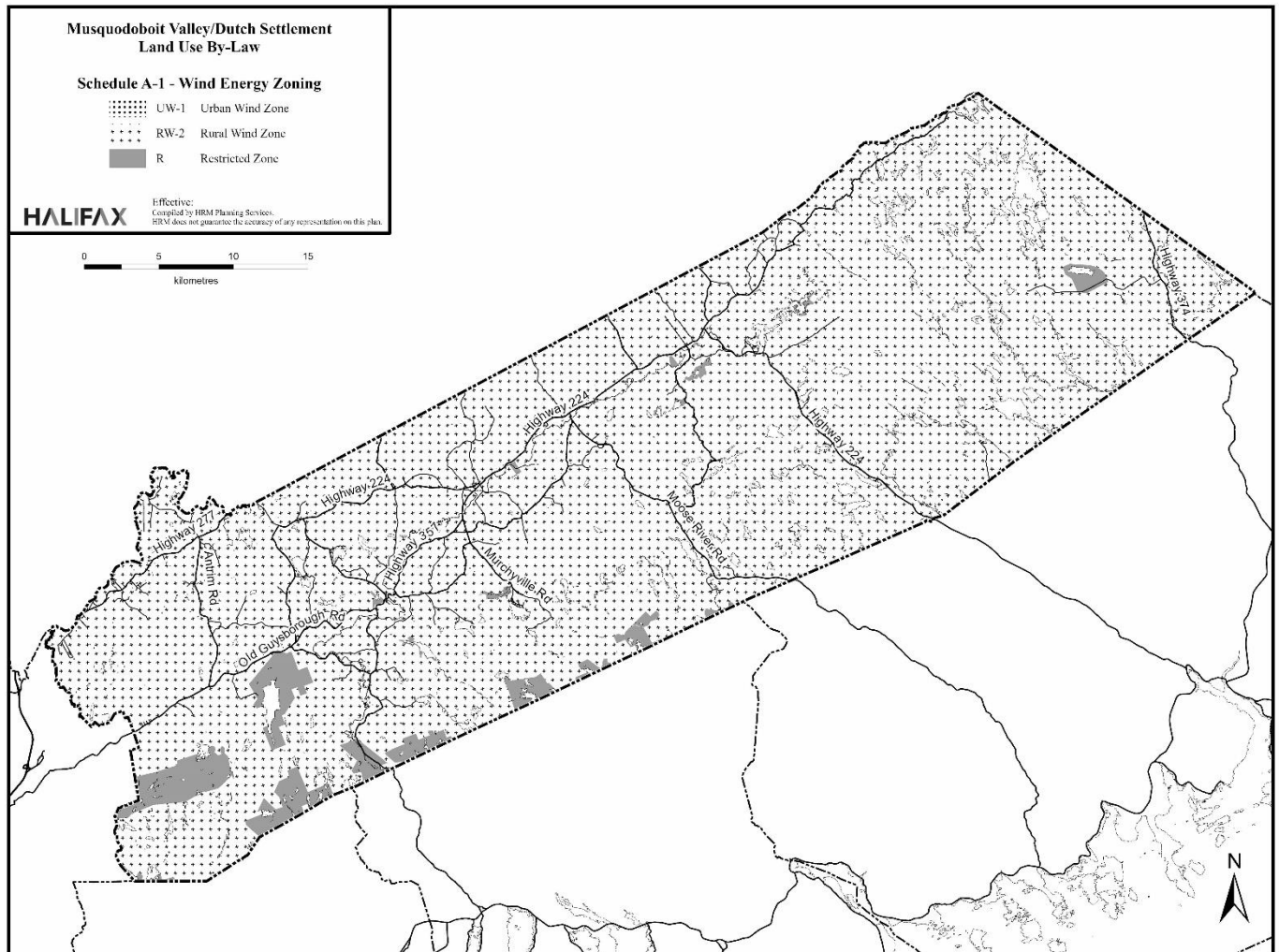


Schedule C-18B – “Schedule A: Lawrencetown Zoning Map”

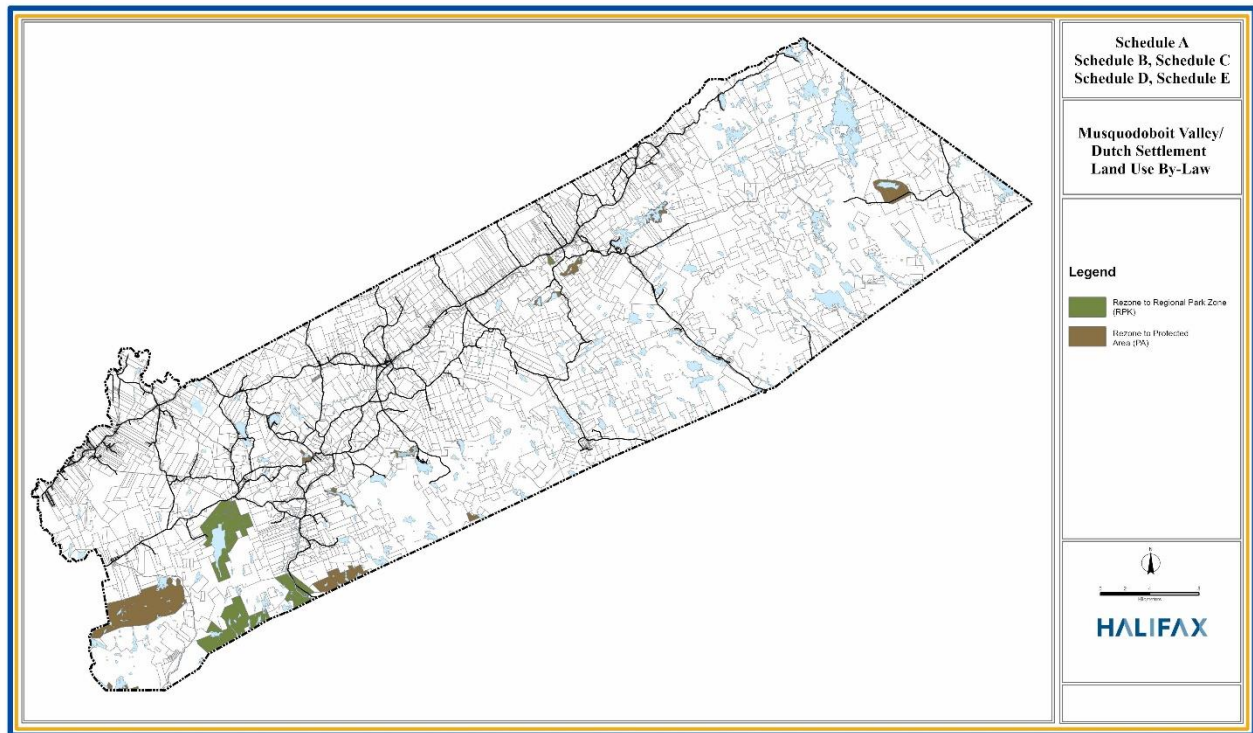


SCHEDULE C-20: MUSQUODOBOIT VALLEY & DUTCH SETTLEMENT LAND USE BY-LAW

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

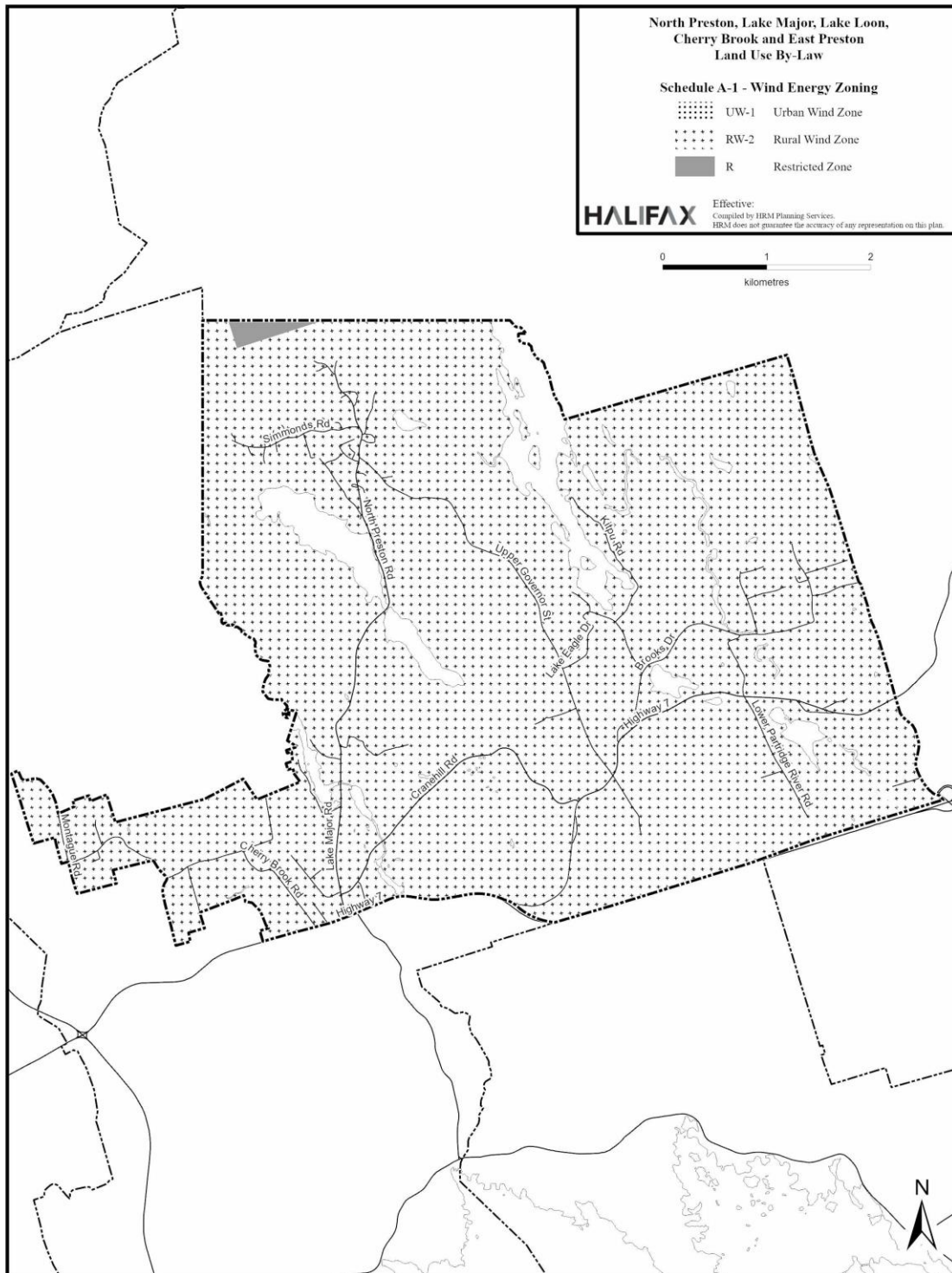
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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

