



MUNICIPAL PLANNING STRATEGY

HALIFAX

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MUNICIPAL PLANNING STRATEGY
WITH AMENDMENTS TO
FEBRUARY 12, 2024**

**MUNICIPAL PLANNING STRATEGY
FOR
HALIFAX**

THIS IS TO CERTIFY that this is a true copy of the Municipal former City Council at a duly called meeting held on the 30th day of March, 1978, and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 12th day of February, 2024.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this ____ day of _____, 20____.

Municipal Clerk

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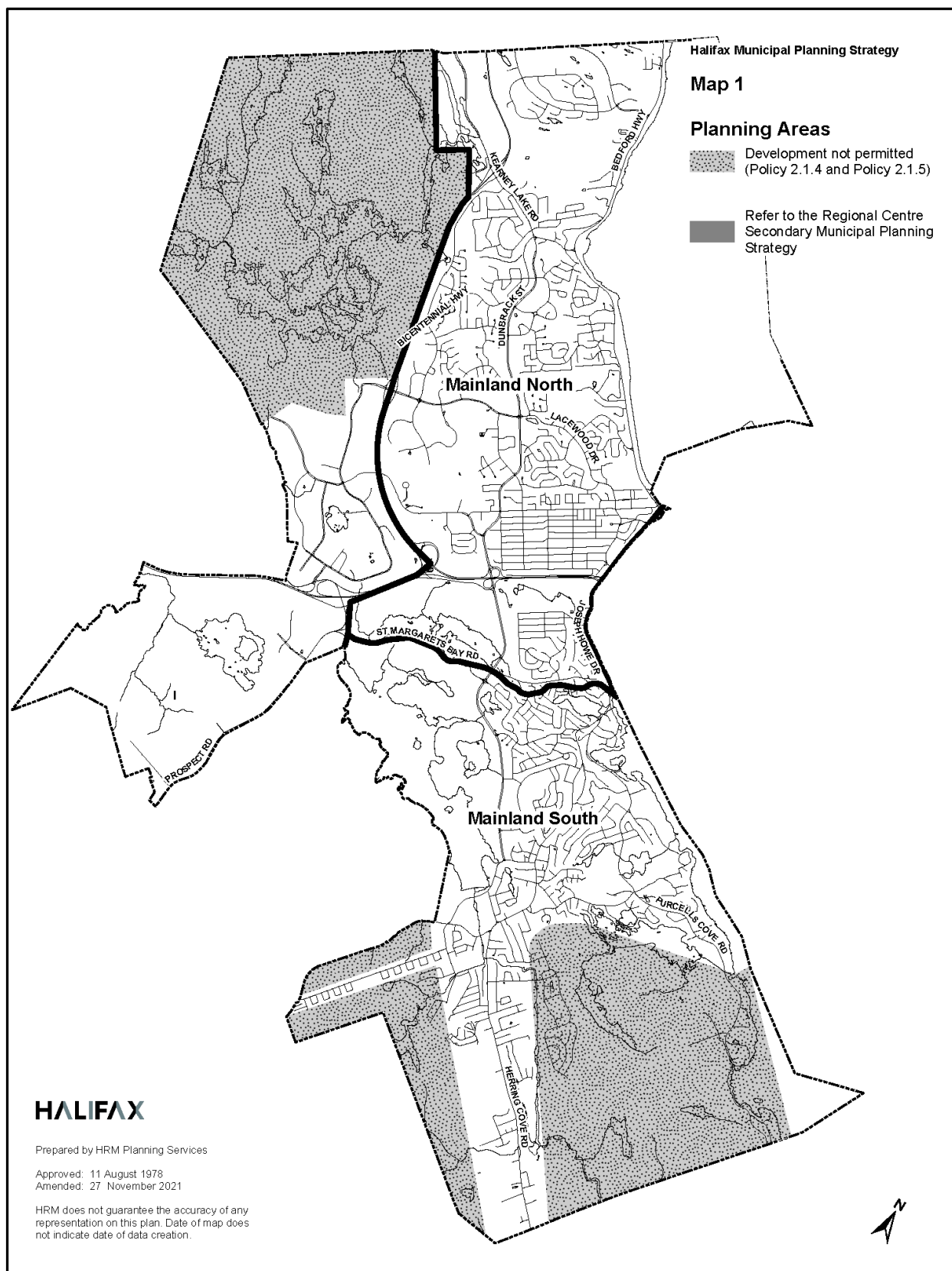
INTRODUCTION

Part II constitutes the Municipal Planning Strategy for a portion of the area formerly known as the City of Halifax. It sets forth statements of policy with respect to present and future land use, transportation facilities, service facilities (schools, parks, open spaces), budgeting and citizen participation. The geographic implications of these policies are shown in map form. The framework for the control of land use is addressed through statements of policy dealing with land use regulations and a statement of policy (in map and text form) dealing with generalized future land use.

In accordance with the planning process described in Part I of this document, there are six (6) (RC-Oct 26/21;E-Nov 27/21) detailed policy sections in this part which set out statements of policy for, the Fairview Area (Section VII), the Bedford Highway Area (Section VIII), the Mainland South Area (Section X), the Western Common Area (Section XIII), the Wentworth Area (Section XIV) and the Bedford West Area (Section XV) respectively. These area plans are enabled by city-wide policies in Part II, Section II and define the detailed policy directions which the Halifax Regional Municipality will employ in decision-making for these specific areas (RC-Oct 26/21;E-Nov 27/21).

Under the provisions of the Halifax Regional Municipality Charter, a municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Zoning By-law adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is an essential distinction in the policies of the Plan as they relate to this point, such distinction being defined by the use of the words "should" or "shall" in the policies. Where "shall" is used in a policy relating to a land use matter, it points to implementation of that policy through zoning regulations. Similarly, where "should" is used, the policy, for the purposes of land use control, will apply to any decision on a development application, rezoning, or zoning amendment made by Council. (RC-Jun 16/09; E-Oct 24/09)

Map 1: Planning Areas (RC-Sep 18/19;E-Nov 30/19) (RC-Oct 26/21;E-Nov 27/21)



SECTION I: BASIC APPROACH AND OVERALL OBJECTIVE

The basic decision-making approach to the City of Halifax with respect to development is that:

Objectives, policies, plans, and programs shall be identified and shall be the foundation for decision-making with regard to the physical, social and economic development of Halifax. In consideration of development matters, alternative courses of action shall be identified and evaluated, whereupon the proper course of action can be selected.

The overall objective of the Halifax Municipal Development Plan and for ongoing planning is:

The enhancement of the physical, social, and economic well-being of the citizenry of Halifax through the preservation, creation, and maintenance of an interesting and livable City, developed at a scale and density which preserve and enhance the quality of life.

The Municipal Planning Strategy for Halifax shall not apply to the lands located within the Regional Centre Secondary Municipal Planning Strategy Plan Area (RC–Oct 26/21;E–Nov 27/21), as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre. (RC-Sep 18/19;E-Nov 30/19)

SECTION II: CITY-WIDE OBJECTIVES AND POLICIES

1. ECONOMIC DEVELOPMENT

Objective: The development of the City as a major business, cultural, government, and institutional centre of Atlantic Canada, while enhancing its image as a place to live and work.

- 1.1 The City should encourage an economic climate conducive to development and the growth of employment opportunities.
 - 1.1.1 The City should take action on matters within its jurisdiction to compete effectively in the Atlantic Region and the metropolitan area for potential development opportunities that add to its position in Atlantic Canada.
 - 1.1.2 The City shall monitor its growth and development to ensure that current objectives and policies reflect changing national and regional economic environments.
- 1.2 The City should strive to expand its tax base so that it can maintain its tax rates at levels that are competitive with other municipalities of the region.
 - 1.2.1 The City should seek to provide municipal services commensurate with the capacity of its tax base and the high standard of living and working environments essential to encourage growth and change.
 - 1.2.2 In considering new development regulations and changes to existing regulations, and development applications, the City shall give consideration of any additional tax revenues or municipal costs that may be generated therefrom.
 - 1.2.3 Pursuant to Policy 1.2.2, the City shall investigate techniques of assessing the fiscal effects of its actions and shall consider the adoption of uniform methods where justified and appropriate.
- 1.3 The City should seek equitable government support to reduce its dependence on the property tax and support its special role within the metropolitan region.
- 1.4 The City should seek alternate means to acquire revenue in order to reduce its dependence on the property tax base.
- 1.5 The City should provide a policy environment within which development can respond to changing market demands, while clarifying the intentions of the City and ensuring that development conforms to a pattern that is cost-effective for the City.
- 1.6 The City should direct the location of development in a manner consistent with its capital program, and economic, social and environmental objectives.
- 1.7 The City should establish land-use regulations that promote the development of high quality commercial, industrial, and residential areas.

- 1.8 The Municipality should establish regulations for billboards to protect and promote a high quality image for the city, to maintain, and enhance the visual attractiveness of streetscapes, to preserve views, to protect public safety, and to prevent nuisance to residents and businesses. This shall be accomplished by regulating the type, number, size and location of billboards, prohibiting specific types of billboards, and/or imposing conditions and performance standards on billboards.

2. RESIDENTIAL ENVIRONMENTS

Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.

2.1 Residential development to accommodate future growth in the City should occur on the Mainland and should be related to the adequacy of existing or presently budgeted services (**RC – Oct 26/21; E – Nov 27/21**).

2.1.1 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.

2.1.3 Repealed.

2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.

2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on-site services shall be permitted.

2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.

2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.

2.3.1 The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.

2.3.2 Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.

2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different

characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.

2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.4.2 In residential neighbourhoods alternative specialized housing such as **shared housing, (RC-Aug 9/22;E-Sep 15/22)** 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.

2.4.2.1 Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.

2.4.3 Further to city-wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls.

2.5 The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled Areas for Detailed Planning and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.

2.5.1 The City views the neighbourhood as the foundation for detailed area planning. In the process of detailed area planning, residents shall be encouraged to determine what they consider to be their neighbourhoods, and to work with City Council and staff in arriving at an acceptable definition of their neighbourhood and a neighbourhood plan.

2.5.2 and 2.5.3 - Repealed (RC-Sep 18/19;E-Nov 30/19)

2.5.4 Repealed 6 June 1990.

2.5.5 (Repealed: RC-Oct 26/21;E-Nov 27/21)

- 2.5.6 The City shall develop detailed policies which reflect its position with regard to the future disposition of the Watershed lands. These policies shall define the City's position with respect to: (a) ownership; (b) public and private land uses; (c) land use distribution; (d) environmental standards which will guide land use distribution; and (e) types(s) and location(s) of access at the boundaries and internally. The City shall place primary importance on public control of these lands and on the provision of extensive public parklands, particularly around all lakes and water courses in the Watershed area.
- 2.5.7 The City shall develop appropriate policies and seek any legislation that may be necessary to affirm its proprietary right to air spaces over City-owned buildings, land and open spaces.
- 2.6 The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).
- 2.9 The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.
- 2.10 For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.
- 2.11 For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.

2.12 Council may permit, by development agreement, new residential uses on lots which do not abut a city owned or maintained street. In considering such proposals, Council shall not approve such a development unless:

- (i) the proposed use is permitted by the zoning by-law;
- (ii) the lot was in existence prior to the adoption of this provision;
- (iii) the lot can be adequately serviced by municipal water or sewer or, where permitted by the by-law, an acceptable well and septic system;
- (iv) the development complies with all other requirements of the by-law with the exception that Council may consider modification to the frontage, area, setback and coverage requirements in accordance with the policies of the plan;
- (v) the lot abuts an existing recognized travelled way and that the said travelled way provides reasonable passage of motor vehicles, especially emergency apparatus and police protection;
- (vi) the location and setback of the proposed dwelling does not adversely affect adjacent uses or watercourses, including the North West Arm.

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. (RC-Jun 25/14; E-Oct 18/14)

2.13 The properties identified as 7 Vimy Avenue; Lot A-1B (at the end of Stoneybrook Court); and 45 Vimy Avenue (Granbury Place Apartments); shall permit high density residential development, however, Lot A-1B shall be limited to a maximum of four storeys due its proximity to the existing low density residential neighbourhood on Lauretide Drive.

2.14, 2.14.1 and 2.15 - Repealed (RC-Sep 18/19;E-Nov 30/19)

2.16 Pursuant to Policies 2.1, 2.2 and 2.4 a multi-unit building may be considered for civic numbers 7, 9, 11, and 13 Springvale Avenue (LRIS PID Nos. 207019, 207027, 207035 and 207043) by development agreement.

2.16.1 Any development permitted pursuant to Policy 2.16 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:

- a) the adequacy of the servicing capacity of the site;
- b) architectural design of the building including building materials;
- c) the scale, height, and massing of the building;
- d) the adequacy of parking provided;
- e) safe accesses to the site and building;
- f) site landscaping including buffering;
- g) location, form and function of open space

2.17 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.17.1 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.18 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.18.1 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.18.2 (Repealed: RC–Oct 26/21;E–Nov 27/21)

2.19.1 **Dunbrack Multi Unit Designation:** The area adjacent Dunbrack Street and Willett Street has a mix of multi-unit residential buildings, including some towers. Many buildings were built in the 1960s and 1970s. Major shopping centres are nearby; parks, libraries, schools and recreation centres are all within an approximately 10-minute walk. The area is served by frequent transit.

For several reasons, more growth and higher density are desirable in this area. First, the Regional Plan identifies this area as part of the Clayton Park West Growth Centre, where development is encouraged. Second, there are a number of services in the immediate area. Third, HRM’s Rapid Transit Strategy endorses Dunbrack Street and Lacewood Drive as potential bus rapid transit corridors. Finally, new development is an opportunity to create pedestrian oriented buildings.

The Dunbrack Multi Unit (DMU) Designation is designed to permit transit oriented, walkable, mixed-use development at 210 & 214 Willett Street. This large site can provide adequate buffering between any new development and the existing neighbouring low-rise housing. In addition, the site is at a prominent intersection with wide streets, where high-rise buildings are appropriate.

(RC-Feb 23/21;E-May 08/21)

2.19.2 Council shall establish the Dunbrack Multi Unit (DMU) Designation, which is shown on Map 9: Generalized Future Land Use. The goal of the designation is to enable new, larger buildings that contain a mix of uses, subject to design standards, to create more walkable neighbourhoods. The Designation will only be applied to the properties at 210 & 214 Willett Street. (RC-Feb 23/21;E-May 08/21)

2.19.3 **Regulating Development Through the R-4B Zone:** To regulate development in the Dunbrack Multi Unit Designation, Council shall establish the R-4B (Dunbrack Multi Unit) Zone, which is shown on Map ZM-1: Zoning, in the Land Use By-law for Halifax Mainland. (RC-Feb 23/21;E-May 08/21)

2.19.4 Heights in the R-4B Zone are regulated on Map ZM-34, Maximum Height in the Dunbrack Multi Unit Zone, in the Land Use By-law for Halifax Mainland. (RC-Feb 23/21;E-May 08/21)

2.19.5 The R-4B Zone shall regulate:

a) building setbacks;

- b) building dimensions, including streetwall size, step-backs and tower dimensions;
- c) streetwall design and appropriate ground floor uses;
- d) location and design of pedestrian spaces;
- e) landscaping;
- f) setbacks and buffers between different uses; and
- g) parking and vehicle access.

(RC-Feb 23/21;E-May 08/21)

2.19.6 The R-4B Zone shall permit the following uses:

- a) apartment houses;
- b) townhouses;
- c) work-live units and home occupations;
- d) retail, office and other commercial uses;
- e) cultural and institutional uses; and
- f) parks and open spaces.

(RC-Feb 23/21;E-May 08/21)

2.19.7 Site Design and Site Layout: The area's spacious, treed character is important to residents. The R-4B Zone requires front yards that complement this character. Site design shall also create pedestrian oriented places, with buildings near the street. (RC-Feb 23/21;E-May 08/21)

2.19.8 The R-4B Zone shall regulate site and building design as follows:

- a) building setbacks: buildings' streetwalls shall be located in close proximity to the street to provide a balance between creating enclosure for pedestrians and allowing for a front yard with lawns and trees;
- b) parking: parking lots or structures shall be located either beside or behind the buildings;
- c) pedestrian paths: paths shall connect building entrances to the public sidewalk.
- d) establishing maximum building heights between 6 storeys (20 metres) and 17 storeys (50 metres); and
- e) requiring buildings adjacent to single unit dwellings, two-unit dwellings or townhomes to transition to these uses through appropriate setbacks.

(RC-Feb 23/21;E-May 08/21)

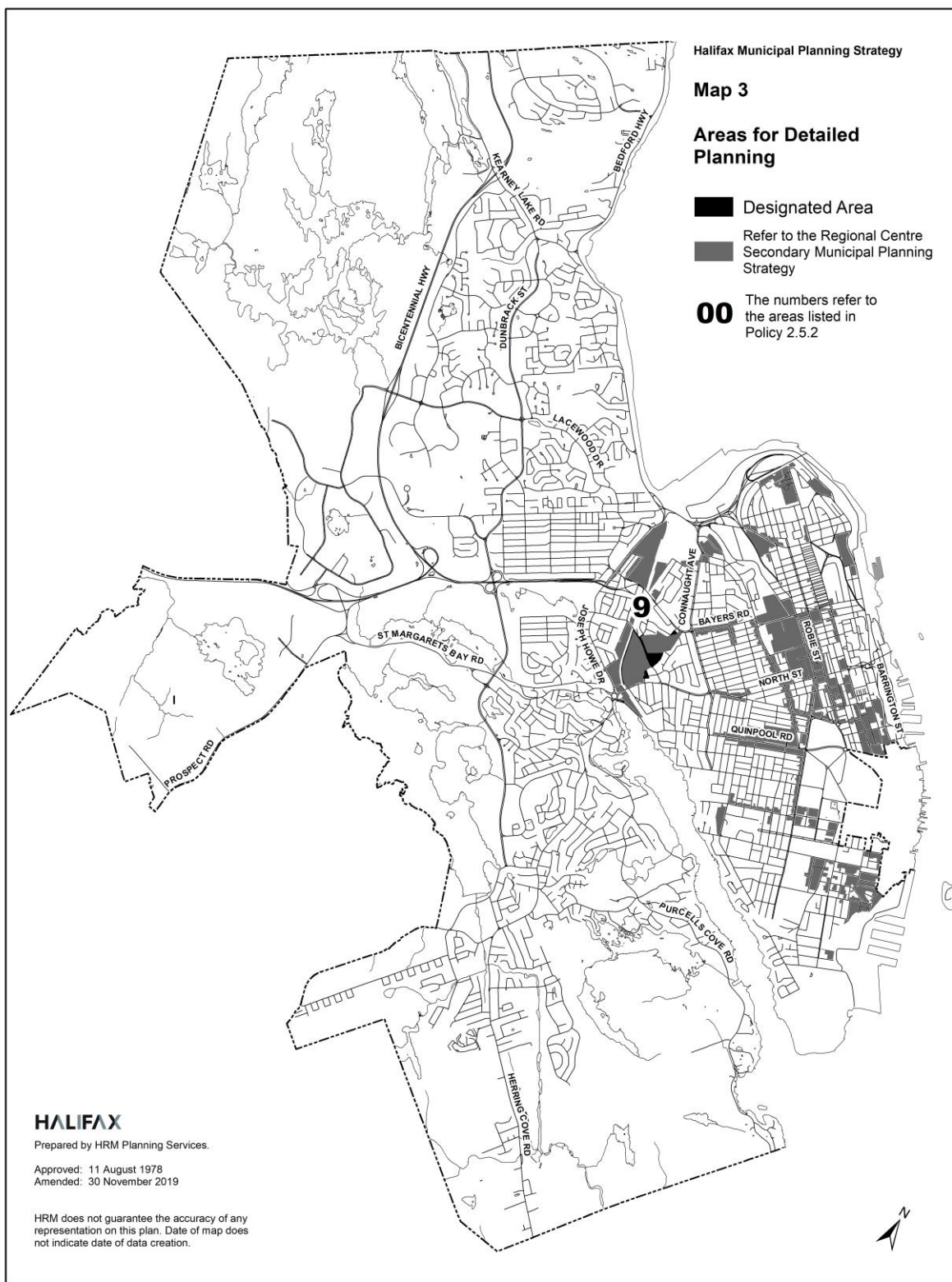
2.19.9 Council intends to consider new planning policy for areas near Willett Street, Lacewood Drive, Dunbrack Street, and commercially zoned properties south of Radcliff Street and adjacent to Dunbrack Street only through a comprehensive planning process. This will happen through the ongoing Regional Plan review and the Plan and By-law Simplification Program. Comprehensive planning will enable Council to consider appropriate building forms and building sizes throughout this area, as opposed to on a site by site basis. Comprehensive planning will also enable

Council to carefully consider how best to create and support a walkable, mixed-use neighbourhood, including consideration of:

- a) appropriate building heights, building forms, and site design;**
- b) wind and shadow analysis;**
- c) the impact on traffic, including from full build-out of potential development;**
- d) improving transition to lower density properties, including appropriate setbacks and side yards;**
- e) revising parking standards;**
- f) requiring a greater portion of dwelling units to have two or more bedrooms;**
- g) proposing better active transportation routes and new public green space;**
- h) creating a density bonus regime like that used in the Centre Plan to fund local area improvements and affordable housing;**
- i) options for inclusionary zoning; and**
- j) commercial space, including the quantity, form and use.**

(RC-Feb 23/21;E-May 08/21)

Map 3: Areas for Detailed Planning (RC-Sep 18/19;E-Nov 30/19)



**SCHEDULE II.1: SOFT AREAS OUTSIDE AREAS DESIGNATED FOR
DETAILED PLANNING (RC-Sep 18/19;E-Nov 30/19)**

1. Geizer Hill area bounded by Bicentennial Highway and western boundaries of existing development of Fairview, Clayton Park, Bridgeview, Sherwood Park, Wedgewood Park, and Mount St. Vincent University.
2. Kearney Lake area bounded by Bicentennial Highway and City limits
3. Hemlock Ravine margins bounded by City lands of Hemlock Ravine, Bedford Highway, City limits, Bicentennial Highway and Grosvenor-Wentworth developed area.
4. Area bounded by Dunbrack Street, St. Margaret's Bay Road, Crown Drive, thence following a line from Crown Drive to the S.E. corner of Springvale subdivision and following the southern boundary of Springvale subdivision itself.

3. COMMERCIAL FACILITIES

Objective: The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.

3.1 The City shall encourage a variety of commercial centres to serve the variety of community needs and shall seek to do so under Implementation Policy 3.7. Provision shall be made for neighbourhood shopping facilities, minor commercial centres, shopping centres and regional centres.

3.1.1 Neighbourhood shopping facilities in residential environments should service primarily local and walk-in trade, and should be primarily owner-occupied. They shall be required to locate at or adjacent to the intersections of local streets rather than in mid-block. Neighbourhood shopping facilities may include one business, for example a corner store or a cluster of businesses. This policy shall serve as a guideline for rezoning decisions in accordance with Implementation Policies 4.1 and 4.2 as appropriate.

3.1.2 Minor commercial centres should service several neighbourhoods. They should locate along principal streets with adequate provision for pedestrian, transit, service and private automobile access. Parking provision should be allowed on surface lots servicing single businesses, as long as conditions preclude nuisance impact on adjacent residential areas. Access to any parking area from the principal street should be controlled. The City should define the geographic limits of minor commercial centres, and shall encourage contiguity of commercial or associated uses within those limits. Minor commercial centres should offer a wider range of services than neighbourhood shopping facilities including local office, restaurants, cinemas, health centres and multi-service centres. Notwithstanding any other policy in the Municipal Planning Strategy or Secondary Planning Strategies, billboards advertising off-site goods and services shall be prohibited in Minor Commercial areas. This policy shall serve as a guideline in rezoning decisions in accordance with Implementation Policies 3.1 and 3.2 as appropriate.

3.1.2.1 Pursuant to Policy 3.1.2, the land use by-law shall permit a limited range of motor vehicle repair facilities on sites formerly occupied by service stations in areas designated Minor Commercial on the Generalized Future Land Use map. The range of such uses shall be dependent upon their potential conflict with the surrounding commercial and residential uses in respect to intensity of use and visual, auditory or other off-site impacts that may be detrimental to surrounding areas.

3.1.2.2 Further to Policy 3.1.2.1 the land use by-law shall require that:

- a) the motor vehicle repair facility be visually screened by fences from abutting residential zones;
- b) any lighting be directed away from abutting residential zones;
- c) all commercial refuse containers be screened from abutting residential zones and the street; and

- d) outdoor storage of inoperative motor vehicles, boxes, crates, or any other materials shall be prohibited;
- e) an area between the street line and the parking area along the part of the street line not required for the curb cut or pedestrian entrance shall be landscaped.

3.1.3 Major commercial centres should service a market area comprising most or all of the City. These centres may include major offices and hotels, in addition to uses suggested for minor commercial centres. The City should encourage parking facilities in these centres to serve several businesses in order to limit nuisance impact. The City's policy for major commercial centres in all other respects should be identical to Policy 3.1.2.

3.1.4 Shopping centres should service a major area of the City, and/or part of the region. They shall have direct controlled access to the principal street network and shall have adequate provision for pedestrian, transit, service, and private automobile access and egress. The dominant activity in shopping centres shall be retail activity. Major offices and hotels should be discouraged from locating in these centres.

3.2, 3.2.1, 3.2.2 and 3.2.3 - Deleted (RC-Jun 16/09: E-Oct 24/09)

3.3 For the commercially designated area in the east side of Bicentennial Drive at the Bayers Lake Interchange, development of Mixed Commercial/Residential uses shall be by development agreement. Boundaries and phases of the development shall be determined through the agreement.

3.3.1 The overall objectives to be achieved through the development agreement are:

- a. to create a high quality, attractive and efficient mix of commercial and residential development through sound land use planning; and
- b. to encourage imaginative and innovative planning.

3.3.2 It is envisioned that commercial enterprises that generally do not require the business interdependencies associated with the Central Business District will be the dominant form of commercial use. Uses to be encouraged include:

- a. service commercial including processing and assembly, communications, research and institutional;
- b. retail;
- c. office and;
- d. residential.

3.3.2.1 It is envisioned that the broadest mix of uses will occur in eastern quadrants of the Bicentennial Drive and Parkland Drive intersection. Any retail use of a scale and character designed to serve the regional consumer market, such as large-format outlets, shall be confined to the south-east quadrant of the Parkland Drive/Bicentennial Drive interchange.

3.3.2.2 No use shall entail an unacceptable nuisance such as odour or noise.

- 3.3.3 In establishing the type and density of development to be permitted in any agreement, the Municipality will have regard to traffic, parking, public transportation, sewer, storm sewer and water capacities.
- 3.4 The overall character shall be of a prestigious mix of commercial and residential development. This shall be encouraged through consideration of the following:
- a. a high quality standard of building design and streetscape;
 - b. signage, landscaping, parking and utilities standards consistent with the intended prestigious image of the area;
 - c. harmonious relationships between proposed commercial existing or proposed residential uses and between differing forms of commercial uses, through effective urban design and landscape treatment;
 - d. development practices which take advantage of the natural features of the site by integrating existing vegetation and topographical features wherever appropriate;
 - e. An interesting and varied entrance corridor that provides a signature for the area on both private and public lands fronting Lacewood Drive; and
 - f. a transportation system allowing for convenient automobile, transit and pedestrian circulation.
- 3.5 All commercial areas not within areas designated for detailed planning and not considered neighbourhood commercial centres pursuant to Policy 3.1.1 shall be resolved as to type at the time of adoption of a new land use by-law pursuant to Implementation Policy 3.7.
- 3.6 The City should adopt regulations to discourage the establishment of those commercial uses in commercial areas which contribute to the deterioration of commercial areas through decline in property values and disinvestment in the properties in these areas, and this shall be accomplished by Implementation Policies 4.7, 4.7.1 and 4.7.2.
- 3.7 (Repealed: RC–Oct 26/21;E–Nov 27/21)**
- 3.8 The HRM should adopt regulations to control the location of amusement centres through restricting the use to major commercial areas, shopping centres, and this shall be accomplished by Implementation Policies 3.13, 3.13.1 and 3.13.2. (RC-Jun 16/09; E-Oct 24/09)**
- 3.9 For commercial areas the land use by-law may regulate the number, size, height, illumination and location of signs to ensure that development is in keeping with the character of the respective commercial areas.

4. INDUSTRIES

Objective: The enhancement of employment opportunities by encouraging existing and potential industrial uses in appropriate locations.

4.1 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

4.1.1 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

4.1.1.1 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

4.1.1.2 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

4.2 Industrial development which is not harbour-related shall be located in specified industrial areas with defined boundaries generally as shown on Map 9. These industrial areas should be separated and buffered from residential areas and shall be located on or adjacent to the principal street network.

4.2.1 The City should encourage the maximum use by industry and supporting uses of lands designated for industrial development and should, where possible, discourage the development of conflicting land uses on these lands in recognition of the limited supply of this type of land within the City and the impediment to efficient industrial operation that may be created by competing activities.

4.3 The City should foster industrial activities compatible with the residential areas of the City.

4.3.1 A mixture of commercial, industrial and related enterprises shall be encouraged in the Bayers Lake and Ragged Lake areas. The development standards identified in Policy 4.4 shall ensure appropriate economic development of the lands, accommodating a broad range of industrial, commercial and related uses, and complementing the physical and environmental characteristics of the land.

4.3.2 Except where they are harbour related uses and located in areas zoned for that purpose, the City shall require that junk yards be permitted only in areas designated Industrial and zoned for general industrial purposes (I-3).

4.4 Further to Policy 4.3.1, the Land Use By-law shall require that:

- (a) sufficient and properly surfaced parking for employees and customers is provided;
- (b) all open space areas including yards and setbacks are landscaped;
- (c) loading and unloading areas are controlled in terms of location and screening in respect to their adjacency to collector roadways;
- (d) the number and size of large signs advertising the business on the lot as well as signage for individual businesses are limited;
- (e) billboards are prohibited; and
- (f) lakes, streams, and other waterbodies are protected by requiring a minimum setback of any development.

- 4.5 The City shall encourage industrial development in those areas, designated generally on Map 9, within the context of Policies 4.1 to 4.4. In those areas which have been designated for detailed area planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.
- 4.6 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

5. INSTITUTIONS

Objective: The enhancement of employment opportunities by encouraging existing and potential institutional uses in appropriate locations.

- 5.1 Unless clearly inappropriate for the good development of the City, existing regional and City-wide institutional facilities shall be encouraged to remain in their present locations and efforts shall be made to protect, maintain and upgrade them.
- 5.2 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. The City shall develop standards and boundaries which will protect neighbouring areas, especially residential areas, from encroachment and nuisance effects.
- 5.3 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. Pursuant to Policy 5.2, where such areas fall within the bounds of a designated area for detailed planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.

5.4 and 5.5 - Repealed (RC-Sep 18/19;E-Nov 30/19)

6. HERITAGE RESOURCES

Definitions

"**Heritage Property**" means an area, site, structure or streetscape of historic, architectural or cultural value registered in the Halifax Registry of Heritage Property.

"**Heritage Conservation Area**" means an area of concentration of properties unified by similar use, architectural style or historical development, which retains the atmosphere of a past era. (RC-Jul 17/18; E-Nov 3/18)

"**Heritage Conservation District**" means a heritage conservation district pursuant to the Heritage Property Act. (RC-Jul 17/18; E-Nov 3/18)

Objective: The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City's past historically and/or architecturally.

6.1 The City shall continue to seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and/or conditions such as views which impart to Halifax a sense of its heritage, particularly those which are relevant to important occasions, eras, or personages in the histories of the City, the Province, or the nation, or which are deemed to be architecturally significant. Where appropriate, in order to assure the continuing viability of such areas, sites, streetscapes, structures, and/or conditions, the City shall encourage suitable re-uses.

6.1.1 The criteria by which the City shall continue to identify such areas, sites, structures, streetscapes and/or conditions identified in Policy 6.1 are set out in the official City of Halifax report entitled An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978).

6.1.2 The City should designate those properties which meet the adopted criteria as registered heritage properties, heritage conservation areas, **or heritage conservation districts** and protect them within the terms of the Heritage Property Act **and Land Use Bylaw. (RC-Jul 17/18; E-Nov 3/18)**

6.2 The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history **(RC-Oct 26/21;E-Nov 27/21).**

6.3 The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.

6.3A (Repealed: RC-Oct 26/21;E-Nov 27/21)

6.3A.1 (Repealed: RC-Oct 26/21;E-Nov 27/21)

- 6.3.1 Deleted (RC-Jun 16/09; E-Oct 24/09)
- 6.3.2 (Repealed: RC-Oct 26/21;E-Nov 27/21)
- 6.3.3 (Repealed: RC-Oct 26/21;E-Nov 27/21)
- 6.4 The City shall attempt to maintain the integrity of those areas, sites, streetscapes, structures, and/or conditions which are retained through encouragement of sensitive and complementary architecture in their immediate environs.
- 6.4.1 The City shall regulate the demolition and exterior alterations under the provisions of the Heritage Property Act, and should secure inducements for retention, maintenance and enhancement of registered heritage properties.
- 6.4.2 The City shall study the use of preservation easements and restrictive covenants to determine the extent to which they can be used in the preservation of registered heritage properties.
- 6.4.3 The City shall consider acquisition of registered heritage properties whenever acquisition is the most appropriate means to ensure their preservation.
- 6.4.4 The City shall organize and maintain a data bank on heritage conservation methods including data on costs, sources of funding, techniques, methods, and materials used on successful recycling or restoration projects, both for its own use and to encourage private sector involvement in heritage conservation.
- 6.5 The City shall budget an annual amount to ensure that a fund is available should purchase or other financial involvement be considered by the City for a registered heritage property. The specific terms of this budget are set forth in Policy 11.3.2 of this section of this Plan.
- 6.6 In the purchase or lease of space for its own use, the City shall first consider accommodation in designated heritage structures.
- 6.7 The City shall investigate the possibility of establishing Heritage Conservation Zones to protect heritage conservation areas, **heritage conservation districts**, and registered heritage streetscapes under the provisions of **the *Heritage Property Act and Halifax Regional Municipality Charter***. The results of such investigation should be incorporated as amendments to this Plan and to the Land Use By-law. (RC-Jul 17/18; E-Nov 3/18)
- 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-7A of the Halifax Regional Municipal Planning Strategy (RC-Oct 11/22;E-Nov 16/22).**

7. COMMUNITY FACILITIES

Objective: The provision and improvement of recreation and community lands, facilities, and services for all ages that are deemed appropriate to the creation, maintenance, and preservation of healthy neighbourhoods and to the City.

- 7.1 Unless clearly inappropriate to the good development of the City, existing regional and City-wide recreation and community facilities shall be encouraged to remain in their present locations and efforts shall be made to protect, maintain, and upgrade these facilities.
- 7.2 Future regional and City-wide recreation and community facilities shall be encouraged to locate in appropriate locations throughout the City. The appropriateness of such locations shall be determined on the basis of any one or combination of the following: (a) use and function of the proposed facility; (b) adequacy of transportation; and (c) uniqueness of the site, or its historic significance. The City should not normally prezone areas of land for such uses.
- 7.2.1 The City should continue to identify and to promote regional and City-wide recreation and community facilities which have a particular attraction for the visitors to the City.
- 7.2.2 The City should encourage public uses which are industrial or service commercial in character to locate within areas designated "Industrial." For those public uses which need to be located in other than these designations in order to effectively and efficiently carry out their community support function to part or all of the City or Region, the City may consider developments in alternative locations through the contract development provisions of the Planning Act, or by rezoning.
- 7.2.2.1 Pursuant to Policy 7.2 and 7.2.2, Council may consider the development of public uses which are industrial or service commercial in nature such as, but not limited to utility stations for water, electricity and telephone, fire and police stations, and centres for the upkeep and maintenance of City infrastructure. In considering such developments, Council shall have regard for:
- (i) the compatibility of the development in respect to adjacent and neighbouring uses;
 - (ii) where possible and appropriate, an overall architectural and landscape design which reflects adjacent and neighbouring uses;
 - (iii) the appropriateness of the site in respect to performing the particular community support function; and
 - (iv) the provisions of Industrial Policy 4.6, Part II, Section II, clauses (ii) to (xi) inclusive.
- 7.3 The City shall seek out and exercise appropriate control over areas of land which have the potential to provide outdoor recreation opportunities. Selection of these areas shall include, among others, the following criteria: (a) their natural or heritage significance; (b) their scenic quality; and (c) accessibility.
- 7.3.1 The City shall attempt to provide natural or urban linkages between these areas.

- 7.3.2 The City shall continue to seek the preservation of Hemlock Ravine. The City believes that public ownership is the key to preservation of Hemlock Ravine, and will proceed on this basis. The City shall seek the proper means to assure that the public may enjoy these unique resources in ways which minimize opportunities for environmental damage.
- 7.4 The City shall seek out and ensure public access to all water bodies and open water courses within its boundaries. Locations shall be selected for: (a) their ability to provide opportunities for active or passive recreation; (b) their natural or heritage significance; and (c) their scenic qualities.
- 7.4.1 Deleted (RC-June 16/09; E-Oct 24/09)**
- 7.4.2 The City shall seek to increase the available points of physical and visual access to the shores of the Northwest Arm. The City, in carrying out this Policy, will give special emphasis to: (a) extending the Northwest Arm pathway from Horseshoe Island to Purcell's Cove; (b) preservation of areas or conditions of unique natural, scenic, or heritage significance associated with the Northwest Arm; (c) provision of public water-based recreation opportunities; and (d) provision, to the extent possible, of a pollution-free environment.
- 7.4.3 The City shall examine the possibilities for better use of the shores of the Bedford Basin and, in doing so, shall concentrate upon the options for increased public access to the Basin itself.
- 7.4.4 The City shall seek the preservation of the MacIntosh Run as an open water course whose channel, floodplain and banks are accessible for appropriate public recreation purposes. In order to promote a safe environment, the Run should be bridged at appropriate locations for crossing by pedestrians and bicycles. The City shall detail these actions as part of the detailed area planning process for Mainland South.
- 7.4.5 The City shall seek the protection of the waters of the MacIntosh Run from pollution due to infilling and/or waste disposal.
- 7.5 For neighbourhood and community parks, the City shall follow guidelines as to size, quality, service areas, location, access and population served as established in the Recreation Strategy in Part III of this document. Design of individual parks shall attend to the characteristics of the population intended to be served.
- 7.5.1 For neighbourhood and community parks in presently developed areas, the City shall, in accordance with the Recreation Strategy in Part III of this document, upgrade present facilities or add new facilities and lands which will bring those areas closer to any guidelines established by City Council. In areas where lands of sufficient size are not available, the City should consider providing vest-pocket parks (of a permanent or temporary nature) to supplement existing recreation space.
- 7.6 The City shall encourage the provision of recreation and community facilities in the vicinity of commercial centres and in City schools (and/or on school grounds),

based on their appropriateness and location. The City shall avoid the duplication of facilities for any one area. In all cases, prior to encouraging recreation and community facilities to locate in City schools, or on school grounds, the City shall first identify the appropriateness of such locations based upon: (a) the necessity of avoiding disruption of the main function of schools; (b) the effect upon possible funding structures; (c) the effect upon possible operating budget structures; (d) the age level and needs of the students; and (e) an assessment of community need.