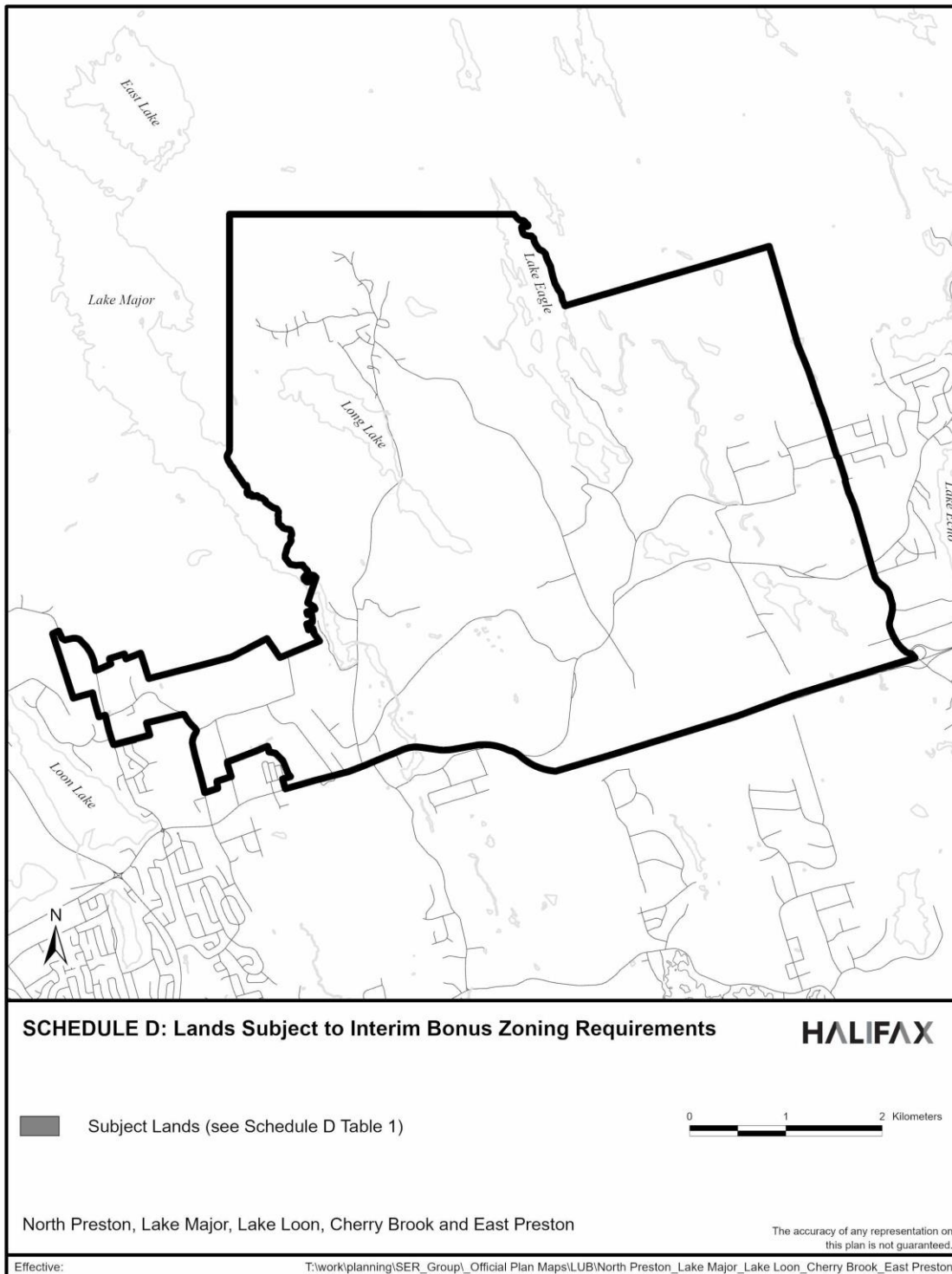
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, 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”

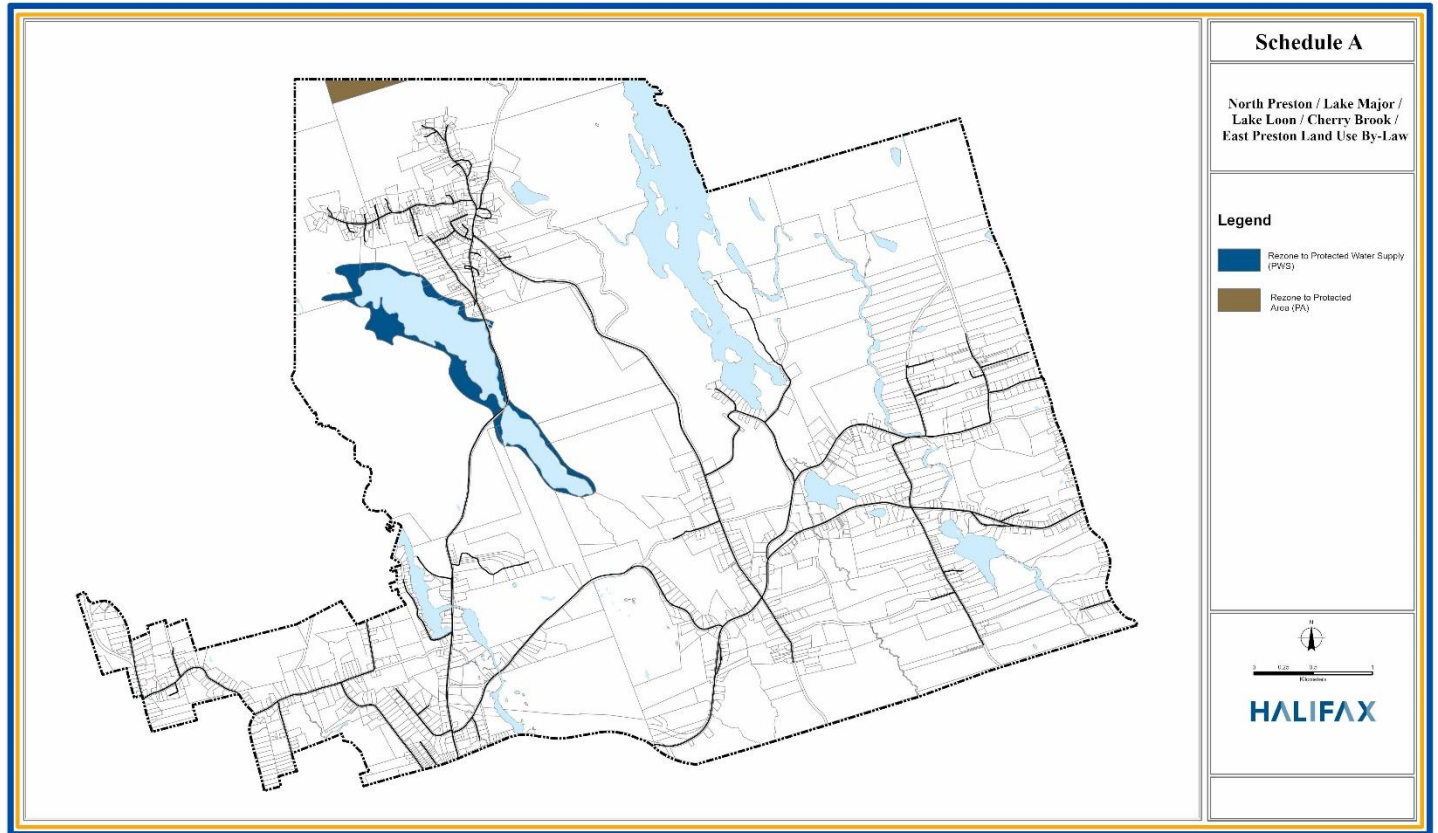


Schedule C-22D – “Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

Schedule D, Table 1: Lands Subject to Interim Bonus Zoning Requirements

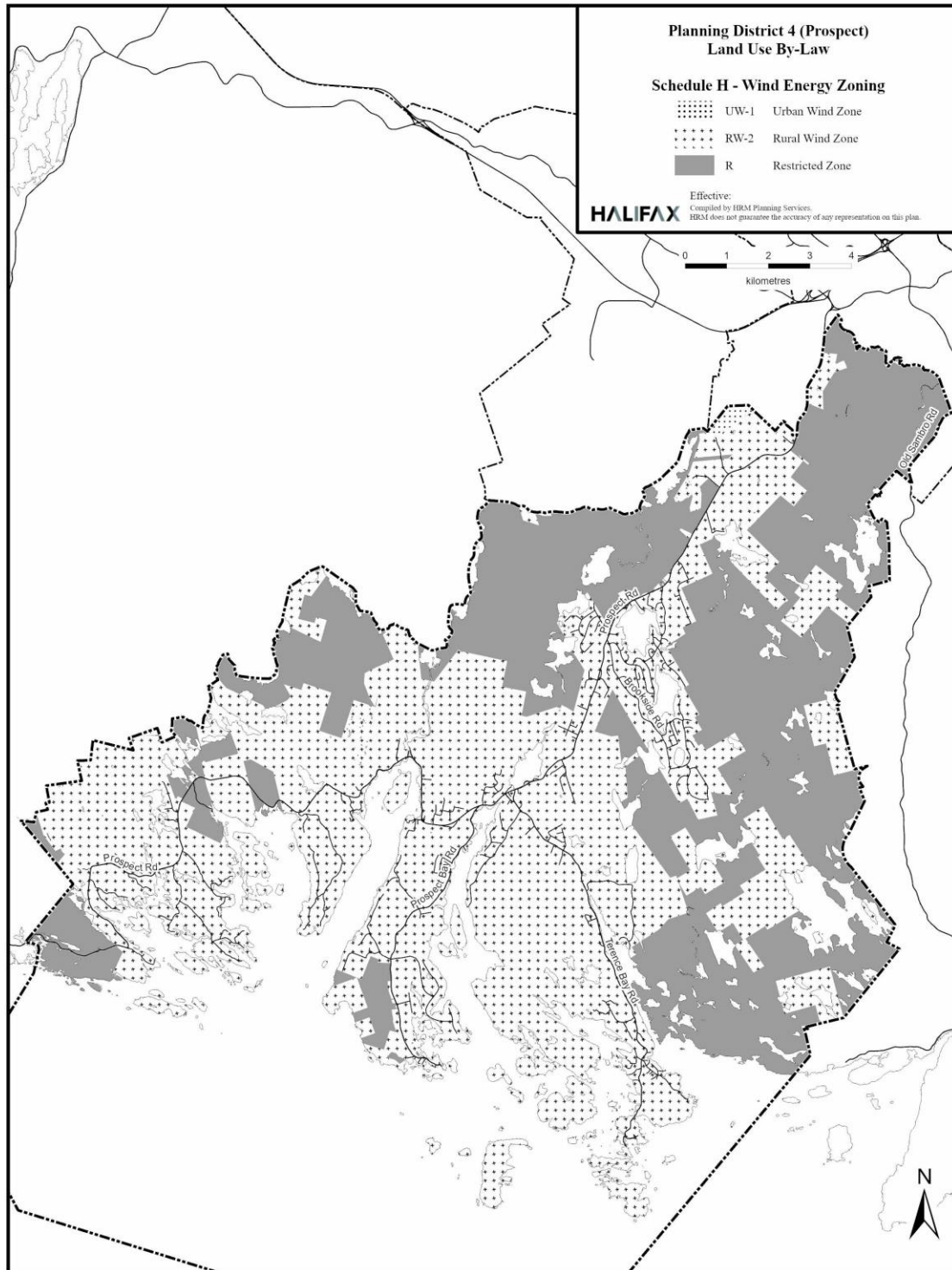
Ref. #	Case #	PIDs

Schedule C-22E – “Schedule A: North Preston, Cherry Brook, Lake Major, Lake Loon and East Preston Zoning Map”