- 7.6.1 The City should periodically review the liaison procedures it has established with the Halifax Board of School Commissioners and with other boards and commissions in order to continue to carry out the policy effectively.
- 7.7 The City shall encourage, wherever appropriate, the multiple use of existing and proposed lands and facilities in order to promote their most efficient use.
- 7.8 The City shall develop standards for accepting open space lands whenever legally possible in the processes of subdivision, resubdivision, lot consolidation, rezoning, or development agreements. These standards shall be developed on the basis of criteria including the following: (a) size and shape; (b) quality of land in terms of slope, soil characteristics, drainage and site finishing; (c) suitability of location within the development itself; and (d) accessibility. The City shall assure the legislative force necessary to implement these standards once developed.
- 7.9 In consideration of applications for subdivision, resubdivision, lot consolidation, rezoning, or development agreements, it shall be the policy of the City to examine the availability of adequate recreational open spaces, and to grant approval to such applications only where the legally enforceable standards of the City can be reasonably met.
- 7.9.1 Future standards should address when applicants may be required to make a payment in lieu of land in accordance with the estimated recreation demands created by the particular development.
- 7.10 Except when the interests of the City would clearly be better served, the City shall not release park lands or public open spaces for uses other than recreational in nature, unless such parks have been designated by the City as temporary, or unless alternative recreational space within the neighbourhood has been provided.
- 7.11 The City shall investigate alternative sources and methods of funding the acquisition or development of recreation lands and facilities.
- 7.12 The City shall attempt to negotiate the use of recreation facilities owned by other public and quasi-public organizations, and, whenever possible, shall pursue the joint provision of recreation lands and facilities in order to avoid unnecessary duplication of resources.
- 7.13 The development of recreation facilities shall be scheduled through the capital budget process.

8. ENVIRONMENT

Objective: The preservation and enhancement, where possible, of the natural and man-made environment, and especially of those social and cultural qualities of particular concern to the citizens of Halifax.

- 8.1 The City shall prepare a strategy statement on the environment as called for in Part III of this document, and shall, as part of such statement, make provision for the detailing and implementation of Policies 8.2 - 8.5 below. The City shall address the remainder of the environment policies in preparing the strategy statement. The City, upon adoption of the Environment Strategy Statement, shall amend this Plan and accompanying development regulations as appropriate.
- 8.2 In reviewing public and private land use proposals, including its own capital program, the City will take into account the social, physical, economic and aesthetic effects on the natural and man-made environment, and will establish and maintain appropriate procedures to take such effects into consideration in the approval process for such land uses.
- 8.3 The City shall develop the means to assure the greatest possible degree of compatibility between new developments and desirable aspects or characteristics of the surrounding man-made and natural environment through regulatory procedures or special permit procedures, such as contract zoning, conditional zoning, etc. Preference should be given to development which is aesthetically pleasing, human in scale, and in harmony with the natural and man-made environment. A requirement for an environmental impact statement should be implemented subsequent to completion and adoption of the Environment Strategy Statement as called for in Part III of this document.
- 8.4 The City shall identify areas of natural significance and natural areas which are environmentally sensitive. The City will protect these areas from environmental degradation insofar as possible, through such means as zoning, development standards, and public education.
- 8.5 The City shall establish standards, insofar as it has the power, for maintaining lake systems and their watersheds in a healthy state. These standards should address the infilling of lakes or their tributaries, the preservation of natural resources which are visually or ecologically complementary to those lakes and their tributaries, the control of discharges into lakes or tributaries resulting from public or private developments which would cause long-term degradation of the water quality, and the prevention of any other environmentally damaging effects.
- 8.6 The City should make every effort to ensure that developments do not create adverse wind and shadow effects. The means by which this policy shall be implemented shall be considered as part of the study called for in Part III.
- 8.7 The City shall attempt to ensure that air, water, soils, and noise pollution are minimized and do not damage the quality of life in the City.
- 8.8 The City should protect vistas and views of significant interest.

- 8.9 The City shall maintain the planting and protection of shade trees within its control, and should develop a tree planting program which will improve the quality of the urban environment.
- 8.10 The City should protect existing green areas and attempt to create new green areas. Every effort should be made to protect existing boulevards, tree-lined streets, and small parks.
- 8.11 The City should encourage educational programs to further an understanding and appreciation of the environment.
- 8.12 The Northwest Arm is a narrow, recreational inlet characterized by major urban parks (Sir Sandford Fleming, Point Pleasant, Deadman's Island and Horseshoe Island Parks), historical assets and predominantly residential uses. The Northwest Arm is also home to a number of boat/sailing clubs which generate significant boating traffic in the Arm. Consequently, the Halifax Regional Municipality recognizes that subdivision, development and water lot infilling activities along the Northwest Arm may result in undesirable impacts on the aesthetic character and traditional built form of the Northwest Arm, on its recreational use and navigability and on its marine environment. As a means of protecting the character of the Northwest Arm, the Municipality shall control development and subdivision on lots and water lots along the Northwest Arm. Specific measures will include limiting the type of structures that will be allowed on both infilled and non-infilled water lots, implementing a setback from the Northwest Arm, limiting the type and size of structures to be built within the Northwest Arm setback, and preventing infilled and non-infilled water lots from being used in lot area, lot coverage (RC-Jan 9/24;E-Feb 12/24), and setback calculations. (RC-May 1/07; E-Jul 21/07)**
- 8.12.1 In order to carry out the intentions described in 8.12, the Municipality shall designate the seabed of the Northwest Arm seaward of the Ordinary High Water Mark, as it existed on the effective date of the adoption of this amendment and as generally shown on Appendix A (Generalized Future Land Use Map), as Water Access. Through the Land Use By-laws, the Municipality shall establish a corresponding Water Access Zone which shall apply to any new land created by infilling of the Northwest Arm. Development within this Zone shall be limited to public works and utilities, ferry terminal facilities, municipal, provincial and national historic sites and monuments, passive recreation uses and wharves and docks. (RC-May 1/07; E-Jul 21/07)**
- 8.12.2 The Municipality shall encourage the respective provincial and federal approval authorities from issuing any approval to permit the infilling of water lots, which would be detrimental to the objectives described in 8.12. Infilling activities related to the construction of public works and utilities, ferry terminal facilities, municipal, provincial and national historic sites and monuments, passive recreation uses, and wharves and docks are not considered to be detrimental to the objectives of 8.12. (RC-May 1/07; E-Jul 21/07)**

- 8.12.3** The Municipality shall also encourage the respective provincial and federal approval authorities to refer any marine related infrastructure or water lot (RC-Jan 9/24;E-Feb 12/24) infilling requests and applications occurring within Halifax Harbour, including the Northwest Arm, to the Development Officer for review of compliance with the Land Use By-law. (RC-May 1/07; E-Jul 21/07)
- 8.12.4** In 2023, Justice Canada indicated on behalf of Transport Canada a willingness to recognize or otherwise permit a limited jurisdiction for the Municipality over infilling on the Northwest Arm. Staff of the department have indicated a willingness to recommending to the Minister the issuance of conditional approvals under the *Canadian Navigable Waters Act* (CNWA), over water lot infilling activities on the Northwest Arm. This approach would see Ministerial approvals require applicants to be compliant with the Municipality's municipal land use regulations. Consequently, the Municipality will prohibit, through its Land Use By-law, most water lot infilling activities in the Northwest Arm. The only water lot infilling activities that will be permitted to proceed though the development permit process will be those related to the following developments:
- (a) public works and utilities;
 - (b) ferry terminal facilities;
 - (c) parks on public land;
 - (d) municipal, provincial, and national historic sites and monuments; and
 - (e) retaining walls (RC-Jan 9/24;E-Feb 12/24)

9. TRANSPORTATION

Objective: The provision of a transportation network with special emphasis on public transportation and pedestrian safety and convenience which minimizes detrimental impacts on residential and business neighbourhoods, and which maximizes accessibility from home to work and to business and community facilities.

9.1 The City shall encourage an efficient transit system linking major employment areas and community facilities with community centres and neighbourhoods.

9.1.1 The City shall investigate the appropriateness of establishing or encouraging park-ride facilities.

9.2 It shall continue to be the City's policy to establish truck routes. Such routes shall minimize impacts on residential neighbourhoods and transit efficiency.

9.2.1 The City shall periodically review its policies with regard to truck routes and their designation to ensure their conformity to this Plan.

9.2.2 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**

9.3 Design standards for all streets within the City shall pay particular attention to the provision of adequate and safe pedestrian routes.

9.3.1 The City shall develop and enforce necessary pedestrian controls to assure safety.

9.4 The transportation system within residential neighbourhoods should favour pedestrian movement and discourage vehicular through traffic in both new and existing neighbourhoods. A pedestrian system that utilizes neighbourhood streets and paths to link the residents with the commercial and school functions serving the area will be encouraged.

9.5 The City should encourage transportation systems which minimize adverse environmental effects, particularly pollution, social disruption, inefficient use of land, and inefficient energy consumption.

9.6 In accordance with the official City report entitled Land Development Distribution Strategy, 1977, the principal street network shall be that network which is shown as "accepted" on Map 8 herein (which conforms generally to the Regional Transportation Plan network, Appendix "D" of the Halifax-Dartmouth Regional Development Plan, April, 1975).

9.6.1 For the "accepted" principal street network, the City shall not permit and shall discourage any proposed changes with respect to location, construction and upgrading except in conformance with the detailed policies below, in addition to the general policies in this Plan.

9.6.2 The City does not accept those street linkages indicated as "not accepted" on Map 8 as principal streets pending further study. That study shall be carried out as

part of the Transportation Strategy Statement called for in Part III of this document. The City, upon review and adoption of the Transportation Strategy, shall amend this Plan as appropriate.

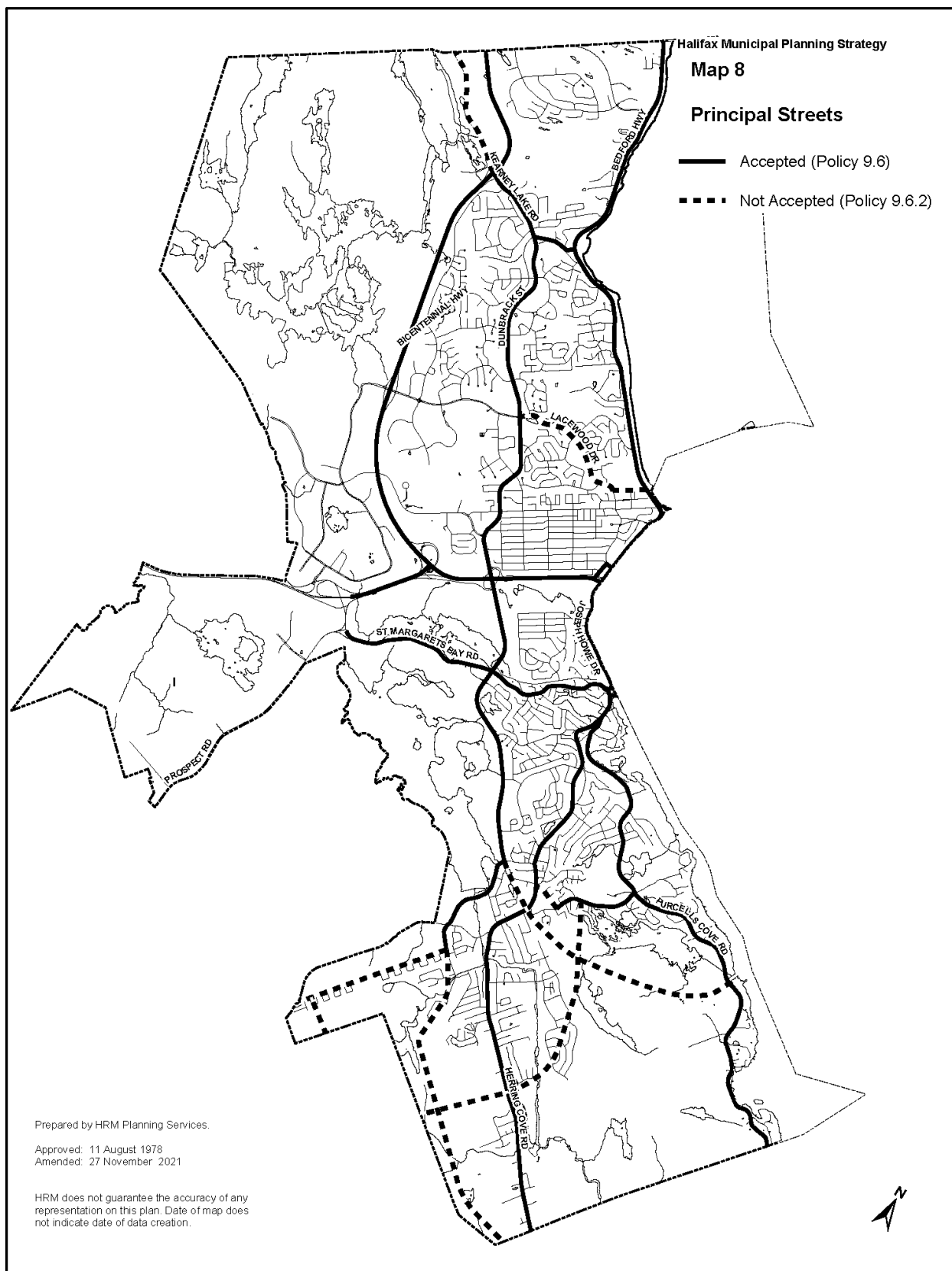
- 9.6.3 In designing, constructing, upgrading or maintaining principal streets, priority shall be given to the needs of public transit, rather than to those of private automobiles.
- 9.6.4 The City should require all street and highway construction proposals in Halifax to conform to and to demonstrate how they conform to the City's emphasis on transit.
- 9.6.5 The City shall review all street and highway construction proposals in Halifax for conformity with the City's objectives regarding traffic management (see official City report entitled Land Development Distribution Strategy, 1977).
- 9.6.6 The City should not enter a contract for any development that would adversely affect the principal street network, unless such development would be clearly desirable because of its positive effects as determined by its conformity with, or furtherance of, the principles established by the policies of this Plan.
- 9.6.7 The City shall control the number, location, and spacing of access points, and the intensity of frontage development along principal streets by appropriate means to be developed as part of the Transportation Strategy Statement called for in Part III, Section I of this document and shall maintain good sign control to ensure that the functions of the street system are protected where these are not already controlled by the Provincial Department of Highways.
- 9.6.8 The City shall set appropriate standards as part of the detailed area planning process to regulate strip commercial development. These standards will be directed at solving the problems connected with this type of development; for example, excessive turning movements and access points, fragmented and poorly located parking, difficulties of pedestrian circulation, servicing problems, and nuisance to adjacent uses.
- 9.6.9 The City shall delay or seek to delay any decision to construct Northwest Arm Drive from the Herring Cove Road to Purcell's Cove Road and any decision to construct a Northwest Arm Bridge until:
- (i) the Halifax-Dartmouth Regional Development Plan, including the transportation plan, is re-evaluated;
 - (ii) detailed area plans have been completed for the Old South End and Peninsula Centre areas;
 - (iii) thorough impact studies of the Drive and the Bridge on the natural, social and economic environments of Mainland South and the Halifax Peninsula have been made, evaluated, and accepted by the City.
- 9.7 The City should develop a program for the systematic development of bicycle, pedestrian, and skiing pathways. The initial focus of the program should be on the

connection of City parks and scenic areas by such pathways. The City should attempt to supplement the options available in journey-to-work travel modes by providing bicycle pathways.

- 9.8 The City should encourage alternative forms of transportation which will augment the effectiveness of a metropolitan transit and transportation network. Alternatives such as air, rail, and water transportation should receive special attention.

**Map 8:
27/21)**

Principal Streets (RC-Sep 18/19;E-Nov 30/19) (RC-Oct 26/21;E-Nov



10. ENVIRONMENTAL HEALTH SERVICES

Objective: The provision of adequate sewer and water systems within a metropolitan context and the encouragement of only that growth for which the City can afford to provide these services.

- 10.1 The City shall establish a list of priorities for the provision of sewer and water services in accordance with Policy 2.1.3 of this Plan and the official City report entitled Land Development Distribution Strategy, 1977.
- 10.2 In order to ensure that critical sewer and water problems will not be created within or beyond development areas, the amount of development shall be related to capacity of existing (including potential rehabilitation) and planned sewer, water and pollution control systems, by drainage area, and shall not exceed the capacities of those systems as determined by the standard practises of the City. This shall be accomplished by Implementation Policy 5.
- 10.3 The City shall encourage a program for reducing waste and a total waste reclamation operation for the metropolitan area, and shall encourage, in cooperation with other levels of government, the investigation of viable technologies for use and/or disposition of both solid and sewage waste materials.

11. MUNICIPAL FINANCE

Objective: The coordination of the City's capital and current budgets with the Municipal Development Plan.

- 11.1 The capital and operating budgets of the City shall be made to reflect and conform to the policies and priorities established in the Municipal Development Plan.
 - 11.1.1 The City should ensure that the capital budget responds to and reflects the direction set by the official City report entitled Land Development Distribution Strategy, 1977, and the capital budget format should be revised to include and indicate the complete capital program by geographic areas as defined therein.
- 11.2 The City shall develop financial policies which will promote the policies and priorities developed within the Municipal Development Plan.
 - 11.2.1 The City shall actively pursue contributions from outside sources to further the policies and priorities developed in this Plan.
 - 11.2.2 The City shall establish a revolving fund in annual amounts of not less than \$50,000 with the excess of revenues over expenditures accumulated not to exceed \$250,000, or such other guideline as the Council may from time to time establish, for the purposes described in Policy 6.5 of this Section of the Plan.
- 11.3 The taxation policies of the City shall, to the extent legally and financially possible, be designed to support the economic, physical and social development policies of the Municipal Development Plan.
- 11.4 The City, in cooperation with the provincial and federal governments, should analyze the revenues received from institutional uses against the cost of the municipal services they require.

12. CITIZEN PARTICIPATION

Objective: Citizen participation as a necessary part of all planning processes within the City, in forms to be developed in consultation with the community.

- 12.1 The City shall legally constitute a Planning Advisory Committee under the Planning Act to review, monitor and advise on any proposed changes in the Plan and to assess any developments in the context of the Plan.
 - 12.1.1 The City should create any other advisory sub-committees, including a design review advisory panel, which, upon investigation, it deems necessary to the proper administration of this Plan, such advisory sub-committees in all cases to report to and through the Planning Advisory Committee in Policy 12.1
- 12.2 The City should create area planning offices and shall allocate resources on a priority basis to do neighbourhood and detailed area plans.
 - 12.2.1 Such area planning offices should be maintained only in those areas where detailed planning is in progress and only for the duration of that effort.
- 12.3 In the detailed area planning process, the City shall review, consider and respond to any plans prepared by neighbourhood organizations.
- 12.4 The City shall develop procedures for consulting with the public on decisions which will affect the planning or development of the City. These procedures shall pay particular attention to the timing of public access to information, the methods for providing it, and the need of individuals and groups to have an adequate time period for review prior to final City Council decisions.
- 12.5 The City shall encourage citizens to make written submissions on planning issues or items of neighbourhood concern (for example, development proposals, rezoning issues). These briefs will, if possible, accompany staff reports to City Council, but in any case shall be submitted to Council for their information.
- 12.6 The City shall encourage, where necessary, the formation of neighbourhood service and resource facilities which would facilitate awareness and articulation of neighbourhood concerns. The City shall encourage the coordination of existing services and organizations to ensure that citizens will be best able to understand and utilize available resources.

13. CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY

The key objective of Halifax Regional Municipality's (HRM) Integrated Waste/Resource Management Strategy (IWMS) is to minimize the amount of material going to a municipal landfill. The IWMS comprises a number of components which must be implemented together in order to achieve its objectives.

Of the various components, construction and demolition (C&D) waste is a key component. Construction and demolition materials means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. The combination of strong economic growth and corresponding growth in waste generation has resulted in increased financial pressure on the Municipality. In the interests of the greater public, it is essential that all aspects of the integrated waste management system, especially opportunities to maximize diversion, operate effectively. The IWMS recognizes that, while a significant proportion of C&D waste should be reused or recycled, it is necessary for some of this material to be buried.

On January, 1998 Regional Council approved the following objectives in support of implementing an HRM-wide C&D Waste Management Strategy:

- (i) maximize diversion from landfill through recycling of construction and demolition debris in keeping with the Halifax Regional Municipality Solid Waste Resources Strategy;
- (ii) increase economic activity and value added processing through recovery of construction and demolition debris;
- (iii) provide an opportunity to properly dispose of construction and demolition debris that cannot be recycled; and
- (iv) minimize environmental, land use and nuisance impacts from the operation of construction and demolition debris transfer, processing and disposal operations.

The C&D Strategy is in keeping with the overall objectives of the IWMS. Its implementation requires that municipal planning documents recognize the unique land use requirements of the C&D industry and that a specific Licensing By-law is required to address operational issues. The intent is to provide a comprehensive regulatory framework that is applied fairly and consistently throughout HRM.

HRM discourages processing and disposal of some C&D waste at its landfill. Inert C&D material does not need to be disposed of at the regional landfill site. Generators or haulers of these materials are generally discouraged from utilizing municipal facilities due to comparatively high tipping fees which encourage the use of private recycling or disposal facilities. Hazardous C&D waste materials are not accepted at the landfill or at private recycling or disposal facilities and must be disposed of as set out in provincial legislation.

The following municipal planning policies are intended to support and/or implement key components of HRM's C&D Strategy.

- 13.1 It shall be the intention of Council to initiate an education and public awareness program for builders, home renovators and developers describing best practices for maximizing the amount of C&D materials recycled, reused and/or diverted from municipal landfill.
- 13.2 It shall be the intent of Council to review its construction and procurement practices to ensure that C&D debris materials resulting from municipal construction projects are diverted to appropriate reuse and recycling facilities.
- 13.3 Further to Policy 13.2, Council shall encourage provincial and federal agencies working within HRM to also review their construction and procurement practices to support recycling / reuse of C&D materials.

The C&D industry comprises three types of operations which must be accommodated through land use regulations: C&D transfer stations; C&D processing operations; and C&D disposal operations. These facilities can operate independent of each other or jointly on the same or separate properties.

Operational and compatibility considerations related to C&D facilities require they not be located within residential, community facility, or environmentally sensitive designated areas. To minimize compatibility concerns, the Land Use By-law will permit C&D facilities only in areas designated industrial, where the density of residential development, types of uses permitted, and potential for land use conflicts is minimized. Further, as the potential impact of C&D operations on adjacent lands depends, to a degree, on the type of C&D operation, the Land Use By-law provisions will recognize individual characteristics of the three forms of C&D operations.

- 13.4 It shall be the intention of Council to provide a consistent approach to permitting C&D operations throughout HRM. Further, the Land Use By-law shall clearly define each type of operation and implement measures to minimize the impact of C&D operations on surrounding land uses and watercourses.
- 13.5 It shall be the intention of Council to prohibit C&D operations from establishing in areas designated residential, community facility, or environmentally sensitive.

Operational aspects of the C&D industry can be classified into two categories: operations where materials are transferred and/or processed; and operations which dispose of materials.

Transfer Stations and Processing Facilities

Municipal planning documents adopted or amended prior to 2002 did not recognize C&D transfer stations and processing facilities as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations which apply to other uses such as salvage yards and “industrial” or “processing” operations. This resulted in inconsistency and the creation of an uneven “playing field” for contractors and C&D operators. Additionally, standards were appropriate in addressing unique siting, land use and other aspects of the C&D industry. In order to ensure consistency, new C&D transfer and processing operations will be considered by rezoning. This will minimize the impact of such facilities on adjacent land uses and ensure that public consultation forms part of the

process for considering new operations. Further, the site plan approval process will be used for all C&D operations to address compatibility issues on a site specific basis.

13.6 A CD-1 (C&D Transfer Stations) Zone shall be established in the land use by-law. The zone shall permit only C&D transfer stations and shall establish controls relative to setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impacts on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D operations will only be considered where such operations are within the Industrial Designation and pursuant to the following criteria:

- (a) safe access to and from the site of the proposed operation shall be obtained from the abutting street or highway and the development shall not cause traffic circulation problems or traffic hazards due to the nature or level of traffic created;
- (b) no operation shall have direct access to a local road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not be provided through lands zoned for residential or community use;
- (c) sites shall allow for the reasonable separation of the proposed operation from surrounding residential development;
- (d) consideration shall be given to the extent and location of open storage with respect to abutting properties;
- (e) scale and appearance of the proposed operation will not detract from or adversely affect surrounding developments;
- (f) the proposed site layout, including but not limited to landscaping, buildings or structures, access and egress, parking areas, signage, and outdoor storage or display areas, shall be appropriate having regard to the other provisions of this Policy;
- (g) adequate buffering and screening measures, including the use of berms, opaque fencing, and vegetation, shall be provided as a means to reduce any visual and/or noise intrusion to surrounding residential development;
- (h) applicant shall provide a report that addresses the effectiveness of environmental measures used to protect the natural environment (ie watercourse, groundwater, etc.);
- (i) no portion of the operation shall be located within a floodplain (1:100 year event);
- (j) consideration shall be given to the adequacy of onsite or central services; and
- (k) provisions of Implementation Policy 4.

13.7 A CD-2 (C&D Recycling Operations) Zone shall be established in the land use by-law. The zone shall permit C&D recycling operations and CD-1 zone uses, excluding disposal, and shall establish controls on setbacks from adjacent uses, provide buffering and screening, landscaping measures, regulate access and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new CD-2 Zone uses shall only be considered where such operations are within the Industrial Designation, and pursuant to criteria of Policy 13.6.

C&D Disposal Facilities

In the past, construction and demolition materials were disposed of either through use as general fill material at private sites or through disposal at the regional landfill facility. Respectively, these practices have come under criticism due to concerns about potential environmental impacts associated with disposal at unregulated private facilities and the financial burden associated with disposing of significant amounts of C&D waste at a municipal landfill site which was not designed to accommodate this material.

Past disposal practices have prevented significant amounts of C&D materials from being either reused or recycled and a lack of permitted locations for C&D waste disposal has contributed to illegal dumping on private and Crown land. Historically, there have been no approved locations in HRM where construction and demolition waste can be both conveniently and safely landfilled despite the existence of Provincial regulations which provide sufficient environmental protection.

Under Provincial regulations, businesses which dispose of C&D materials are classified into two categories:

- (a) Facilities which dispose of only inert C&D materials for which Ministerial approval and a permit from the Department of the Environment are not required. Inert materials are defined as “rock (excluding sulphide bearing rock), aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, milled wood that is free of adhesives, coatings or preservatives.
- (b) Facilities which dispose of all types of C&D materials (inert and non-inert) for which Ministerial approval is required. These operations require a permit from the Department of the Environment and Labour in accordance with Provincial “Construction and Demolition Debris Disposal Site Guidelines”, to address the design and operational requirements.

Any C&D disposal operation is required to comply with the provisions of HRM’s C&D Licensing By-law. The By-law prohibits disposal of materials which can be recycled or reused and will significantly minimize the number of such disposal operations. Neither the C&D License By-law nor provincial regulations prohibit the use of inert materials as fill on individual properties. Consequently, the regulation of C&D disposal facilities through municipal planning documents should focus on land use compatibility issues and locational criteria.

Under the Municipal Government Act, municipalities can regulate where disposal operations are permitted. To address land use compatibility issues, a C&D disposal zone shall be established in the Land Use By-law and disposal sites shall only be considered through the rezoning and site plan approval process.

- 13.8 A CD-3 (C&D Disposal) Zone shall be established in the land use by-law. The zone shall permit C&D disposal operations, CD-2 zone uses and establish controls relative to setbacks from adjacent uses, buffering or screening, landscaping, access, and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D disposal operations

shall be considered where such operations are within the Industrial Designation and pursuant to the following criteria:

- (a) the applicant shall provide the level of information for a complete C&D disposal operation required by the N.S. Department of the Environment and Labour for approval; and
- (b) those criteria outlined in Policy 13.6.

Site Plan Approval

In order to minimize associated land use concerns all C&D operations shall proceed through the Site Plan Approval process.

- 13.9 Further to Policies 13.6, 13.7, and 13.8, all C&D operations shall be regulated under a Site Plan Approval Process in order to minimize land use impacts. Siting standards shall be set out in the Land Use By-law to address such items as, but not limited to, screening, access, outdoor storage, maintenance, stormwater management, lighting, signage, and landscaping measures.

Existing C&D Operations

There are a number of existing C&D operations (transfer stations and processing operations) throughout HRM. To recognize these existing operations, applicable zoning shall be applied to reflect the use conducted on these properties in conjunction with the adoption of the amendments.

- 13.10 It shall be the intention of Council to recognize existing C&D operations by applying the applicable zone to reflect their existing use.
- 13.11 Further to Policy 13.10, any expansion of an existing C&D operation (ie. addition to an existing building, a new building, or a new change of use) shall be subject to the site plan approval process.

Community Liaison Committee (CLC)

A concern of most communities, relative to C&D disposal operations, is not knowing whether or not the community and environment are being protected. To address these concerns, the N.S. Department of the Environment and Labour has the option to require a Community Liaison Committee in association with disposal operations. HRM supports the establishment of a CLC for C&D disposal operations and wishes to be involved with the committee to provide information on municipal approvals, requirements, and enforcement issues.

- 13.12 Council shall recommend to the N.S. Department of the Environment and Labour that a Community Liaison Committee be established for all C&D disposal operations within HRM.”

14. INFRASTRUCTURE CHARGES

Halifax Regional Municipality has experienced sustained residential and commercial growth throughout the past several decades. The provision of new street and underground servicing systems to accommodate new developments is generally the responsibility of individual developers as condition of development approval and municipal take over of such servicing systems. In many cases, however, these servicing systems are sized and constructed to accommodate only the immediate area in which new development occurs. This leads to problems when the cumulative effect of individual developments either impact on, or are impacted by, the capability of overall community and regional infrastructure to accommodate growth.

Costs associated with ensuring that the size and extent of infrastructure required to accommodate new growth and its impacts on existing communities have been assumed largely by public sector funding. Traditional sources of public funding for municipal infrastructure have been reduced and new infrastructure will need to be funded without public financing available in the past. This presents a significant challenge to the Municipality in terms of balancing the economic benefits of new growth with the need to ensure that the infrastructure required to support growth is provided in a timely and cost-effective manner.

Council is concerned that many of the trunk infrastructure systems in the Municipality are nearing their design capacities and recognizes that new servicing systems are required to meet the needs of the community. An Integrated Servicing Study recently prepared for the Municipality identified substantial new infrastructure required in order to accommodate future development.

The Municipality has adopted a Multi-Year Financial Strategy with respect to its debt load and financial position. The Municipality is not in a financial position to absorb the capital costs associated with upgrading and extending the infrastructure necessary to facilitate future development, nor is it prepared to burden existing taxpayers with additional capital costs associated with new development.

In order to help facilitate continued growth without imposing an excessive financial burden on the existing taxpayers of the Municipality, it is Council's intention to recover infrastructure-related costs associated with new growth in the form of Infrastructure Charges in accordance with the provisions of the *Municipal Government Act (MGA)*. Recovery of Infrastructure Charges will enable the Municipality to allocate the capital costs associated with new infrastructure to developers and subdividers deriving servicing benefits from the new infrastructure.

In keeping with the *MGA*, Infrastructure Charges for:

- (a) new or expanded water systems;
- (b) new or expanded waste water facilities;
- (c) new or expanded storm water systems;
- (d) new or expanded streets;
- (e) upgrading intersections, new traffic signs and signals, and new transit bus bays,

may be imposed in the Subdivision By-law to recover all, or part, of the capital costs incurred, or anticipated to be incurred, by the Municipality by reason of the subdivision and future development of land as well as to recover costs associated with land, planning, studies related to the Master Plan, engineering, surveying and legal costs incurred with respect to any of them.

The Subdivision By-law shall set out the infrastructure charge areas in which Infrastructure Charges are to be levied, the purposes for which Infrastructure Charges are to be levied and the amount of, or method of calculating, each infrastructure charge.

The Municipality will initiate Master Plan studies where necessary in order to determine appropriate charge areas and the costs associated with oversized and new infrastructure. The cost of any such studies will be included as part of the infrastructure charge to be recovered under the Subdivision By-law.

Where the costs of providing infrastructure to accommodate development activity in specific geographic locations may place excessive financial burden on the Municipality, it may be necessary to restrict development pending completion of Master Plan studies and establishing of charge areas. In such instances provision will be made for application by Council of a holding zone to such areas. Additionally, where proposed development agreements would result in a subdivision requiring new infrastructure, approval of such proposals will be subject to Infrastructure Charges. The methodology for determining charge areas will be generally outlined in a Capital Cost Contribution Policy adopted by Council.

Objectives

The following statements generally define the objectives Council wishes to achieve through the imposition of Infrastructure Charges within the Municipality:

- (a) to provide a leadership role in facilitating future growth in the Municipality;
- (c) to recover an infrastructure charge where the subdivision or development presents a requirement for new infrastructure;
- (c) to ensure that the costs of new infrastructure are properly allocated to subdividers and other stakeholders deriving benefit from the infrastructure;
- (d) to limit the Municipality's financial contribution having regard to other budgetary commitments and constraints;
- (e) to provide greater certainty to subdividers and other stakeholders with respect to the costs of development in the Municipality;
- (f) to maintain a consistent approach to recovery of Infrastructure Charges across the Municipality;
- (g) to ensure that recovery of Infrastructure Charges is compatible with good land use planning in the Municipality.

Policy Statements

The following policy statements identify the intentions of Council in adopting municipal planning policy with respect to Infrastructure Charges. These policies will be implemented through provisions established in the Subdivision and Land Use By-law's and by administrative practices and procedures.

Policy 14.1

Where capital costs have been or are anticipated by reason of the subdivision or future development of land, the Subdivision By-law shall be amended from time to time to identify specific charge areas and related Infrastructure Charges applicable in the Municipality. In amending the Subdivision By-law to establish a charge area, Council shall consider:

- (a) The adequacy of existing infrastructure;
- (b) Transportation requirements, including existing streets;
- (c) Drainage patterns and drainage requirements;
- (d) Water service requirements, including existing and proposed water service districts;
- (e) Storm and sanitary sewer system requirements, including the extension of existing systems and servicing boundaries;
- (f) Land use and existing and future development;
- (g) Financial impacts on the Municipality;
- (h) Soil conditions and topography; and
- (i) Any other matter of relevant planning concern.

Policy 14.2

Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.

Policy 14.3

Infrastructure Charges imposed pursuant to the Subdivision By-law may be set at different levels related to the proposed land use, zoning, density, traffic generation, lot size and number of lots in a subdivision and the anticipated servicing requirements for each infrastructure charge area.

Policy 14.4

The Subdivision By-law shall establish conditions for Subdivision Approval with respect to the payment of Infrastructure Charges including provisions for any agreements with the Municipality as a condition of Subdivision Approval.

Policy 14.5

An Infrastructure Charge Holding Zone shall be established in the Land Use By-law. The Holding Zone may be applied by Council to lands within any designation on the Generalized Future Land Use Map where, in respect of development, Council has determined that: the cost of providing municipal wastewater facilities, stormwater systems or water systems would be prohibitive; or the cost of maintaining municipal streets would be prohibitive.

Development permitted within an Infrastructure Charge Holding Zone shall be restricted to single unit dwellings except in conformity with a development agreement approved by Council in accordance with the MGA.

Policy 14.6

Where an area is zoned as an Infrastructure Charge Holding Zone area, the municipality shall, within one year of the effective date of the zone, commence the procedure to amend the Subdivision By-law to include provision for the payment of Infrastructure Charges, prior to permitting development or the designation(s) and zone(s) in effect immediately prior to the Pending Infrastructure Charges Area zone comes into effect.

Policy 14.7

Council shall be guided by the Municipality's Multi-Year Financial Strategy and capital budget process in determining the extent and timing of municipal contributions toward new infrastructure.

Policy 14.8

An infrastructure charge may only be used for the purpose for which it is collected.

15. ~~INTERIM GROWTH MANAGEMENT~~
Deleted (RC-Jun 27/06; E-Aug 26/06)

15. TEMPORARY SIGNAGE (RC-Sep 26/06; E-Nov 18/06)

In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.

Policy 14B-1

The land use by-laws shall contain sign provisions for those signs not regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs)."

16. GENERALIZED FUTURE LAND USE MAP

- 16.1 Map 9 shall be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined heretofore.
- 16.2 The areas of future land use shown on Map 9 shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 16.2.1 Pursuant to Policy 15.2, for those areas where a detailed area plan forms a part of this Plan, and where the areas of future land use are shown on a Generalized Future Land Use Map for such area, as indicated on Map 9, the City shall determine the areas of future land use in accordance with the policies of the detailed area plan. In addition to the requirements of Policy 15.2 above, where the matter under consideration is not addressed by the policies of the detailed area plan, the policies of Part II, Section II of this Plan shall apply as appropriate.