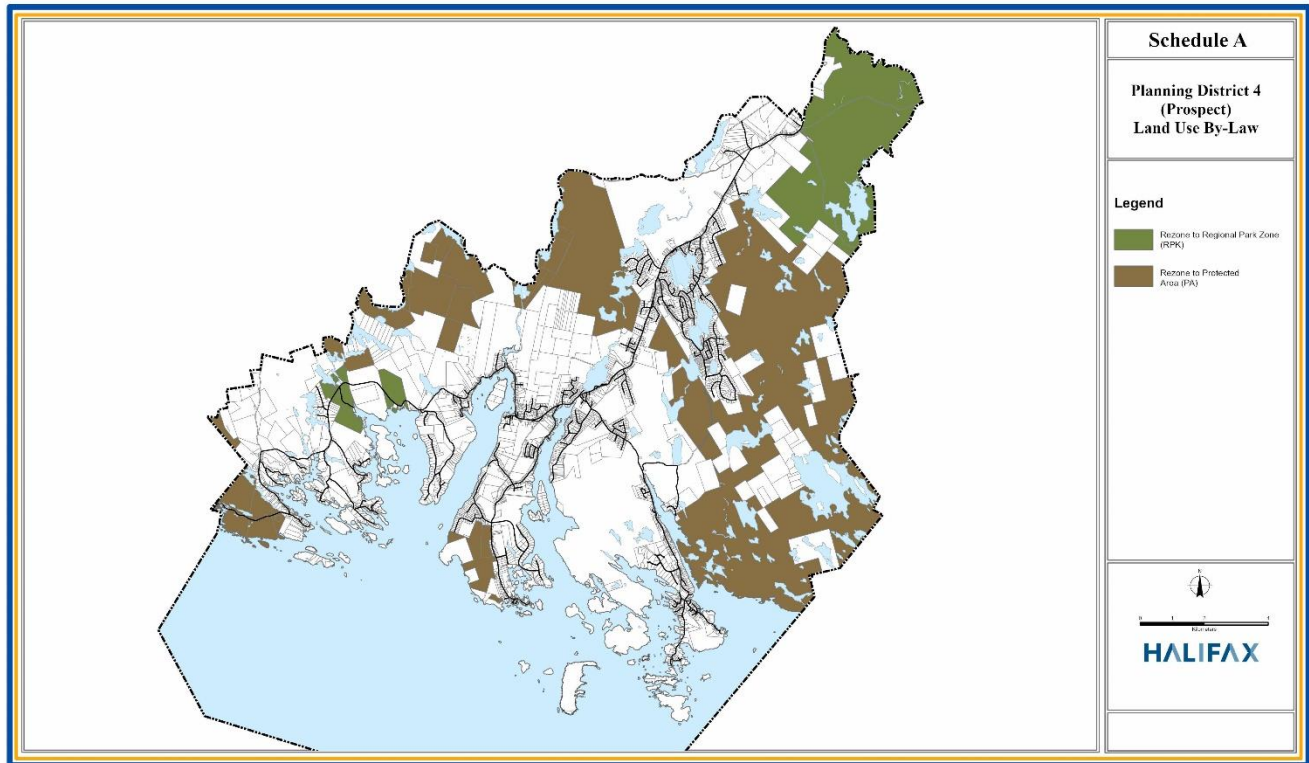


SCHEDULE C-24: PLANNING DISTRICT 4 (PROSPECT) LAND USE BY-LAW

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

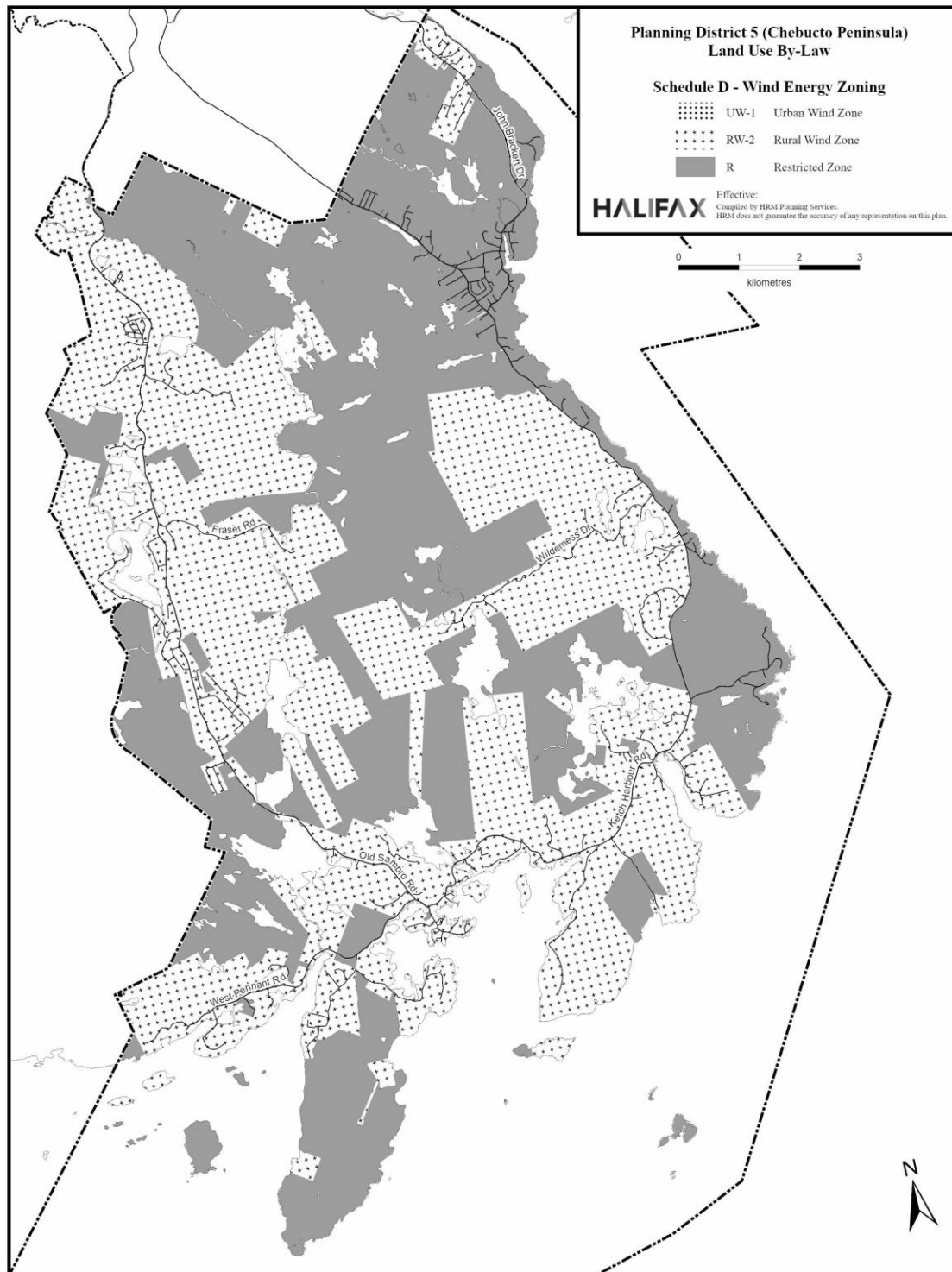
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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”