~~SECTION III - CENTRAL BUSINESS DISTRICT~~

Deleted (RC-Jun 16/09; E-Oct 24/09)

~~SECTION IV - HALIFAX WATERFRONT DEVELOPMENT AREA~~

Deleted (RC-Jun 16/09; E-Oct 24/09)

**SECTION V: SOUTH END AREA PLAN OBJECTIVES AND POLICIES
(Repealed: RC-Oct 26/21;E-Nov 27/21)**

**SECTION VI: PENINSULA CENTRE AREA PLAN OBJECTIVES AND
POLICIES (Repealed: RC-Oct 26/21;E-Nov 27/21)**

SECTION VII: FAIRVIEW AREA SECONDARY PLANNING STRATEGY OBJECTIVES AND POLICIES

The following objectives and policies were adopted by City Council on January 31, 1985 as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

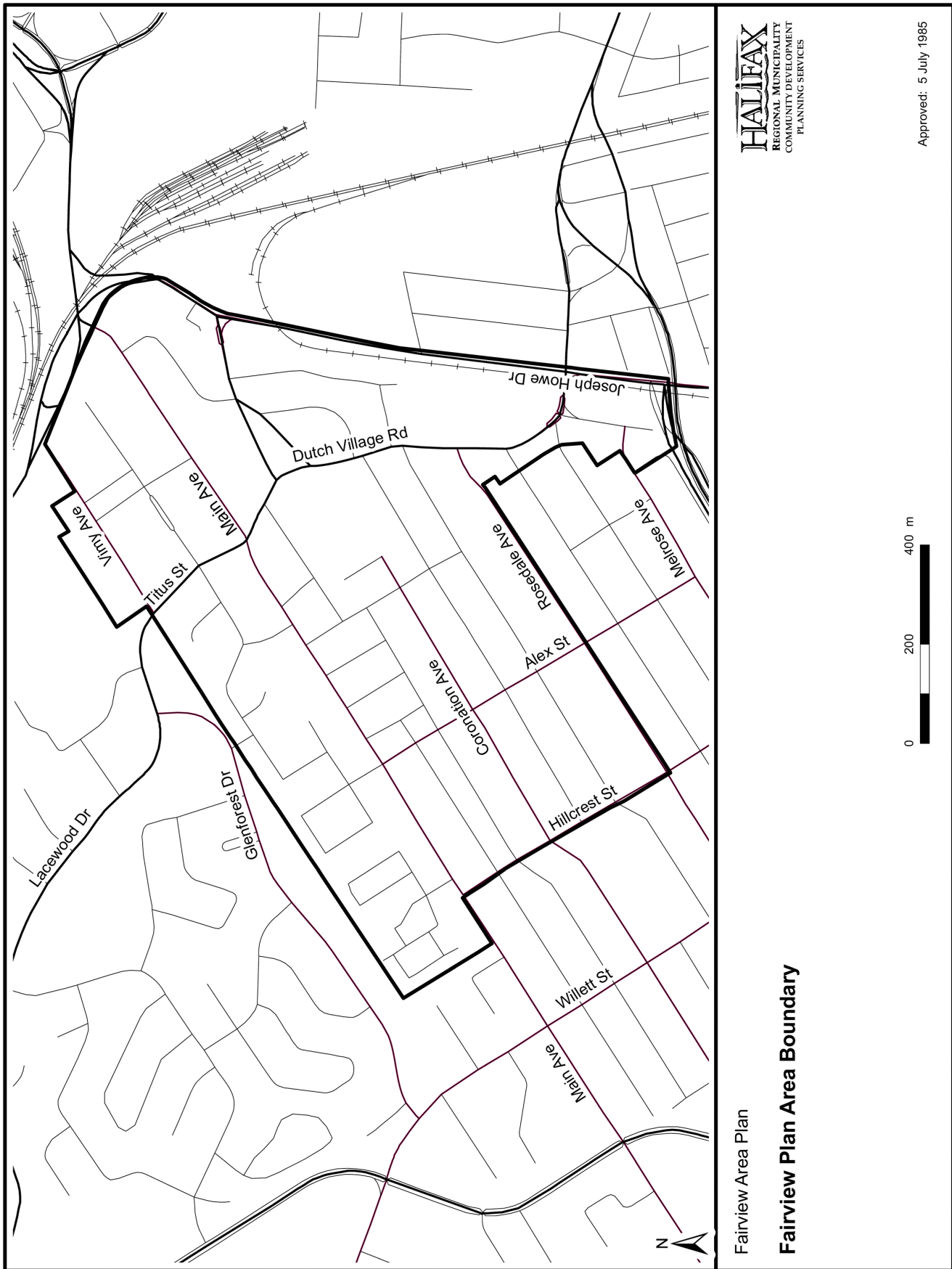
CONTEXT

The policies of Part II, Section II of the Municipal Planning Strategy shall apply as appropriate and for greater clarity the objectives and policies of this Section shall also apply. All references to the Planning Act in this Section are to the Nova Scotia Planning Act of 1983.

AREA DEFINITION

The area subject to the Fairview Secondary Planning Strategy includes the area shown on Map 1 bounded as follows; beginning at the intersection of Vimy Avenue and the Fairview Overpass; thence southerly along the Fairview Overpass and Joseph Howe Drive to the approach to the Bicentennial Drive; thence westerly along the approach to the Bicentennial Drive to Dutch Village Road; thence to the nearest point on the curve of School Avenue; thence northwesterly along School Avenue to Melrose Avenue; thence easterly along Melrose Avenue to the western lot line of 5 Melrose Avenue; thence northerly along the lot line and the rear lot lines of properties fronting on Dutch Village Road, crossing Sunnybrae Avenue and then continuing northerly along a line 60 metres west of and parallel to the centre line of Dutch Village Road to Rosedale Avenue; thence westerly along Rosedale Avenue to Hillcrest Street; thence northerly along Hillcrest Street to Main Avenue; thence westerly along Main Avenue to the western lot line of 191 Main Avenue; thence northerly along the lot line of 191 Main Avenue; thence northerly along the lot line and the western boundary of the J. Bert MacDonald Trailer Park, to the northern boundary of the Trailer Park; thence easterly along the northern boundary of the Trailer Park and the southern boundary of Glenforest Park and the Clayton Park Shopping Centre to the northeast corner of the intersection of Titus Street and Vimy Avenue; thence easterly along the northern lot line to the eastern lot line of 25 Vimy Avenue; thence northerly along the western boundary of the lot fronting on Vimy Avenue; thence easterly along the northern boundary of the lot fronting on Vimy Avenue and the lands of the Centennial Arena, to the eastern lot line of the Centennial Arena; thence southerly along the eastern lot line of the Centennial Arena to the northern lot line of 25 Vimy Avenue; thence southerly along the eastern lot line to Vimy Avenue; thence easterly on Vimy Avenue to the place of beginning.

Map 1: Fairview Area Plan Boundary



1. RESIDENTIAL ENVIRONMENTS

Objective: Maintain and enhance the residential environment of Fairview while allowing for growth and change in designated areas.

- 1.1 "Residential Environments" may comprise three categories:
 - (a) low-density residential;
 - (b) medium-density residential; and
 - (c) high-density residential.
- 1.2 In areas shown as "Low-Density Residential" on the Generalized Future Land Use Map (Map 9c) the City shall permit buildings with one or two dwelling units and appropriate community facilities.
 - 1.2.1 In low-density residential areas, the City shall permit the conversion of institutional uses for residential purposes. The Land Use By-law shall regulate such conversions so that no conversion shall result in more than four dwelling units; no increase in the height or floor area of the building shall be permitted and in all other respects the provisions of the R-2 Zone shall apply.
- 1.3 In areas known as "Medium-Density Residential" on the Generalized Future Land Use Map (Map 9c) it is the City's intention to maintain the existing low-rise character of the area.
 - 1.3.1 In medium-density residential areas, the City shall permit a maximum of four units per buildings.
 - 1.3.2 Properties within areas designated as Medium Density Residential which are developed in excess of four units shall be zoned to substantially reflect their existing use. This zone shall permit conversions of and additions to existing buildings, townhousing, and small scale multiple dwelling infill development to a maximum of 14 units.
 - 1.3.3 Notwithstanding Policy 1.3.1, the properties known as civic numbers 12 and 14 Vimy Avenue shall be zoned to permit conversions of and additions to existing buildings, townhousing, and small scale multiple dwelling infill development to a maximum of 14 units.
 - 1.3.4 Notwithstanding Policy 1.3.1, the property known as civic number 9 Alma Crescent may be rezoned to R-2AM. Upon rezoning, the property may be consolidated with civic number 11 Alma Crescent for the purpose of recognizing the existing 21 unit apartment building at 11 Alma Crescent as a permitted use. The land use by-law shall ensure that the development complies with the appropriate requirements for high density residential uses.
- 1.4 In the area shown as "High Density Residential" on the Generalized Future Land Use Map (Map 9c), the City shall permit apartment buildings.

- 1.5 The Land Use By-law shall permit a residential apartment building within the area governed by this Strategy, existing or approved by Council on the date of adoption of this Strategy, if destroyed by fire or otherwise, to be reconstructed to its original size and density or some lesser dimension.
- 1.6 For lots larger than one acre in areas designated medium-density on Map 2 of this Plan, Council may approve any medium-density residential development not otherwise permitted by the Land Use By-law under the development agreement provisions of the Planning Act. In considering any such development agreement, Council shall have regard for:
- (a) compatibility with the surrounding neighbourhood in regard to scale, density and height;
 - (b) the adequacy of municipal services;
 - (c) the General Provisions parts of the Land Use By-law: Mainland Area (in the area west of Dutch Village Road); Peninsula Area (in the area east of Dutch Village Road);
 - (d) the preservation of mature trees wherever possible;
 - (e) for any development adjacent to the public open space known as Glenforest Park:
 - (i) public access to Glenforest Park should be provided by road or a pedestrian walkway from Main Avenue;
 - (ii) any open space deeded to the City as part of any redevelopment should be complimentary to Glenforest Park and the access provided for in (i) above.
- 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 (RC-Aug 9/22;E-Sep 15/22)** through development agreement.
- 1.7.1 In considering agreements pursuant to Policy 1.7 the following may be considered:
- a) provisions of the land use by-law respecting unit occupancy and parking may be waived with occupancy and the number of parking spaces determined on the basis of similar senior's housing projects in urban settings;
 - b) provisions of the by-law related to building location and form may be waived where necessary to meet the special needs of senior's housing;
 - c) the design of any development on the site shall ensure an appropriate development of the site as a whole and compatibility with the surrounding neighbourhood in terms of scale, massing and landscaping; and
 - d) a senior's community centre may be considered as a permitted use.
- 1.8 For 35 Coronation Avenue, Council may consider applications for a townhouse development through development agreement.
- 1.8.1 In considering agreements pursuant to Policy 1.8, Council shall have regard for the following:

- a) a maximum of ten townhouse units be permitted;
- b) compatibility with the surrounding neighbourhood in respect to design, scale, massing, landscaping and the location of parking;
- c) the adequacy of parking for residents and visitors; and
- d) the adequacy of municipal services.

1.9 Notwithstanding the Community Facilities objective and policies of Section II, for the property known as the former Halifax West High school on Dutch Village Road (PID #00188490), the Municipality may permit a mixed-use development of the site by development agreement. (RC-Nov 15/11; E-Jan 14/12)

1.9.1 Any development permitted pursuant to Policy 1.9 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:

- (a) the subdivision and retention of a minimum of 1.6 acres of land by the Municipality at the western end of the site for public open space purposes along with related park development and infrastructure improvements to be carried out by the land developer;
- (b) the massing, location and height of building(s), which shall not exceed the low to mid-rise range, and in no case shall any building height exceed 8 storeys above underground parking level(s);
- (c) the architectural design of the building, including building materials, signs and lighting;
- (d) the provision of adequate site landscaping and useable open space for building residents;
- (e) the provision of safe vehicular and pedestrian access and egress, including provision for the continued vehicular access to the existing driveway of Civic #31 Alma Crescent and pedestrian access through the site to Dutch Village Road;
- (f) the adequacy of vehicular, bicycle parking and solid waste facilities; and
- (g) the adequacy of the servicing capacity of the site.

(RC-Nov 15/11; E-Jan 14/12)

2A. PLAN DUTCH VILLAGE ROAD (RC-Oct 4/16;E-Nov 26/16)

Objective: The lands around Dutch Village Road are a commercial area that services the larger Fairview community. Maintaining the vibrancy of the area by planning for redevelopment and rehabilitation will ensure success for the community. To create a commercial node that better balances development pressures with the needs of the community requires policies that address land use, external appearance of structures (built form), and urban design in a comprehensive manner. The goals for Plan Dutch Village Road are to:

- 1. Maintain and encourage the retention of local businesses through zoning regulations;**
- 2. Create greater predictability of built form through an as-of-right process;**
- 3. Create development that is respectful of the community;**
- 4. Allow commercial development along all parts of Dutch Village Road;**
- 5. Ensure new development transitions appropriately to low density residential neighbourhoods within the Dutch Village Road study area;**
- 6. Create new buildings that are better integrated with neighbourhood;**
- 7. Require site design that creates livable and walkable communities;**
- 8. Generate a more defined commercial node;**
- 9. Regulate the lands under one By-Law (Mainland Land Use By-Law); and**
- 10. Permit consideration of high-rise development in Area A.**

Designations

- 2A.1. Within the Dutch Village Road area the lands shall be designated either Commercial or Dutch Village Road Residential, as shown on the Generalized Future Land Use map.**

Commercial Designation

- 2A.2. Lands located on Joseph Howe Drive, Dutch Village Road, Titus Street, Alma Crescent, Main Avenue, Westerwald Street, and Melrose Avenue (RC-Apr 4/23;E-May 19/23) shall be designated as Commercial. This designation is intended to provide for a variety of commercial and residential uses that service the needs of the broader Fairview community. The designation will introduce controls on the external appearance of structures. The designation will permit development of a height and scale up to a mid-rise form through an as of right process. However, high-rise buildings may be considered subject to a development agreement process within Area A (Plan Dutch Village Road Overview Map).**
- 2A.2.1. The Halifax Mainland Land Use Bylaw shall be amended to create a commercial zone (Dutch Village Road Mixed Use Zone) that permits multi-unit residential, retail, office uses, restaurants, personal service uses, institutional uses, community facilities and related commercial uses that service the local community. To encourage the retention of small scale, local businesses, and to reduce the impact of new commercial uses on low density residential environments, retail uses will have a limited ground floor area in Area D. Parking shall not be permitted in the front yard, but instead is**

encouraged below ground, or otherwise internal to a building. Lowered parking standards provide flexibility for development and reduce parking demand in support of active transportation and transit. (RC-Feb 12/19; E-Apr 13/19) The Dutch Village Road Mixed Use Zone will permit low-rise (buildings up to 11 metres) to mid-rise buildings (buildings taller than 11 m to 25 m), but will not permit single unit residential buildings.

Dutch Village Road Residential Designation

- 2A.3.** Lands located on Percy Street, Deal Street and Andrew Street will be designated as Dutch Village Road Residential. These lands will be permitted to develop with a low-rise form along Percy Street and Deal Street and change to a mid-rise multi-unit residential form along Andrew Street to reflect the existing built form. The intent of this designation is to create live-work opportunities for residents to reflect the largely commercial nature of the uses that surround these lands. The designation will introduce controls on the external appearance of structures. Townhouse and stacked townhouse uses may be considered throughout the designation. Apartment houses shall be permitted on Andrew Street and the southern end of Percy Street.
- 2A.3.1.** The Halifax Mainland Land Use Bylaw shall be amended to create a residential zone (Dutch Village Road Townhouse Zone) that permits single unit residential, two unit residential, townhouse and stacked townhouse forms, as well as home occupation uses.
- 2A.3.2.** The Halifax Mainland Land Use By-law shall be amended to create a residential zone (Dutch Village Road Multi-Unit Zone) that permits mid-rise multi-unit buildings in addition to the uses permitted under the Dutch Village Road Townhouse Zone.

Building and Streetwall Heights

- 2A.4.** A mid-rise form shall be encouraged along Dutch Village Road and Joseph Howe Drive. The buildings shall be developed with the goal to improve public safety by removing the parking from the front yard, and also to create a defined streetwall. This streetwall will help enhance the pedestrian experience in the area.
- 2A.4.1.** HRM shall regulate the height of buildings in the Dutch Village Road area in the Halifax Mainland Land Use By-law.
- 2A.5.** HRM shall regulate the height of the streetwalls in the Dutch Village Road area in the Halifax Mainland Land Use By-law.

Low-rise and Mid-rise Commercial and Multi-Unit Buildings

- 2A.6.** Low-rise and mid-rise buildings shall be permitted in the Dutch Village Road Commercial and Dutch Village Road Residential Designations and shall be situated on the lot in such a way that the bulk of the building is located along the street frontage.

- 2A.6.1. Low-rise and mid-rise buildings may step down in the rear yard to an internal landscaped area. This landscaped area may include a one storey portion of the building where abutting low density residential or up to three stories where the building abuts commercial or multi-unit residential properties. Landscaping shall be required on the roof of these portions of the building.**

Highrise Buildings

- 2A.7. Any building in Area A on Plan Dutch Village Road Overview Map that exceeds 25 m in height shall be considered a high-rise and shall only be considered by Council through the development agreement process. Any development proposal contemplated pursuant to this policy cannot be considered unless the following criteria are satisfied:**

- a) Buildings shall not exceed a height of 42 metres and a height of 12 storeys above the average grade of the finished ground adjoining the building. This maximum height excludes any rooftop architectural features, landscape elements, and non-habitable penthouses (including residential amenity space). Rooftop architectural features, landscape elements and non-habitable penthouses shall not exceed 50 percent of the area of the roof on which they are located (RC-Jul 07/20;E-Aug 22/20);**
- b) buildings exceeding a height of 25 metres shall be designed in a podium and tower configuration. The height of the streetwall/podium, excluding any rooftop architectural features and landscape or mechanical elements, shall not exceed:
 - (i) 20 metres and 5 storeys, for lands located along Joseph Howe Drive; and**
 - (ii) 17 metres and 4 storeys, for lands located on Dutch Village Road (RC-Jul 07/20;E-Aug 22/20);****
- c) the building shall meet the requirements of the Dutch Village Road Mixed Use Zone in the Halifax Mainland Land Use By-law with respect to side yard setbacks, residential unit mix and ground floor height;**
- d) towers shall have a minimum of 25 m separation distance with other towers and no tower shall be closer than 12.5 metres from a side or rear lot line;**
- e) the tower portion of the building, excluding any podium, shall have a maximum floor plate of 625 m² per floor;**
- f) surface parking shall not be located between a building and adjacent street, with the exception of the southernmost end of Percy Street abutting 3514 Joseph Howe Drive (RC-Jul 07/20;E-Aug 22/20);**
- g) the building shall have a maximum front yard setback of 3 metres. Where a property fronts two streets, this maximum will apply to both street frontages, with the exception of the southernmost end of Percy Street abutting 3514 Joseph Howe Drive (RC-Jul 07/20;E-Aug 22/20); and**
- h) buildings shall be located close to the street to create a defined street wall and occupy a minimum of 65% of a given property's frontage. All**

buildings, regardless of their use, should have easily identifiable entry points for each individual uses.

2A.7.1. In considering a development agreement pursuant to policy 2A.7, Council shall have regard for the following:

- a) towers shall be placed away from streets, open space, and neighbouring properties to reduce visual and physical impacts of the tower and allow the base of the building to be the primary defining element for the site and adjacent public realm;
- b) site design that incorporates landscaping, conspicuous building entrances, and considers the impact of retaining walls, lighting and signage to enhance the design of the building and limit the impacts on adjacent properties;
- c) buildings shall be vertically articulated into 3 distinct sections; a base, middle and top, via such devices as: changes in colors, materials, protrusions and recesses;
- d) streetwalls should be vertically articulated into distinct sections, via such devices as: changes in colors, materials, protrusions and recesses. These sections should be narrower than the streetwall is tall;
- e) streetwalls should be animated with frequent entrances and large windows. All streetwalls directly adjacent to a sidewalk should contain at least 1 prominent entrance;
- f) materials used in the streetwall and at the base of the building should be of the highest quality and durability;
- g) areas visible to the public realm or adjacent residential uses and not used for parking or driveways, should be landscaped with vegetation or hard landscaping using quality materials, such as stone, wood, or concrete paths/ patios;
- h) surface parking, utilities and services should be buffered and visually screened from the public realm and adjacent low density residential properties. Landscaping shall be included in surface parking lots and integrated with the storm water management for the site;
- i) adequacy of safe vehicular, bicycle and pedestrian access and egress to and from the site. Priority shall be given to pedestrian movement when there is potential pedestrian and vehicular conflicts;
- j) blank-walls shall be avoided on parts of buildings which are highly visible from the public realm;
- k) the adequacy of servicing for the site; and
- l) high quality landscaping and indoor and outdoor amenity space areas for building residents are provided.

Commercial Development in Residential Areas

2A.8. Within areas designated "Residential" on the Generalized Future Land Use Map (Map 9c), the Municipality shall permit individual neighbourhood convenience stores.

- 2A.8.1. Pursuant to Policy 2A.8, the Land Use By-law shall provide a "Neighbourhood Commercial" zone to allow small convenience grocery and drug stores to cater to walk-in trade in residential areas.**

Non-conforming Uses and Structures

- 2A.9. Any existing building containing a non-conforming commercial use, if destroyed, may be considered for development agreement by Council under the authority of the *Halifax Regional Municipality Charter*, where such agreement would allow for the reconstruction of the building not to exceed its dimensions at the time of destruction, provided that all of the following conditions are met:**

- a) the capacity of the existing municipal services is not adversely affected;**
- b) all provisions of the Minor Commercial Zone, other than use, are met;**
- c) where the property is zoned Dutch Village Road Mixed Use Zone, the proposal shall meet all the provisions of the Dutch Village Road Mixed Use Zone, other than use; and**
- d) the proposed use is more compatible with the land use designation than the existing use with respect to traffic generation, safety, noise and air pollution.**

- 2A.10. Non-conforming structures that are used for commercial purposes will be allowed to be extended, enlarged, or altered as long as the extension, enlargement or alteration complies with the Halifax Mainland Land Use By-law, or a variance is granted by the Development Officer, and provided that a non-conforming use is not extended into any new addition of the building.**

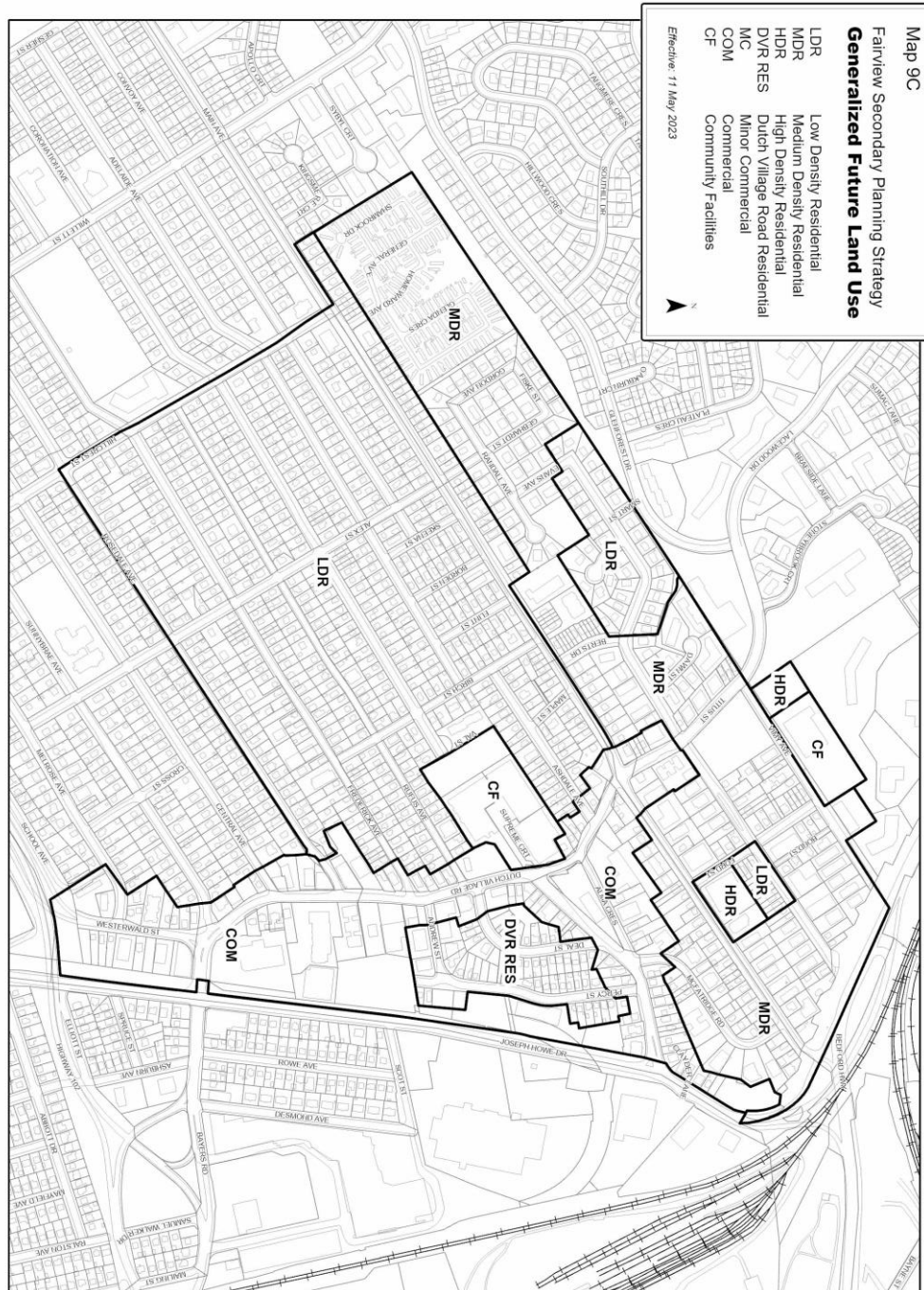
Existing Development Agreements

- 2A.11. Applications for non-substantive amendments to approved development agreements shall be considered under the policies in effect at the time the agreement was approved provided that the proposed amendments were identified in the agreement as non- substantive.**

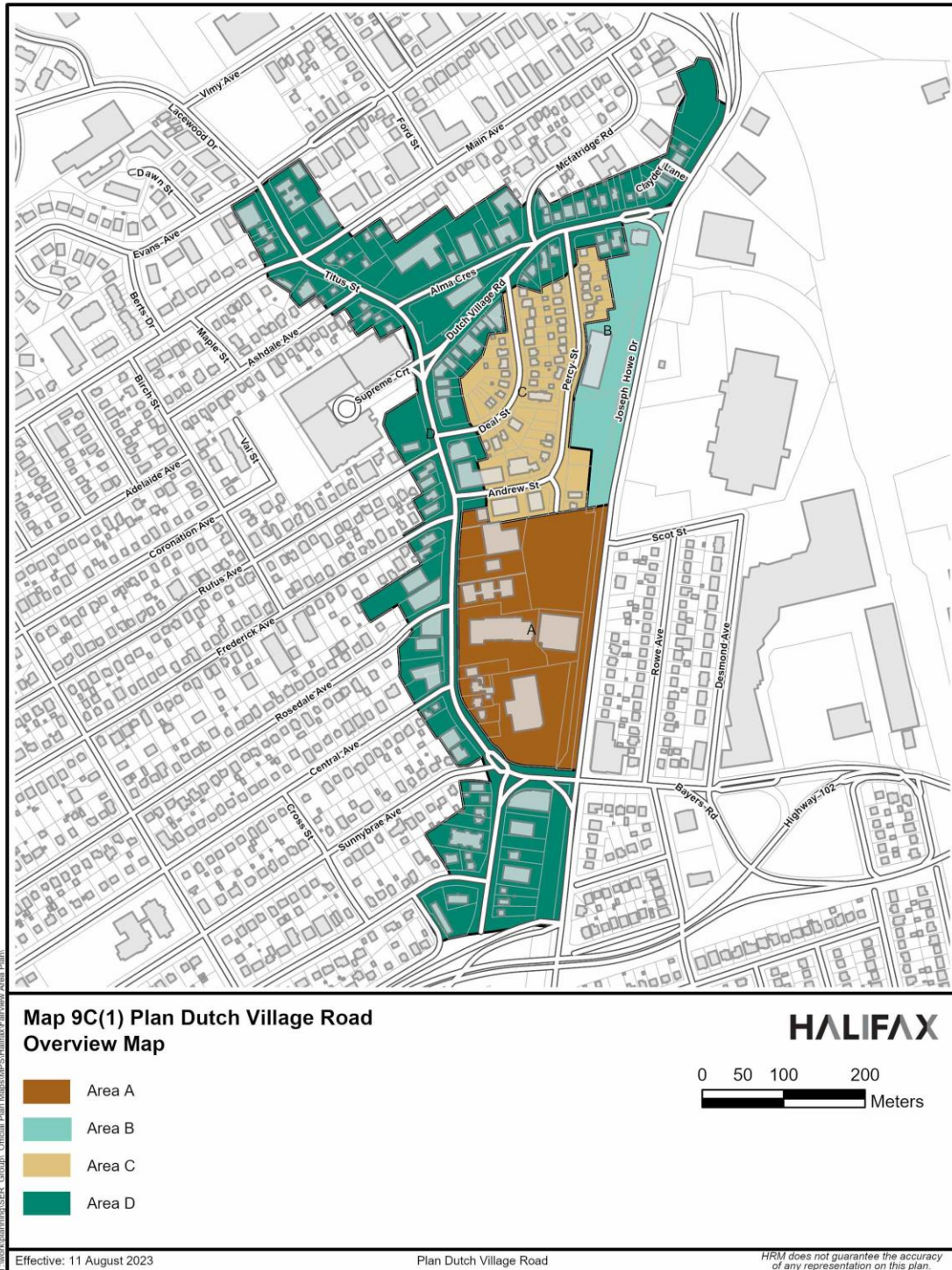
3. GENERALIZED FUTURE LAND USE MAP

- 3.1 The Generalized Future Land Use Map (Map 9c) shall be considered as the expression of intent of the City of Halifax for a future land use pattern for Fairview based on the policies outlined in this Plan and supersedes any designations in the same area by Section II, Map 9.0
- 3.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 3.3 Notwithstanding any other provision of this Strategy, a development permit may be issued by the Development Officer for a project in respect of which approval has been given by Council and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement, or, in the absence of such time limit, within one year of the approval of this Strategy.

**Map 9C: Generalized Future Land Use – Fairview (RC-Feb 12/19; E-Apr 13/19)
(RC-Apr 4/23;E-May 19/23)**



**Map 9C(1): Plan Dutch Village Road Overview Map (RC-Feb 12/19; E-Apr 13/19)
(RC-Apr 4/23;E-May 19/23)**



SECTION VIII: BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY OBJECTIVES AND POLICIES

The following objectives and policies were adopted by City Council on March 14, 1985, as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

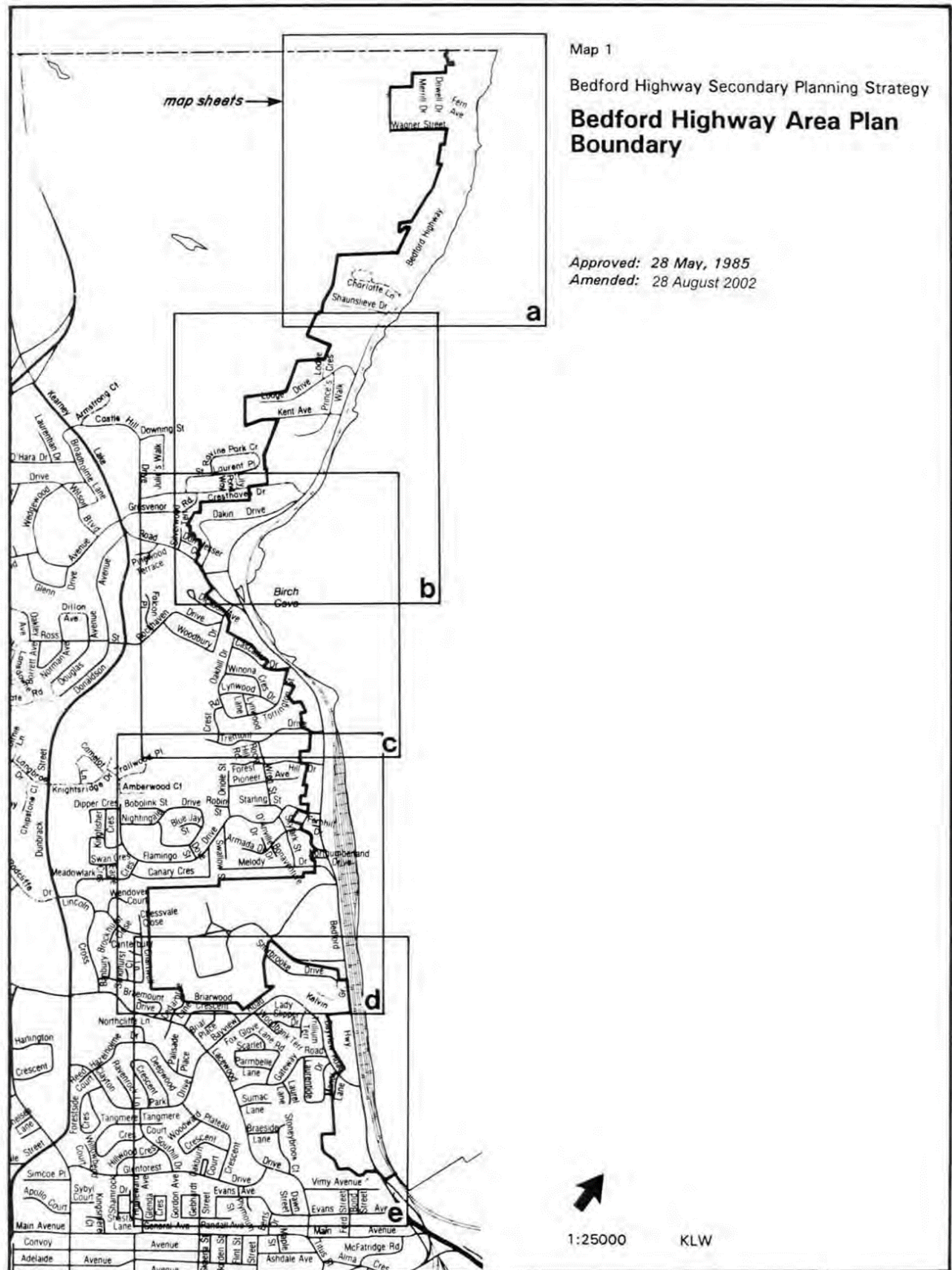
CONTEXT

The policies of Part II, Section II of the Municipal Development Plan shall apply as appropriate and for greater clarity the objectives and policies of this section shall also apply.

AREA DEFINITION

For the purpose of this municipal planning strategy, the Bedford Highway Area consists of all lands adjacent to the Bedford Highway north of Fairview Overpass to the City Limits bounded on the east by the Bedford Basin and on the west as shown on the area map.

Map 1: Bedford Highway Area Plan Boundary



1. RESIDENTIAL ENVIRONMENTS

Objective: The maintenance of stable residential neighbourhoods in and adjacent to the Bedford Highway Area, providing family and non-family housing accommodation.

- 1.1 The City shall encourage the retention and rehabilitation of existing structurally-sound housing units in order to maintain the stability of residential neighbourhoods.
- 1.2 The City shall ensure that new construction in residential neighbourhoods is compatible with the existing scale and architectural character of the area.
- 1.3 For the purposes of this Bedford Highway Strategy, the City shall define "Residential Environments" as comprising three categories:
 - (i) low-density residential;
 - (ii) medium-density residential; and
 - (iii) high-density residential.
- 1.4 Areas shown as low-density on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which single-detached housing shall be permitted.
- 1.5 Areas shown as medium-density residential on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which the following forms of residential development shall be permitted:
 - (i) low-density residential development;
 - (ii) duplex housing; and
 - (iii) semi-detached housing.
- 1.6 Areas shown as high-density residential on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which the following forms of residential development shall be permitted:
 - (i) low-density residential development;
 - (ii) medium-density residential development;
 - (iii) stacked-attached housing; and
 - (iv) apartment buildings.
- 1.7 **For the property at 50 Bedford Highway (PID #00296665) the Municipality may permit the development of a mixed use building by development agreement.**
 - 1.7.1 **Any development permitted pursuant to Policy 1.7 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:**
 - (a) **the adequacy of the servicing capacity of the site;**

- (b) the architectural design of the building including building materials;
- (c) provision and improvement of safe vehicular access and egress;
- (d) the adequacy of vehicular and bicycle parking facilities;
- (e) the provision of useable open space and recreational amenities;
- (f) adequate site landscaping and protection of non-disturbance areas;
- (g) appropriate lighting and signage;
- (h) archaeological monitoring and protection; and
- (i) appropriate separation of residential and commercial uses.