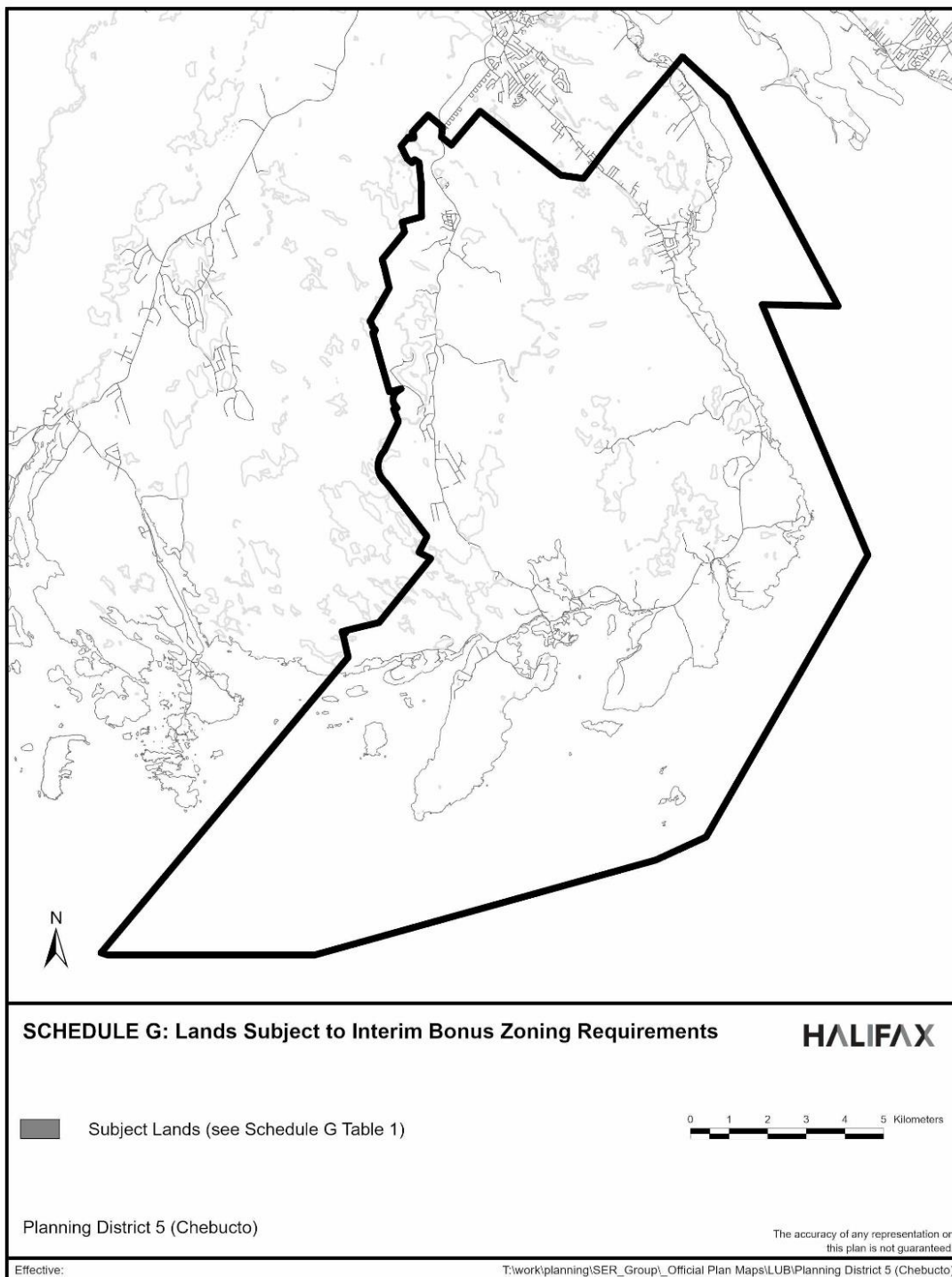


Schedule C-26D – “Schedule F: Shared Private Driveway Design Standards”

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”

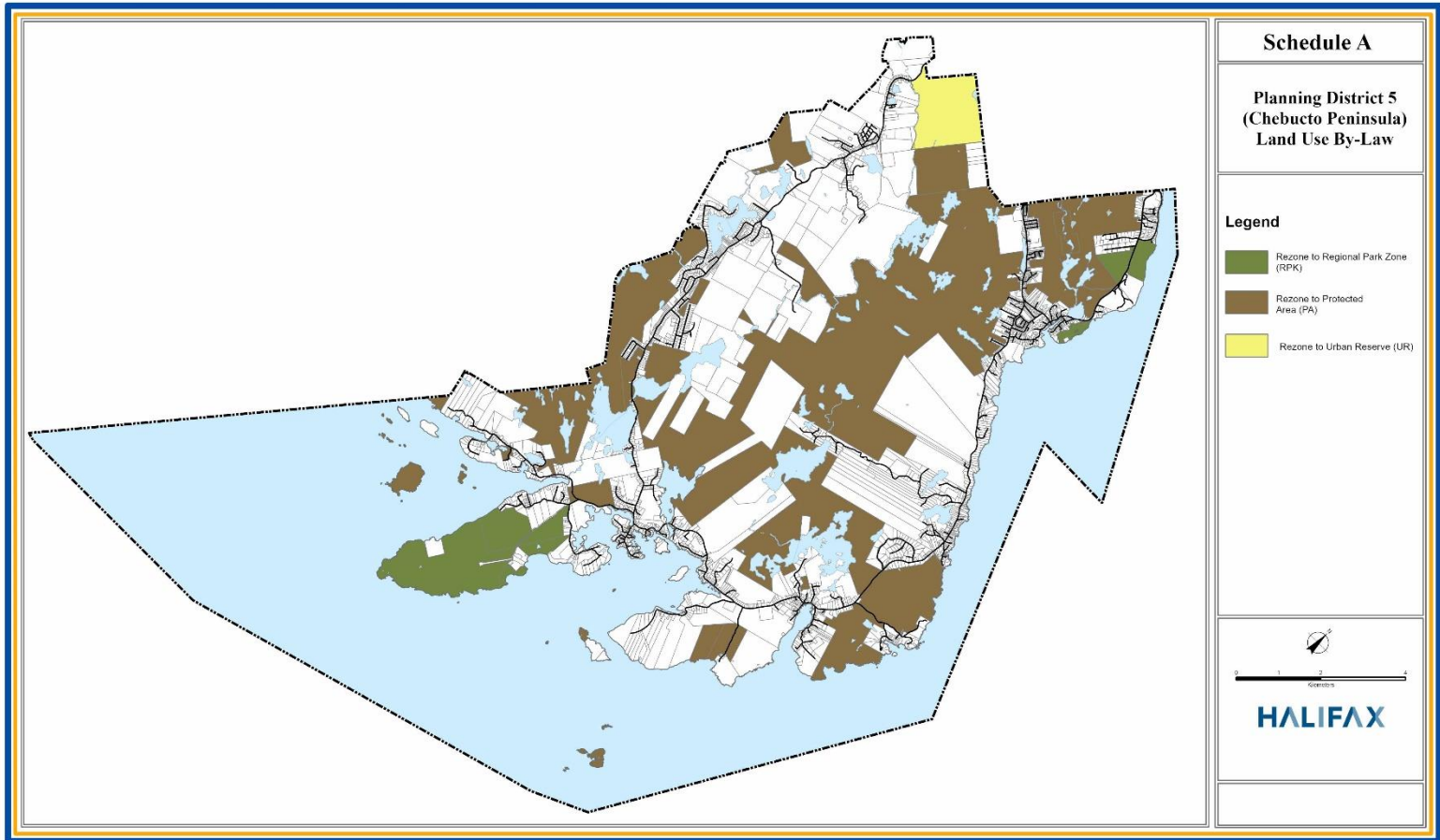


Schedule C-26F – “Schedule G, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

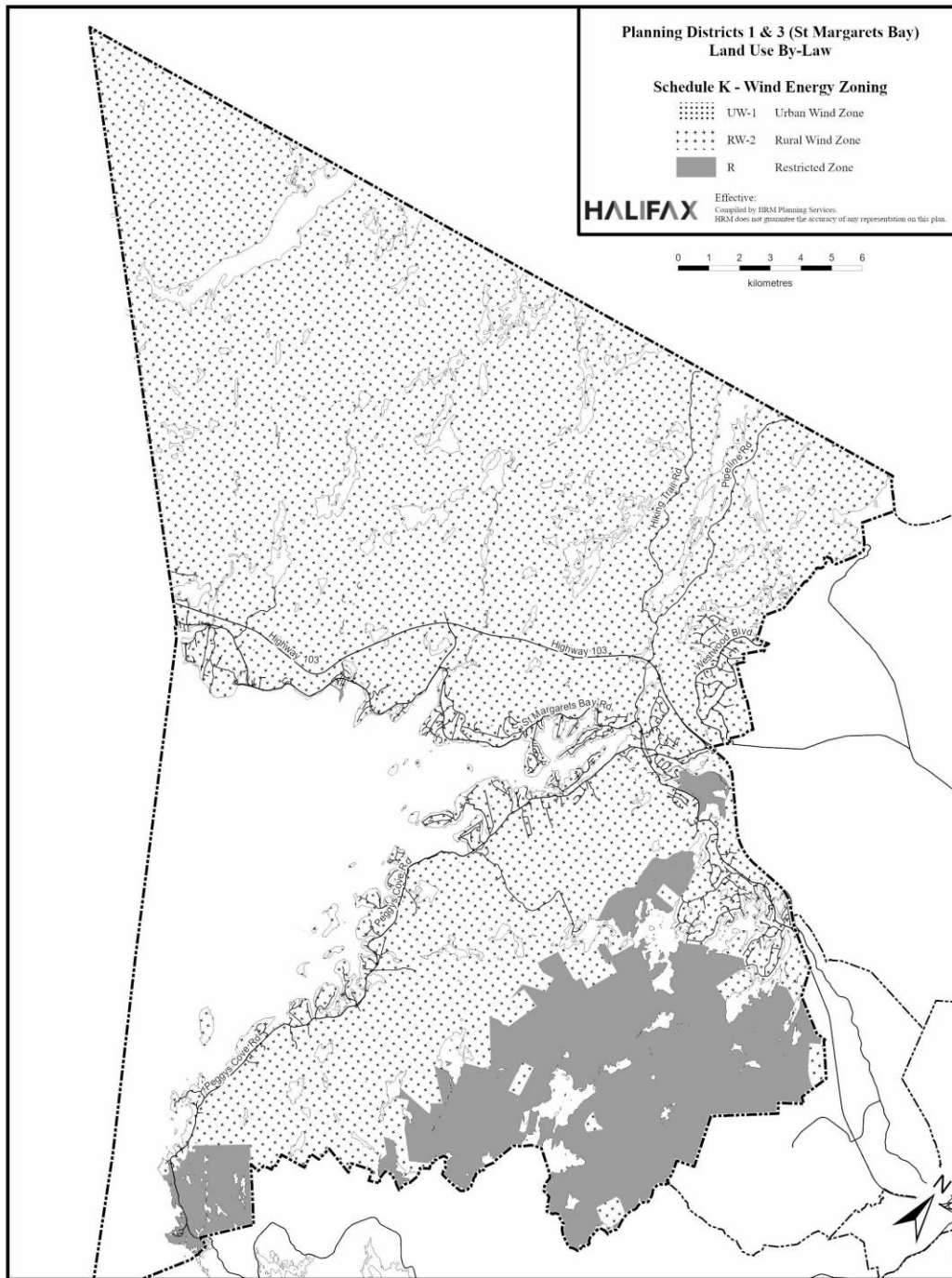
Schedule G, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs

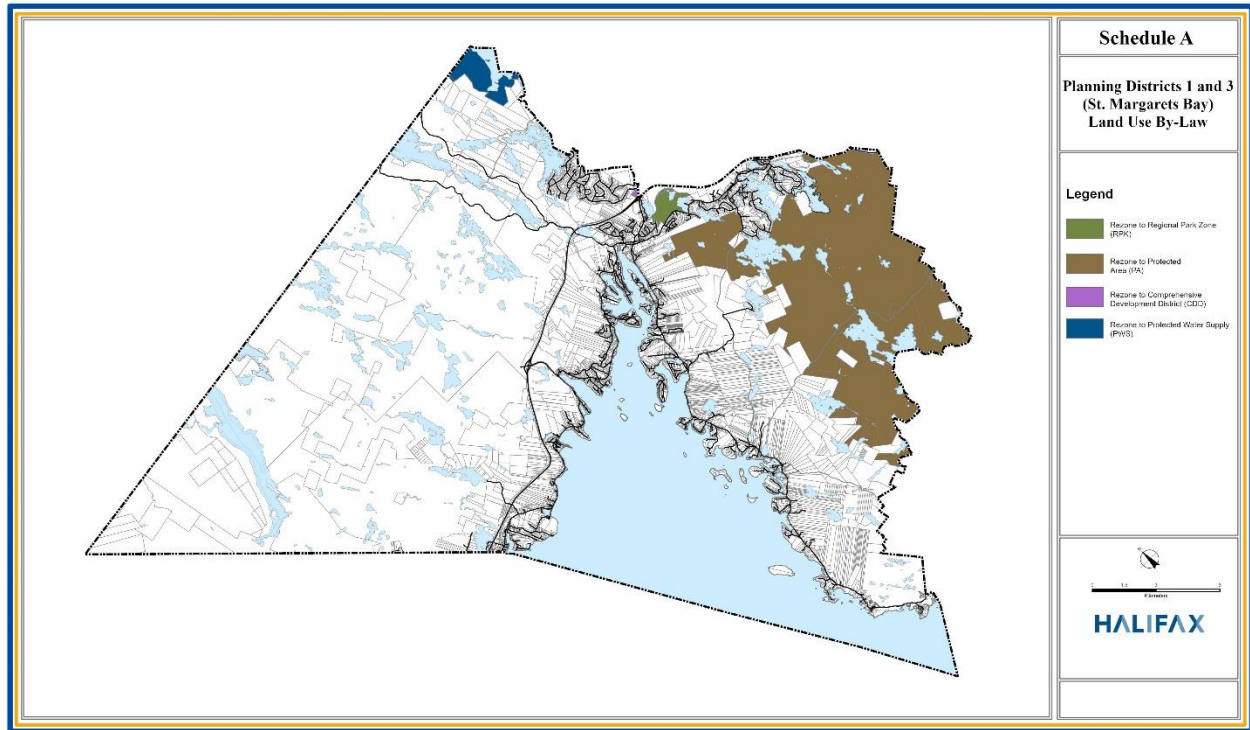
Schedule C-26G – “Schedule A: Chebucto Peninsula (Planning District 5) Zoning Map”



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”

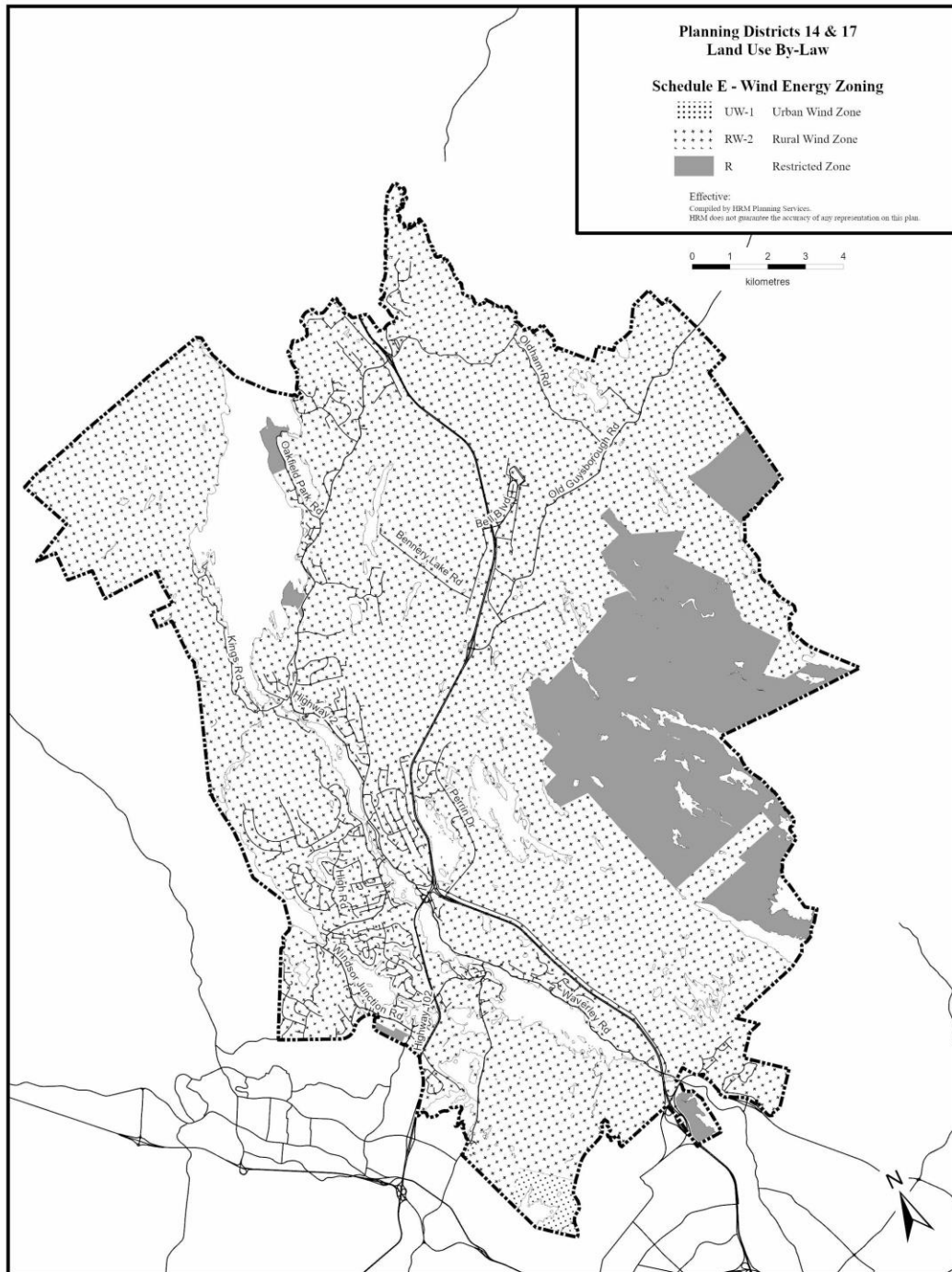


Schedule C-28B – “Schedule A- Zoning”

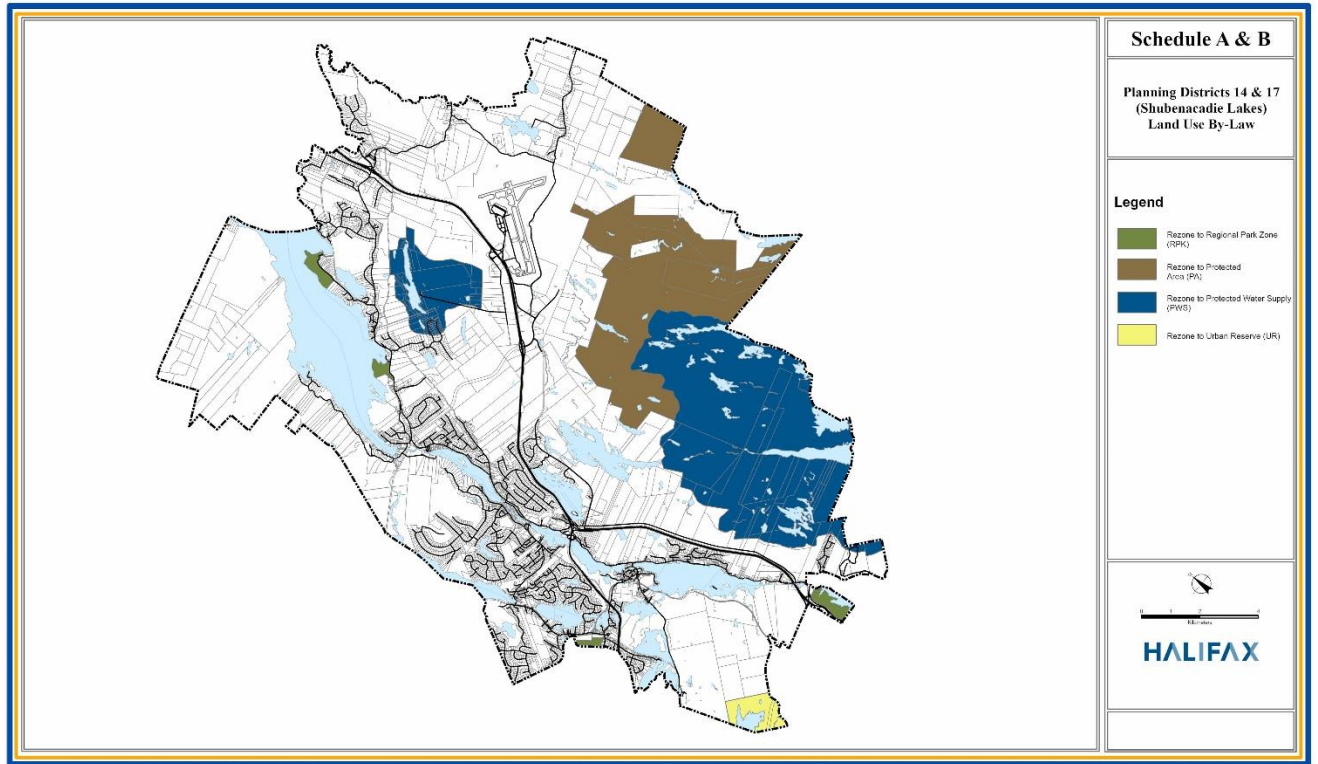


SCHEDULE C-30: PLANNING DISTRICTS 14 & 17 (SHUBENACADIE LAKES) LAND USE BY-LAW

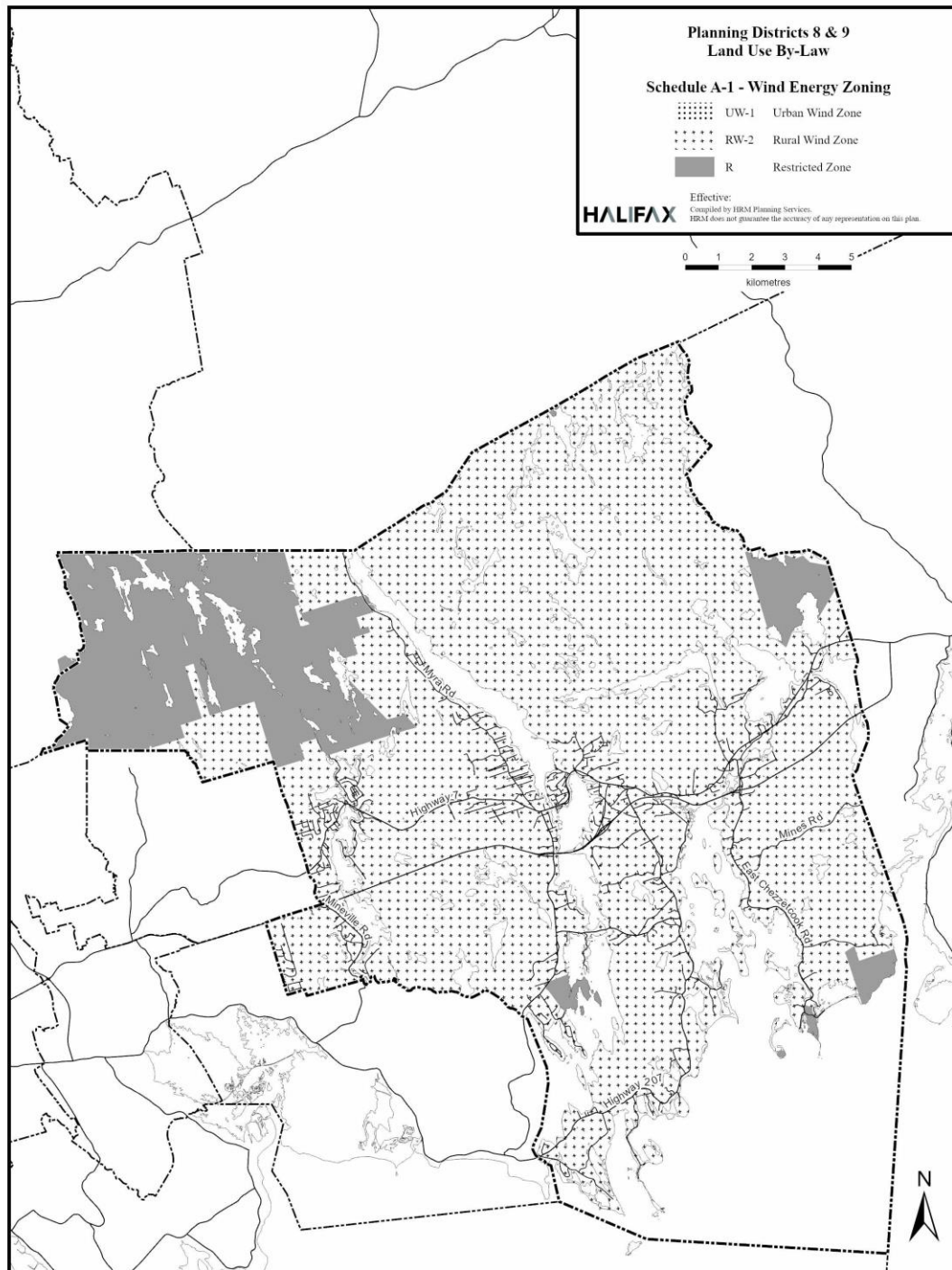
Schedule C-30A – “SCHEDULE E- WIND ENERGY ZONING”



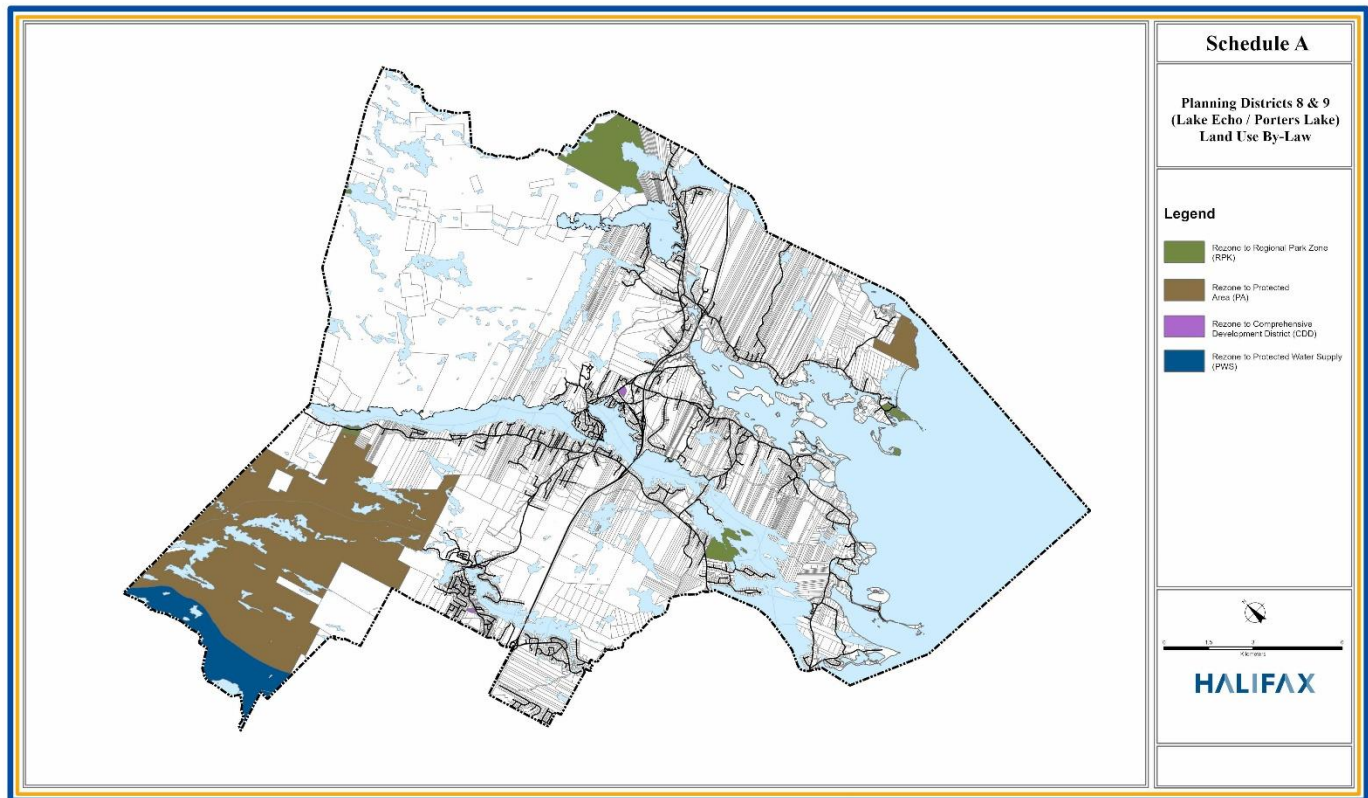
Schedule C-30B – “Zoning Schedule A and B”



Schedule C-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

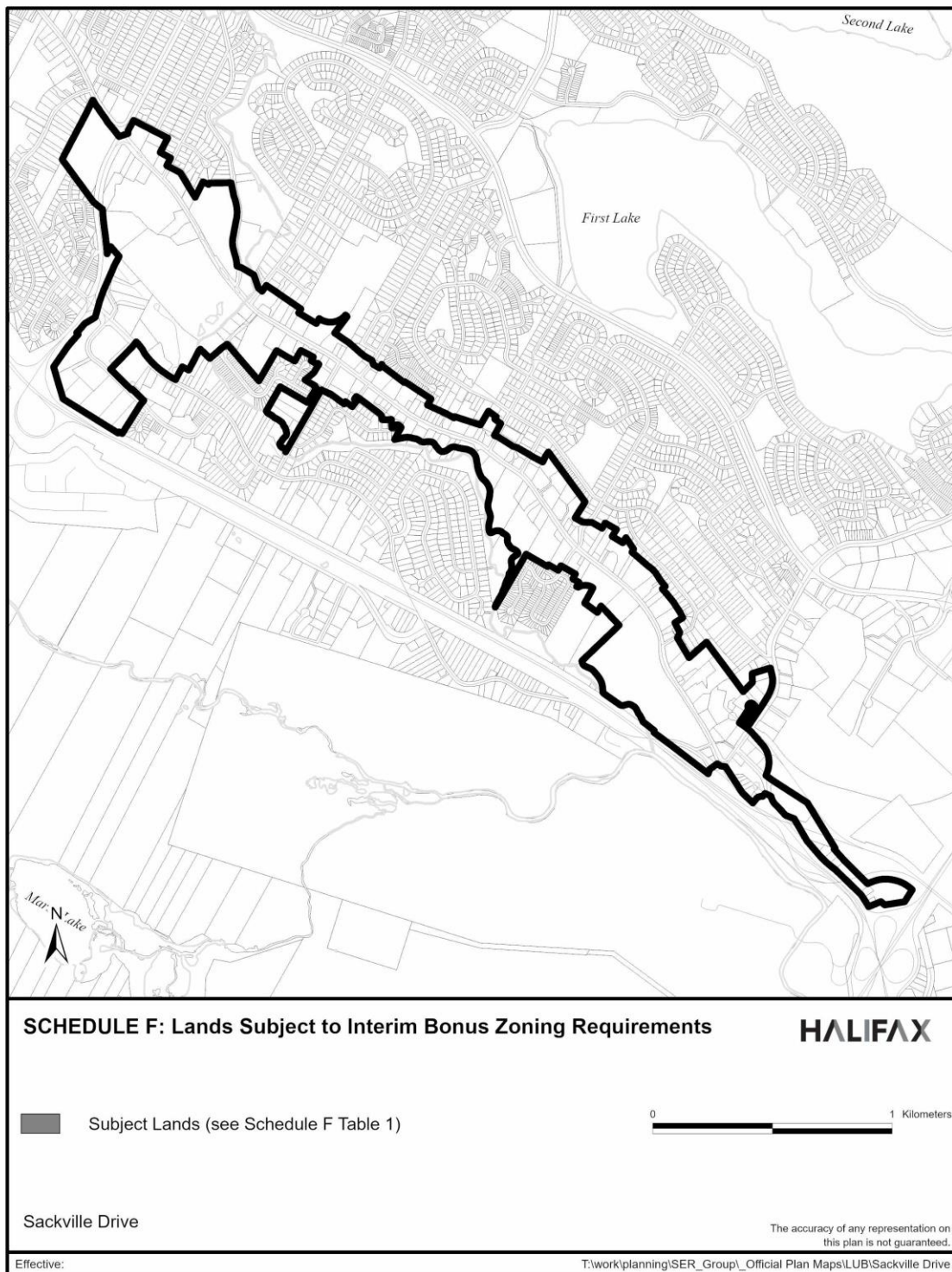
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
 - (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
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