(RC-Apr 20/10; E-May 29/10)

1.8 In order to promote investment in mixed use redevelopment within two specific nodes along the Bedford Highway, that being at the north end of the Halifax plan area and adjacent the intersection of the Bedford Highway and Larry Uteck Boulevard, and to prevent conflict between new and existing uses the Municipality may, through the land use by-law, identify areas that provide an opportunity for and will benefit from a mix of residential and commercial uses. In those areas identified in the land use by-law as Schedule “R”, all mixed residential/commercial developments or residential developments that exceed 35 feet in height shall be considered by development agreement in accordance with Sections 242 to 245 and 249 of the Halifax Regional Municipality Charter and as illustrated on Map ZM-2. (RC-Jan 11/11; E-Mar 12/11)

1.8.1 In considering land use by-law amendments to allow inclusion of a specific property within Schedule “R”, the lands must be within the Bedford Highway Secondary Plan area, designated Highway Commercial, zoned C-2B (Highway Commercial Zone) and be immediately adjacent to lands currently identified in the land use by-law as Schedule “R”. (RC-Jan 11/11; E-Mar 12/11)

1.8.2 In considering development agreements pursuant to Policy 1.8, Council shall consider the following:

- (a) the relationship of new development to adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development potential of adjacent properties through effective urban design and landscape treatment;
- (b) direct access to and sufficient frontage on Bedford Highway;
- (c) the architectural design of the building(s) including high quality building materials, articulation of and variation to the building(s) facades; and fine-grained architectural detailing;
- (d) the scale of the building(s) having regard for the retention of views of the Bedford Basin from public spaces including streets, and active transportation corridors;
- (e) safe vehicular and pedestrian access to the site and building(s);
- (f) the adequacy of vehicle and bicycle parking facilities;
- (g) the location of the majority of the vehicular parking below or to the side or rear of the building(s) with a minimal amount of parking accommodated in the front of the building(s) only where appropriate landscape measures along the street edge are provided;

- (h) the provision of both interior and exterior amenity areas and open space of a high quality, of a size and type adequate for the active and passive use of the residents;
- (i) the adequacy of the servicing capacity of the site;
- (j) the provision of appropriate buffering and landscape treatment;
- (k) the potential impact of shadowing on surrounding residential buildings beyond what currently exists;
- (l) demonstrated incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the site and building design; and
- (m) the provision of active transportation linkages, where needed.

(RC-Jan 11/11; E-Mar 12/11)

1.8.3 Pursuant to Policy 1.8.1, where Commercial uses are proposed to be provided, Council shall consider the following:

- (a) commercial uses which comply with the C-1 (Local Business) Zone;
- (b) commercial uses on no more than the first and second floors or in stand alone buildings;
- (c) physical separation from abutting existing residential uses;
- (d) transparent and interactive facades along street frontages;
- (e) ground and fascia signage should be designed to complement the development and be consistent throughout the site;
- (f) adequate accommodation and screening of refuse/recycling, odours, mechanical equipment and service areas.

(RC-Jan 11/11; E-Mar 12/11)

2. COMMERCIAL FACILITIES

Objective: The provision of commercial facilities in appropriate locations on the Bedford Highway to serve adjacent neighbourhoods and highway uses.

2.1 For the purposes of this Bedford Highway Strategy, the City shall define commercial facilities as comprising two categories:

- (i) minor commercial; and
- (ii) highway commercial.

2.2 Areas shown as minor commercial centres on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be regarded as medium-scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities.

2.2.1 In minor commercial centres, the City shall permit retail shops, personal services, offices, specified entertainment uses, institutions, restaurants including convenience restaurants, community centres, and residential uses.

2.2.2 In minor commercial centres in the Bedford Highway Area the City shall require sufficient parking to accommodate employees and customers.

2.3 Areas shown as highway commercial on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas where specified commercial uses serving highway users shall be permitted on properties having direct access to the Highway.

2.3.1 In areas shown as highway commercial the Municipality shall permit motels; motor vehicle repair shops; motor vehicle dealers; and minor commercial uses. (RC-Jan 11/11; E-Mar 12/11)

2.3.2 In areas shown as highway commercial the City shall encourage development compatible with existing residential and commercial structures at a scale that will not substantially alter existing traffic flow.

2.3.3 Pursuant to Policy 2.3.2, the Land Use Bylaw shall provide for:

- (i) a maximum height of structures;
- (ii) minimum setback, side yard, and rear yard requirements;
- (iii) maximum lot coverage; and
- (iv) sufficient parking to accommodate employees and customers.

2.3.4 When considering land use control procedures to permit construction or expansion of highway commercial uses in the Bedford Highway Area, the City may limit the size and number of signs, establish requirements for landscaping, control architectural design, or impose other similar requirements to ensure that the development is aesthetically pleasing and in

keeping with the character of Bedford Highway as a major scenic approach to the City.

2.3.5 Pursuant to Policy 2.3.4, the City shall investigate design guidelines and the means of implementing such guidelines for highway commercial areas on the Bedford Highway.

2.3.6 The property located on Bedford Highway, across from the intersection with Flamingo Drive (205 Bedford Highway) is designated Minor Commercial. To permit a mixed-use, mid-rise development that contains affordable housing dwelling units on the subject property, the Halifax Mainland Land Use By-Law shall be amended to:

- (a) permit, by development agreement, a mixed-use, mid-rise development that exceeds the height, the density and the angle control requirements of the C-2A (Minor Commercial) Zone;
- (b) provide for incentive or bonus zoning on the property; and
- (c) require the property owner to enter into an incentive or bonus zoning agreement, pursuant to Section 245A of the Halifax Regional Municipality Charter, to ensure the mixed-use, mid-rise development contains affordable housing dwelling units that are dispersed throughout the development.

(RC-Jan 14/20;E-Mar 7/20)

2.3.6.1 This property is only eligible for additional height and additional density beyond the standards of the C-2A (Minor Commercial) Zone through incentive or bonus zoning. To qualify for incentive or bonus zoning:

- (a) an affordable housing agreement between the property owner and an appropriate affordable housing provider shall be reached, describing how affordable housing dwelling units will be monitored and administered;
- (b) an incentive or bonus zoning agreement between the Municipality and the property owner is required; and
- (c) a development agreement is required.

(RC-Jan 14/20;E-Mar 7/20)

2.3.6.2 The incentive or bonus zoning agreement shall require the property owner to:

- (a) provide the inclusion of a minimum of 18 affordable housing dwelling units within the development as the contribution for incentive and bonus zoning;
- (b) provide the affordable housing dwelling units for at least 180 consecutive months;
- (c) disperse the affordable housing dwelling units throughout the development;
- (d) the unit type mix for the affordable housing dwelling units shall be as follows;

Unit Type	Minimum Affordable Housing Dwelling Units Required
2 Bedroom	2
1 Bedroom	16

- (e) the monthly rent month for each affordable housing dwelling unit referred to in 2.3.6.2 shall be no more than 70% of the average market rent for an equivalent new dwelling unit in the HRM. Average market rent will be calculated at the time the incentive or bonus zoning agreement is reached and will be based on publicly available information from Canadian Mortgage and Housing Corporation; and
- (f) the monthly rent for affordable housing dwelling units may increase annually, at a rate no greater than the Halifax All-Items Consumer Price Index, calculated by Statistics Canada.

(RC-Jan 14/20;E-Mar 7/20)

2.3.6.3 A development agreement considered pursuant to Policy 2.3.6 shall:

- (a) permit a multi-unit, mixed-use building that does not exceed 26.5 meters in height, excluding elevator shafts;
- (b) permit a range of residential, commercial and institutional uses;
- (c) require commercial uses on the ground floor, facing the Bedford Highway;
- (d) permit no more than 55 dwelling units;
- (e) require indoor and outdoor amenity space for on-site residents;
- (f) regulate exterior lighting, signage, and external building materials;
- (g) regulate landscaping, fencing, outdoor storage, and the planting or retention of trees and vegetation;
- (h) regulate the appearance, location and size of driveways and prohibits surface parking lots; and
- (i) include a provision stating that no development permit shall be issued:
 - (i) until the incentive or bonus zoning agreement is executed by all the parties and filed in the Provincial Land Registration Office;
 - (ii) until the affordable housing agreement describing how affordable housing dwelling units will be administered is executed between the property owner and an appropriate affordable housing provider that is satisfactory to the Development Officer; and

(RC-Jan 14/20;E-Mar 7/20)

2.3.6.4 In addition to meeting the requirements of Policy 2.3.6.3 (a) to (i) inclusive, Council shall have regard for the following when considering a development agreement pursuant to Policy 2.3.6:

- a) that building design, massing and setbacks are appropriate for the neighbourhood context; and

- b) that the building is located higher than 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28) to mitigate against projected sea level rise.**

(RC-Jan 14/20;E-Mar 7/20)

3. INDUSTRIAL

Objective: Encouragement of existing industrial uses at their present locations.

- 3.1 The City shall discourage further expansion of railway uses within the Bedford Highway area except on lands already used for railway purposes.

4. INSTITUTIONAL

Objective: Encouragement of existing institutional uses at their present locations.

- 4.1 The City shall encourage Mount St. Vincent University to develop within areas shown as institutional-university on the Generalized Future Land Use Map of this Bedford Highway Strategy.

5. COMMUNITY FACILITIES

- Objective:** The provision of new recreation areas in appropriate locations, and the improvement of access to existing areas where necessary, particularly the Bedford Basin shoreline.
- 5.1 The City shall seek to preserve all areas of the Bedford Basin shore not required for railroad use as open space for public recreation purposes.
- 5.1.1 Pursuant to Section II, Policy 7.4.3 of the Municipal Planning Strategy the City shall seek to provide public access to the Bedford Basin shore. The City shall investigate, in particular, the feasibility of providing safe public access to Hogan's Point.
- 5.1.2 **Pursuant to Section II, Policy 7.4.3 of the Halifax Municipal Planning Strategy and Policy EC-8 and the Halifax Harbour Plan, Map 9, of the Regional Municipal Planning Strategy, the Municipality shall seek to provide an Active Transportation Multi-use Trail along the western shore of the Bedford Basin from Hogan's Point in the south to the northern boundary of the Halifax Plan Area. The waterfront trail shall be designed in accordance with HRM's Active Transportation Plan, Facility Planning and Design Guidelines. Once established, the Active Transportation Multi-use Trail will serve to provide uninterrupted views of the Bedford Basin. (RC-Jan 11/11; E-Mar 12/11)**
- 5.1.2.1 **Pursuant to Policy 5.1.2, the Municipality shall seek to acquire both water lots and lands on the eastern side of the Bedford Highway with frontage to ensure adequate access for all users, to preserve views of the Bedford Basin from the Bedford Highway, provide opportunities for trailheads and parking and to generally further opportunities for residents of the Municipality to interact visually and physically with the Bedford Basin. (RC-Jan 11/11; E-Mar 12/11)**
- 5.2 The City shall provide secondary access to Hemlock Ravine from Bedford Highway consistent with Policy 6.2 of this Bedford Highway Strategy and with the concept plan for Hemlock Ravine.
- 5.3 **The existing Department of National Defence Calibration Barge located east of Birch Cove within a defined waterlot is used for the calibration of acoustic instruments and is the only facility of this type within Canada. Certain types of construction activity can have a negative impact on their operation, such as but not limited to, marine related activities, placing fill at the water's edge, soil compaction activities and pile driving. Due to the unique nature of this facility, HRM will pursue opportunities to work co-operatively with the Department of National Defence with the objective to minimize disruption of their normal operations. (RC-Jan 11/11; E-Mar 12/11)**
- 5.4 **A potential site for a Wastewater Treatment Plant has been identified immediately south of the Prince's Lodge waterlot. Should this project**

proceed in this location it should be designed to include some public amenities and to not impact public views from Bedford Highway. (RC-Jan 11/11; E-Mar 12/11)

6. ENVIRONMENT

Objective: Protection of environmentally sensitive natural features, including the Bedford Basin shoreline.

6.1 In considering all developments within the Bedford Highway Area the City shall ensure that negative effects on the existing natural environment are minimized. In particular, the City shall have regard to preservation of the existing topography and, to the degree possible, of existing trees and natural foliage.

6.2 Pursuant to Section II, Policy 7.3.2 of the Municipal Planning Strategy the City shall provide for convenient public access to Hemlock Ravine from the Bedford Highway to the degree compatible with preservation of the sensitive natural environment of that area.

6.3 The City shall investigate methods of preserving the Bedford Basin shoreline in the vicinity of Hogan's Point.

6.4 The Bedford Basin is a substantial water body characterized by mix of industrial uses, public parks, historic assets, commercial uses and a variety of residential uses. Halifax Regional Municipality recognizes that unfocused subdivision, development and water lot infilling activities along the Bedford Basin may result in undesirable impacts on the character of the area, on traditional views of the Bedford Basin, on its recreational use and on its marine environment. As a means of protecting the character of the Bedford Basin, the Municipality shall control development and subdivision on lots and water lots along the Bedford Basin between the southern boundary of PID 00279786 and the northern boundary of the Halifax Plan Area. Specific measures will include limiting the type of structures that will be allowed on both infilled and non-infilled water lots, implementing a setback from the Bedford Basin, limiting the type and size of structures to be built within the Bedford Basin setback, and preventing infilled and non-infilled water lots from being used in lot area and setback calculations. (RC-Jan 11/11; E-Mar 12/11)

6.4.1 In order to carry out the intentions described in 6.4, the Municipality shall designate the seabed of the Bedford Basin seaward of the Ordinary High Water Mark, as it existed on the effective date of the adoption of this amendment for a distance of 250 metres from the southern boundary of PID 00279786 to the northern boundary of the Halifax Plan Area and as generally shown on Map 9, the Generalized Future Land Use Map for the Halifax Plan, as Water Access. Through the Land Use By-laws, the Municipality shall establish a corresponding Water Access Zone which shall apply to any new land created by infilling of the Bedford Basin. Development within this Zone shall be limited to public works and utilities, municipal, provincial and national historic sites and monuments, passive recreation uses, a multi-use trail system and associated facilities, wharves and docks. (RC-Jan 11/11; E-Mar 12/11)

- 6.4.2** **The Municipality shall encourage the respective provincial and federal approval authorities from issuing any approval to permit the infilling of water lots, which would be detrimental to the objectives described in policy 6.4. Infilling activities related to the construction of public works and utilities, municipal, provincial and national historic sites and monuments, passive recreation uses, a multi-use trail system and associated facilities, wharves and docks are not considered to be detrimental to the objectives of policy 6.4. (RC-Jan 11/11; E-Mar 12/11)**
- 6.4.3** **The Municipality shall also encourage the respective provincial and federal approval authorities to refer any marine related infrastructure or infilling requests and applications occurring along the western shore of the Bedford Basin as described in Section 8.13, to the Development Officer for review of compliance with the Land Use By-law. (RC-Jan 11/11; E-Mar 12/11)**

7. TRANSPORTATION

Objective: Recognition of the Bedford Highway as an important part of the regional transportation network and the need to provide for its safe, convenient use by automobiles, trucks and public transit users, and pedestrians.

7.1 The City should seek to establish, in conjunction with the Province, a program to systematically upgrade, and where necessary, realign Bedford Highway in accordance with its function as a principal city street and provincial highway.

7.1.1 The City shall seek to provide sidewalks in appropriate locations on the Bedford Highway as part of its upgrading program.

7.1.2 The City shall endeavor to consolidate vehicle access points to the Bedford Highway as part of its upgrading program.

7.1.3 In consolidating vehicle access points to the Bedford Highway, the City shall endeavour to apply the following standards:

- (i) one access for each lot in areas designated for low- and medium-density residential uses;
- (ii) two separate accesses for each lot in areas designated for high-density residential, minor commercial, highway commercial, institutional-university uses, and community facilities;
- (iii) a minimum distance between access points; and
- (iv) a maximum width for access points.

7.2 The City, in conjunction with the Provincial authorities, shall seek to enhance the visual environment along the Bedford Highway by means such as undergrounding of wires, tree planting and landscaping, in keeping with its role as a major entrance to Halifax. Such activities should be pursued in conjunction with an overall upgrading program.

Objective: Upgrading and realignment of the Bedford Highway should avoid unnecessary disruption of existing land uses.

7.3 The City should ensure that any widening and realigning of the Bedford Highway be designed so as to minimize any adverse impacts on adjacent property.

8. ENVIRONMENTAL HEALTH SERVICES

Objective: Encouragement of development only where municipal water and sewer services are already available or, if such services are not available, where the developer can provide acceptable services.

8.1 When considering development applications in portions of the Bedford Highway area where municipal water and sewer services are not available, the City shall have regard to the preservation of water quality and prevention of sewer infiltration for existing land uses.

8A. SETON RIDGE NEIGHBOURHOOD PLAN (RC-Jul 17/18;E-Jul 28/18)

Objectives

Seton Ridge is a 72 acre site that slopes down towards the Bedford Basin. Historically known as the Motherhouse property, the site was initially developed as a residence for the Sisters of Charity, a religious order that acquired the lands in 1873. The Motherhouse residence was demolished in the early 2000's and provides a unique redevelopment opportunity. The strategically located site is located next to Mount St. Vincent University, and close to a variety of shops, services, public facilities and transit corridors.

The objectives for this plan support the development of a compact mixed-use neighbourhood that:

1. provides a variety of housing options that are integrated with supporting services within walking distance;
2. contains streets that allow walking and cycling to be a pleasant and safe experiences, and supports efficient transit service;
3. includes mixed use buildings on a central street with an architectural style that is pedestrian friendly and contains visual variation;
4. contains public and semi-public spaces that provide the neighbourhood infrastructure needed to offer opportunities for outdoor recreation and social interaction; and
5. integrates with Mount St. Vincent University and the surrounding neighbourhoods through the scale and type of development and by establishing pedestrian connections.

Neighbourhood Design

8A.1 The Seton Ridge Neighbourhood Plan, presented as Map 9Df, shall form the framework for land use allocation, public parkland locations and transportation planning and all policies and actions taken by the Municipality shall conform with the intent of this plan and the policies contained herein.

Neighbourhood Centre

8A.2 Lands identified as Neighbourhood Centre on Map 9Df are intended to support a mixed-use high density residential environment including multi-unit dwellings, community facilities, and commercial uses that serve the neighbourhood, such as offices, restaurants, retail and personal service uses. Uses that serve the broader community that are compatible with a mixed-use environment, such as educational facilities and hotels, shall also be permitted.

8A.3 The scale and design of development within the Neighbourhood Centre shall be controlled to support a high-density pedestrian oriented neighbourhood including standards regarding building form, appearance, allowable height, landscaping and amenity areas. Specific controls will ensure that building heights and scale transition to surrounding low density areas and allow

sufficient light and air to reach public streets and spaces. Surface parking shall be limited and only permitted to the side or rear of buildings.

Low Density Residential Neighbourhoods

8A.4 Land identified as Low Density Neighbourhood on Map 9Df encompasses those areas where a low density residential environment is supported. Single unit dwellings, auxiliary dwelling units, row houses, double stacked row houses and home occupations shall be permitted. Multi-unit dwellings, institutional uses and commercial uses shall not be permitted.

Residential Care Campus

8A.5 Lands identified as Residential Care Campus on Map 9Df are intended to accommodate the development of an integrated residential facility that provides a wide range of housing options together with medical, supervisory or personal care. Associated commercial uses are also permitted, such as medical offices, restaurants and personal service shops.

8A.6 The scale and design of development within the Residential Care Campus area shall be controlled to support a high-density pedestrian oriented neighbourhood similar in form to the Neighbourhood Centre area. However, specific land use and built form controls may be tailored to the unique site layout and building form needs associated with a residential care campus form of development.

Parks

8A.7 High quality public parks are an essential component of the Seton Ridge Neighbourhood that are important to meeting the diverse recreation needs of residents. The public park locations shown on Map 9Df identifies the approximate locations of lands that shall be dedicated to the Municipality for public recreation uses through the subdivision process. The specific size and shape of the three proposed public parks shall be consistent with the following park descriptions.