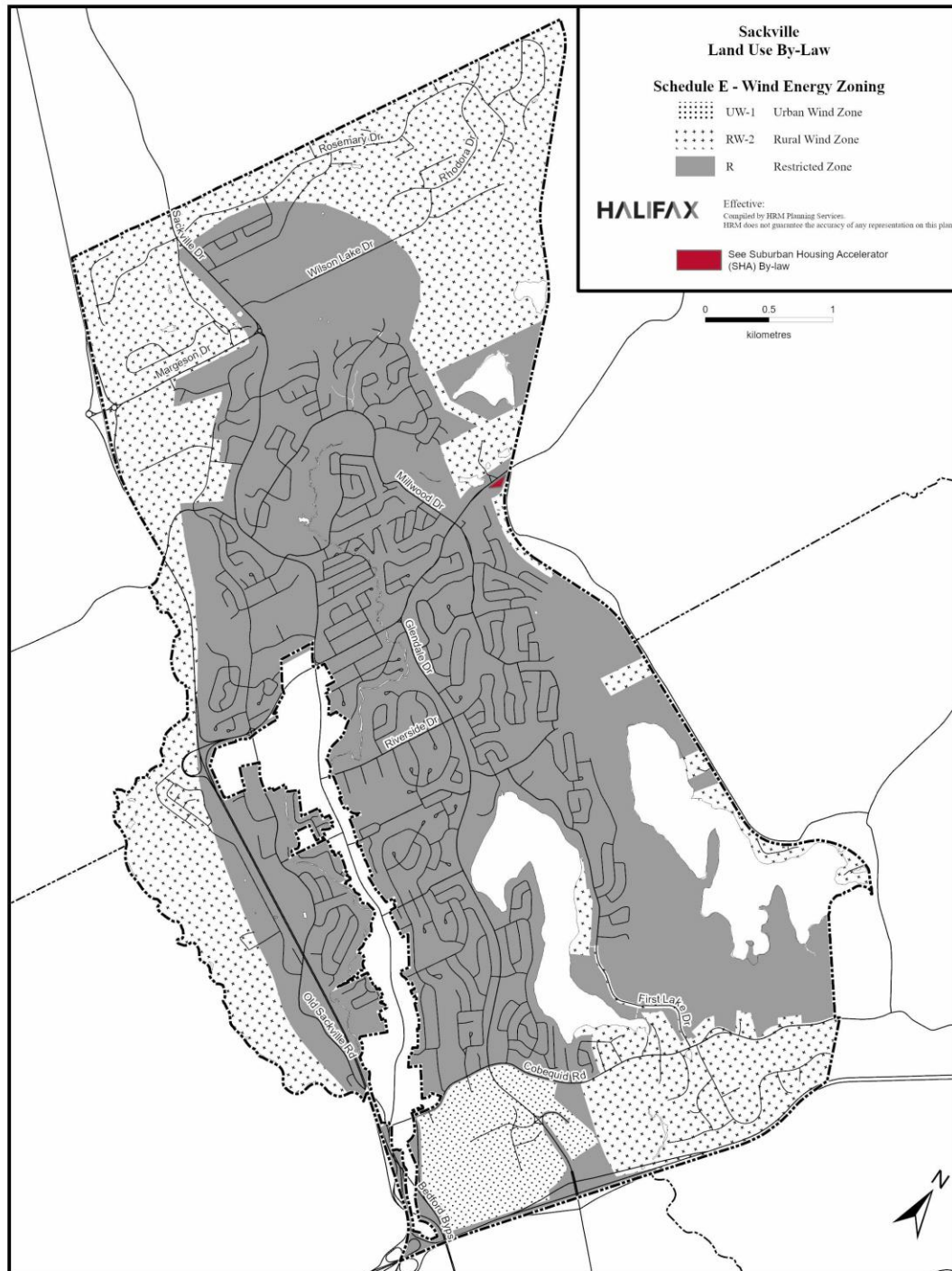
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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

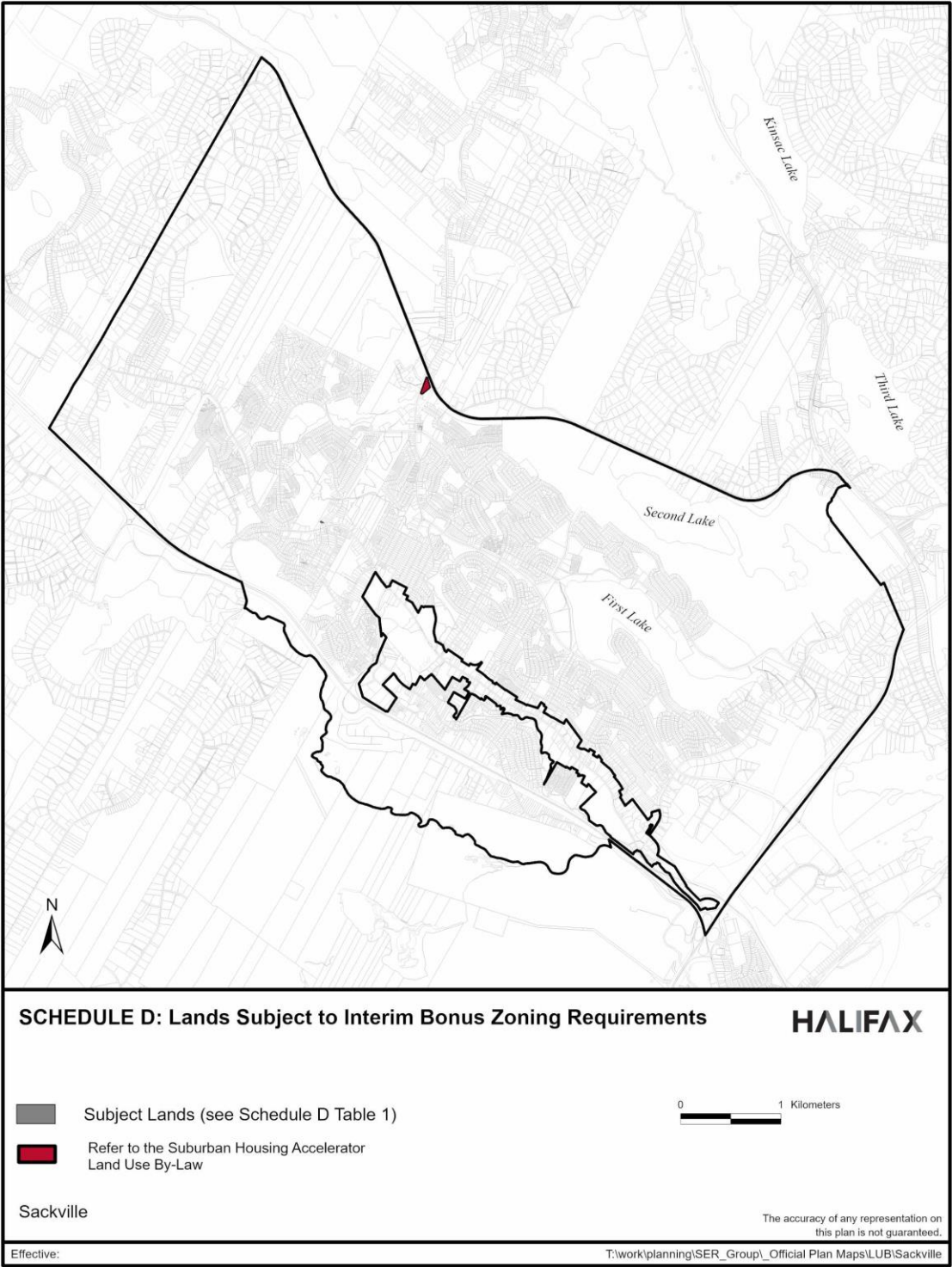
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, 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”

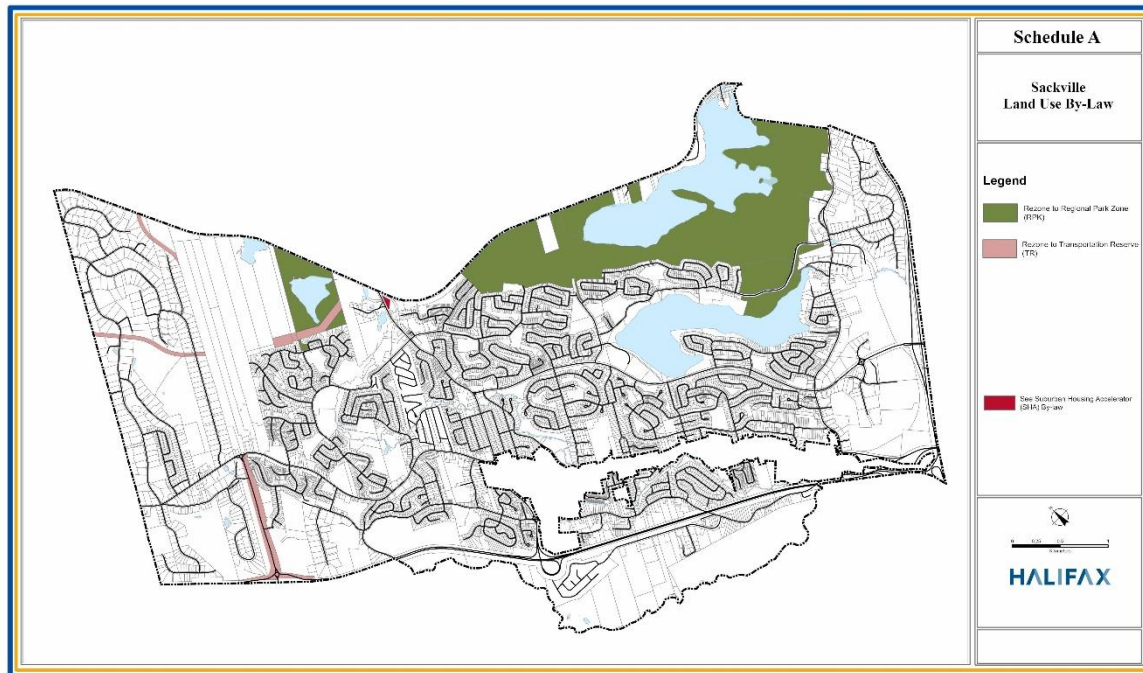


Schedule C-36D – “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

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

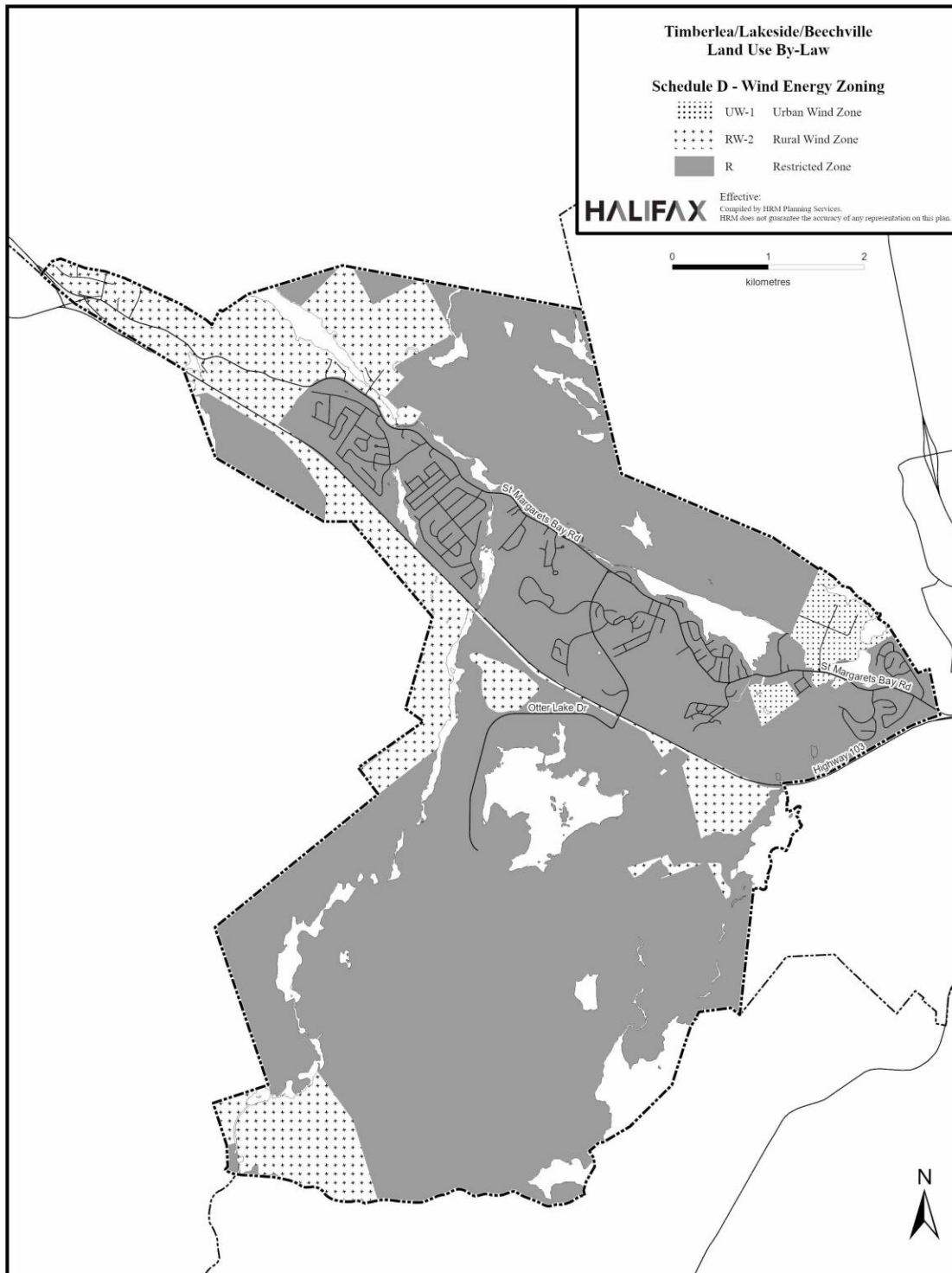
19. Where the required public benefit includes public art under Clause 16(h), the public art shall:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) be designed by a professional artist; and
 - (c) have a minimum cost of \$100,000.
20. 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

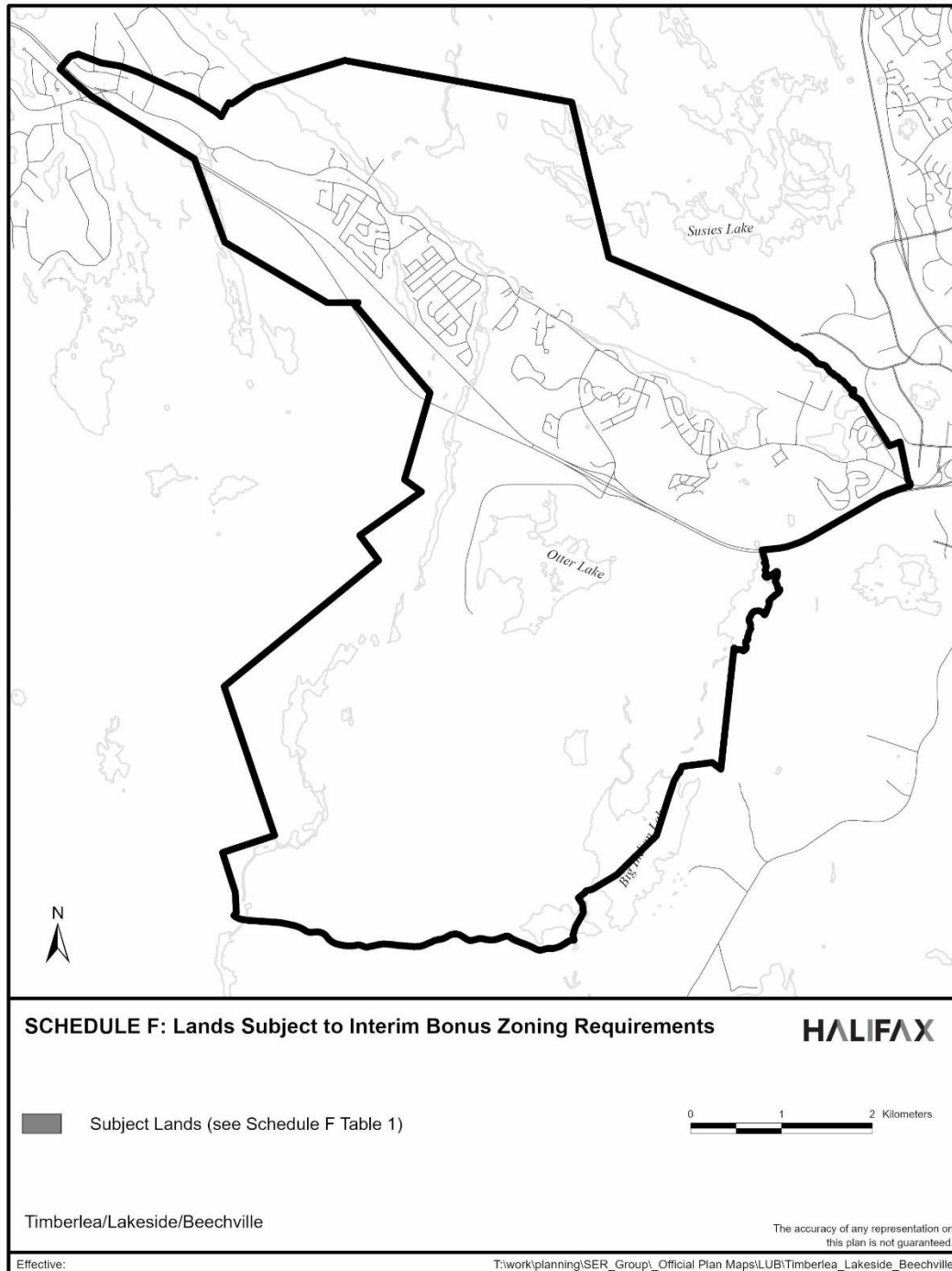
21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:
- (a) the identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where required by the Development Officer, 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”

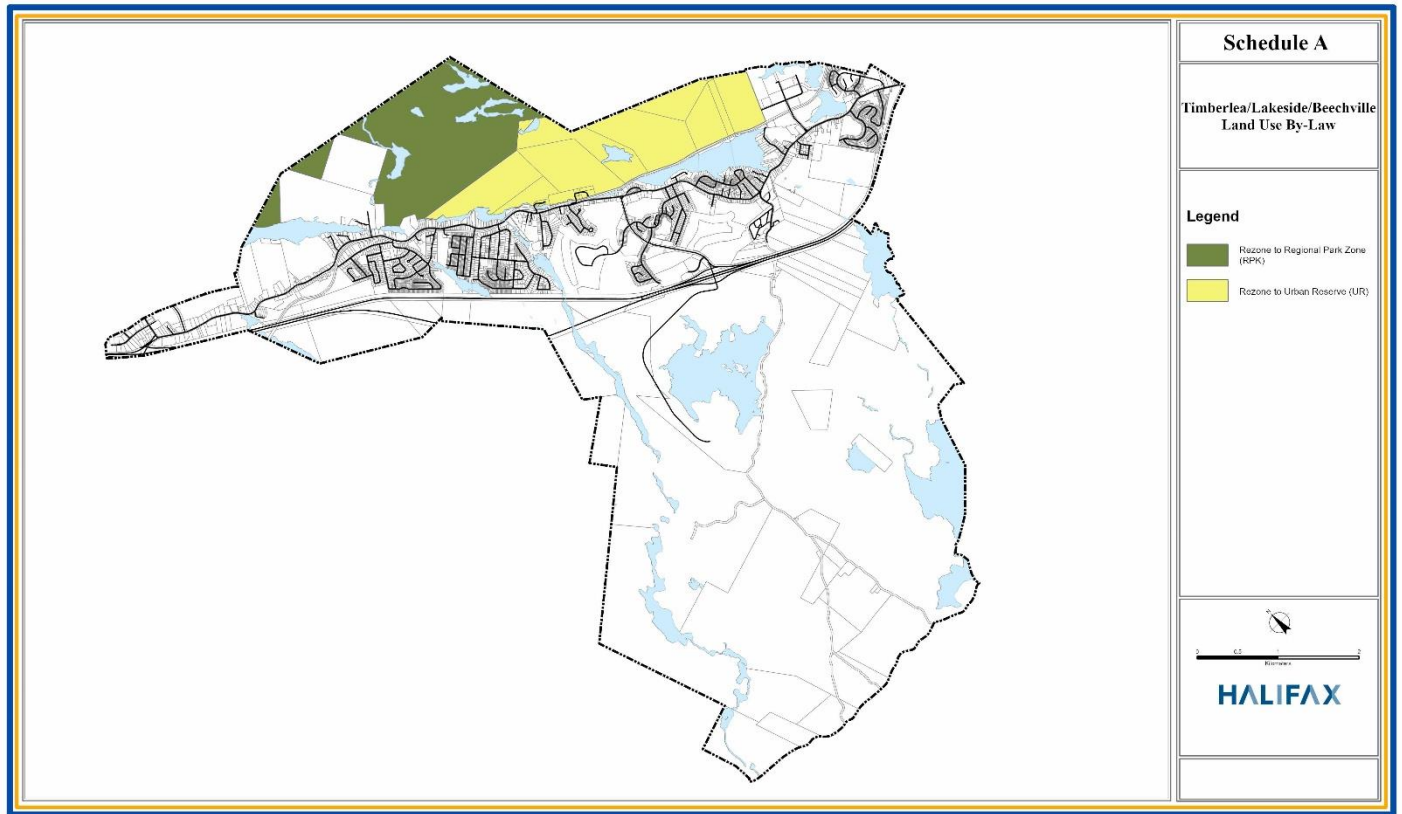


Schedule C-38D– “Schedule F, Table 1: Lands Subject to Interim Bonus Zoning Requirements”

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”