- (a) Park A, located adjacent Mount St. Vincent University, has a topography and configuration that is suitable for a play lawn, playgrounds, and sport courts;
- (b) Park B, located towards the centre of the Neighbourhood, is a sloped site that may exceed standard parkland requirement that is suitable for passive recreation features and playgrounds and is intended to provide views and recreation opportunities next to the Neighbourhood's commercial core; and
- (c) Park C, located to the northwest corner of the Neighbourhood, is intended to retain the existing pond and surrounding natural vegetation, facilitate pedestrian connections, and provide passive recreation opportunities for residents.

Transportation

8A.8 The Seton Ridge Neighbourhood shall prioritize walking, cycling and transit use. The transportation network shall consist of:

- (a) a collector road, shown on Map 9Df, that is designed to accommodate cycling and transit service through the site;**
- (b) short local streets that are arranged in a general grid pattern;**
- (c) pedestrian walkways, shown on Map 9Df, that connect the development with surrounding neighbourhoods.**

Implementation

8A.9 The Seton Ridge Neighbourhood Designation shall be applied to the Seton Ridge site and shall only permit new comprehensively planned development by development agreement.

8A.10 The Seton Ridge Comprehensive Development District (SRCDD) Zone shall be applied to the Seton Ridge Neighbourhood and shall limit as-of-right development to existing uses and public parks.

8A.11 In considering a development agreement within the Seton Ridge Neighbourhood Designation Council shall be satisfied that the proposal meets the following criteria:

- (a) the proposal meets the objectives of this neighbourhood plan and is consistent with the policies established for this neighbourhood plan and any other applicable policies established by the Halifax Municipal Planning Strategy and the Regional Planning Strategy;**
- (b) the phasing of development ensures that the collector road, local road connections, transit supportive infrastructure, and public parkland dedications are provided in early phases of the development;**
- (c) the phasing of development may allow for limited subdivision and development without street frontage and deferred parkland dedication provided street frontage and parkland dedications are provided in later phases; and**
- (d) the development agreement is designed to be discharged by Council upon the completion of public roads, parks and other public infrastructure.**

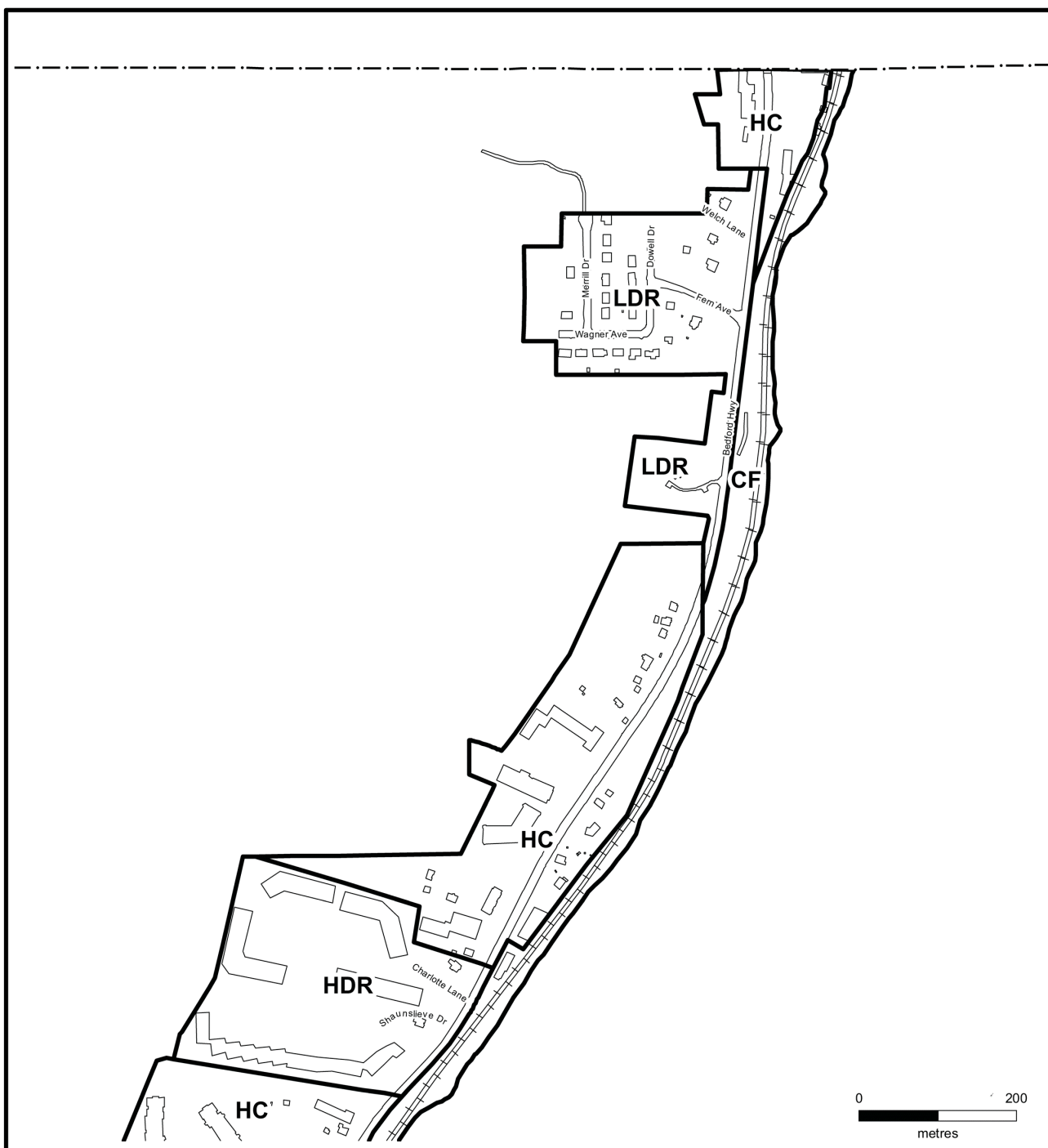
8A.12 Zoning shall be applied to the Seton Ridge Neighbourhood prior to discharging the development agreement enabled in Policy 8A.11. In considering amendments to the Land Use By-law to apply or adjust new or existing zones within the Seton Ridge Neighbourhood, Council shall be satisfied that the proposal meets the following criteria:

- (a) The proposed zoning achieves the objectives and policies of the Seton Ridge Neighbourhood Plan and are consistent with any other applicable policies established by the Halifax Municipal Planning Strategy and the Regional Municipal Planning Strategy.**

9. GENERALIZED FUTURE LAND USE MAP

- 9.1 The Generalized Future Land Use Map (Map 9d) should be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Bedford Highway Strategy.
- 9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 9.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement or, in the absence of such time limit, within one year of the approval of this Strategy.

Map 9Da: Generalized Future Land Use – Bedford Highway



Bedford Highway Secondary Planning Strategy

Map 9Da

Generalized Future Land Use

LDR	Low Density Residential	HC	Highway Commercial
HDR	High Density Residential	CF	Community Facilities

Approved: 28 May 1985
Amended: 12 March 2011

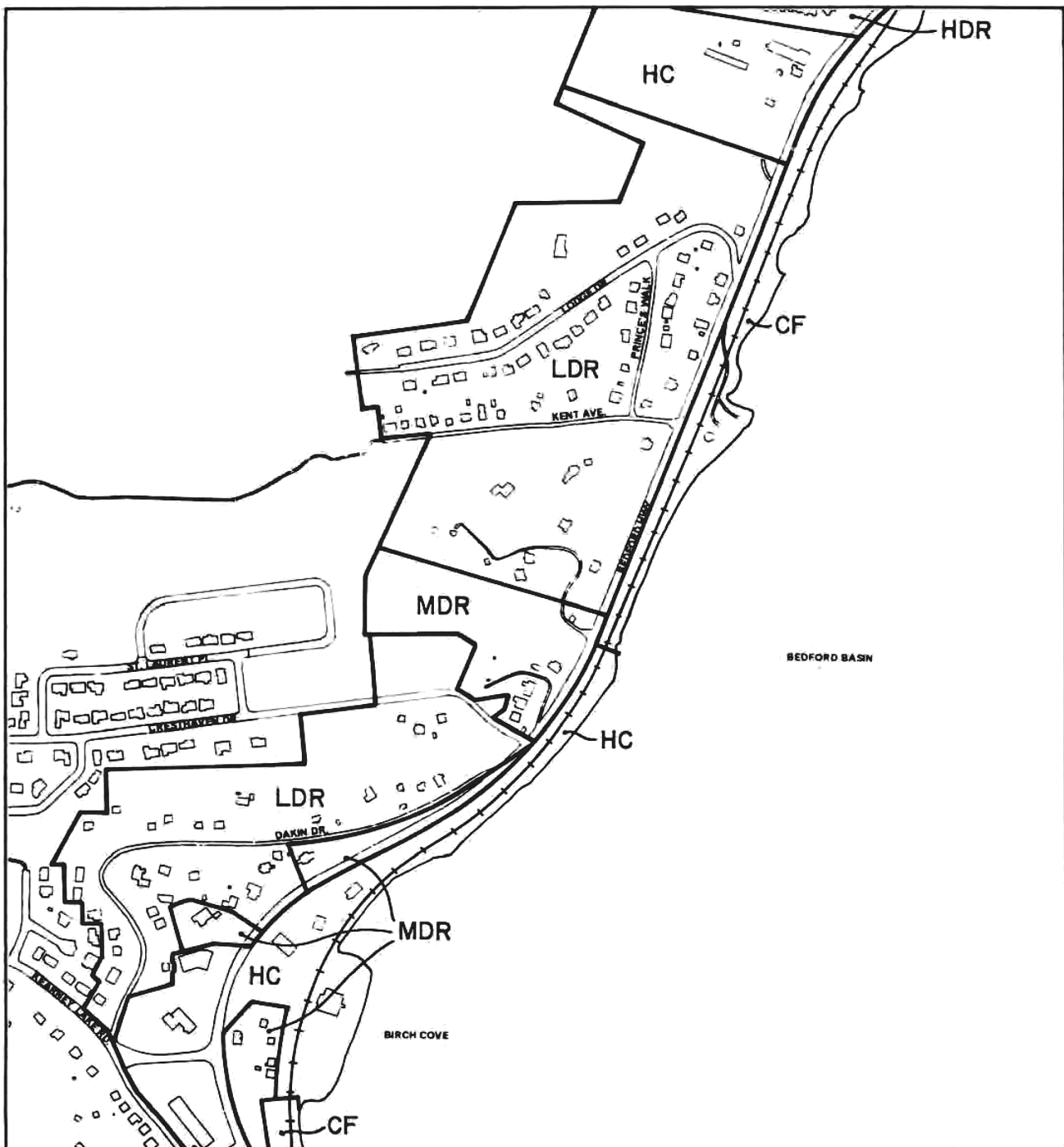
Halifax Municipal Planning Strategy

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



HEC

Map 9Db: Generalized Future Land Use – Bedford Highway



Bedford Highway Secondary Planning Strategy

Map 1b (Map 9Db)

Generalized Future Land Use

LDR Low Density Residential
MDR Medium Density Residential
HDR High Density Residential

HC Highway Commercial
CF Community Facilities

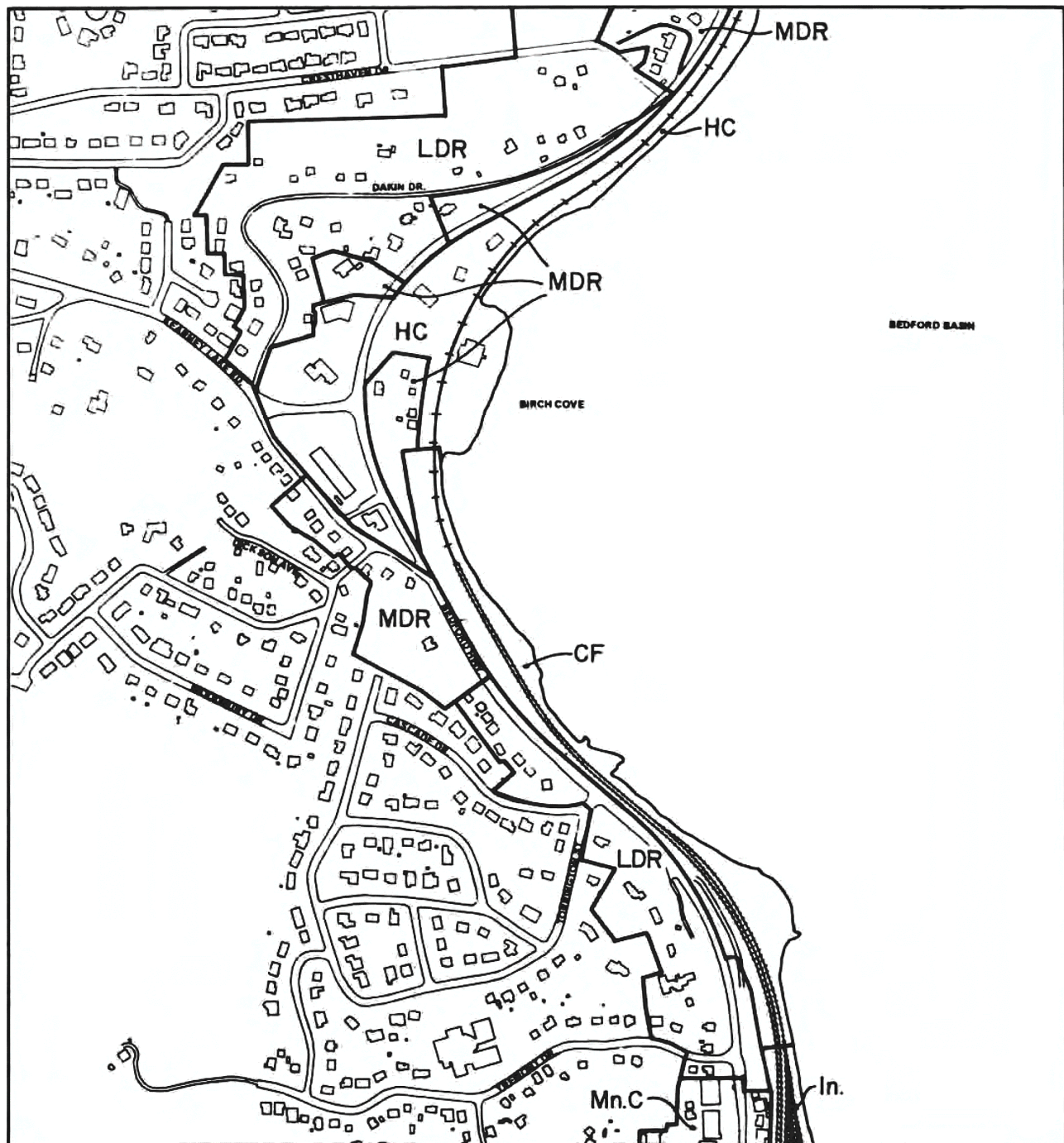
Approved: 28 May, 1985
Amended: 11 October, 1995



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Map 9Dc: Generalized Future Land Use – Bedford Highway



Bedford Highway Secondary Planning Strategy

Map 1c (Map 9Dc)

Generalized Future Land Use

LDR	Low Density Residential	HC	Highway Commercial
MDR	Medium Density Residential	CF	Community Facilities
Mn.C	Minor Commercial		

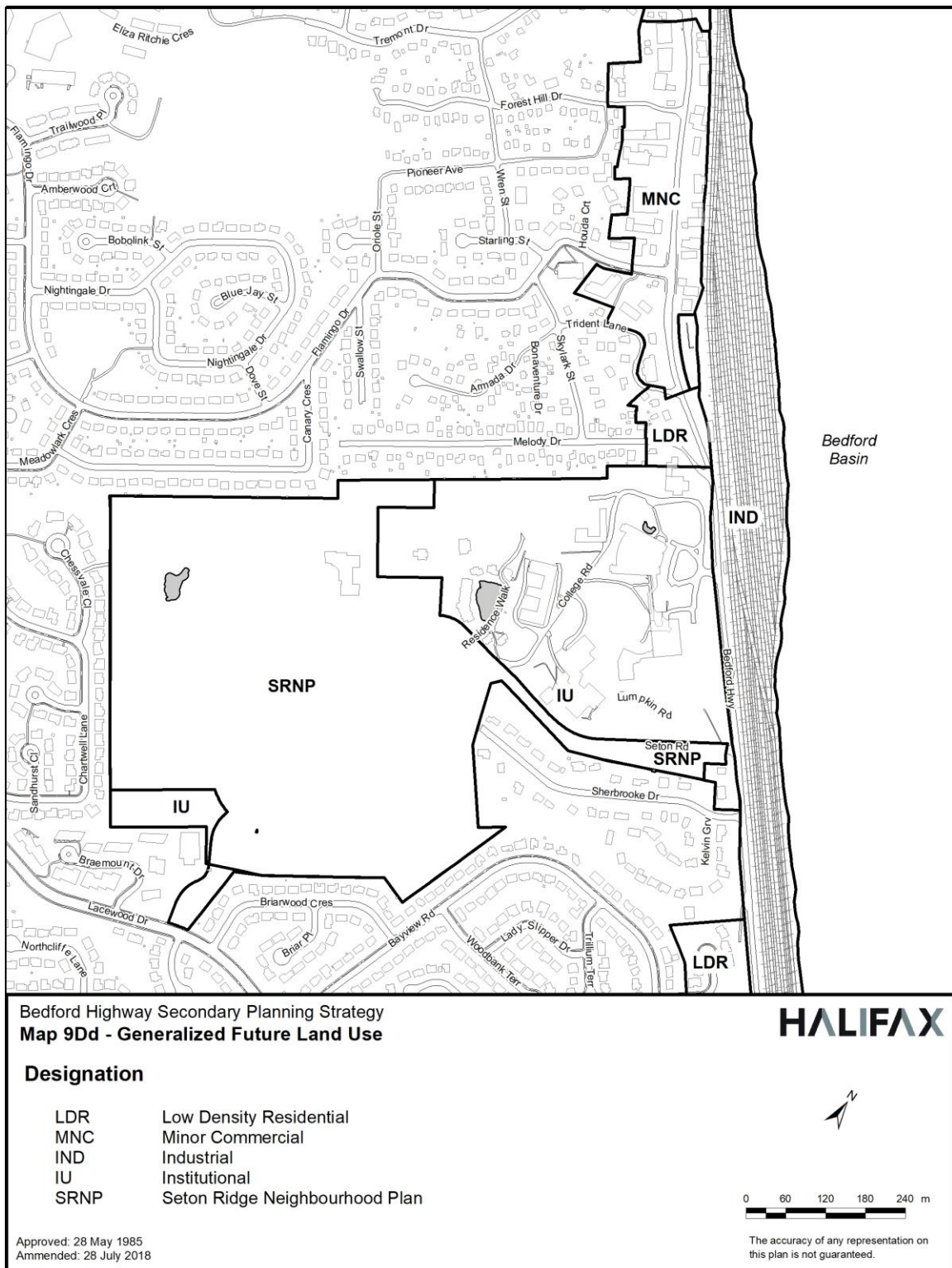
Approved: 28 May, 1985
Amended: 11 October, 1995



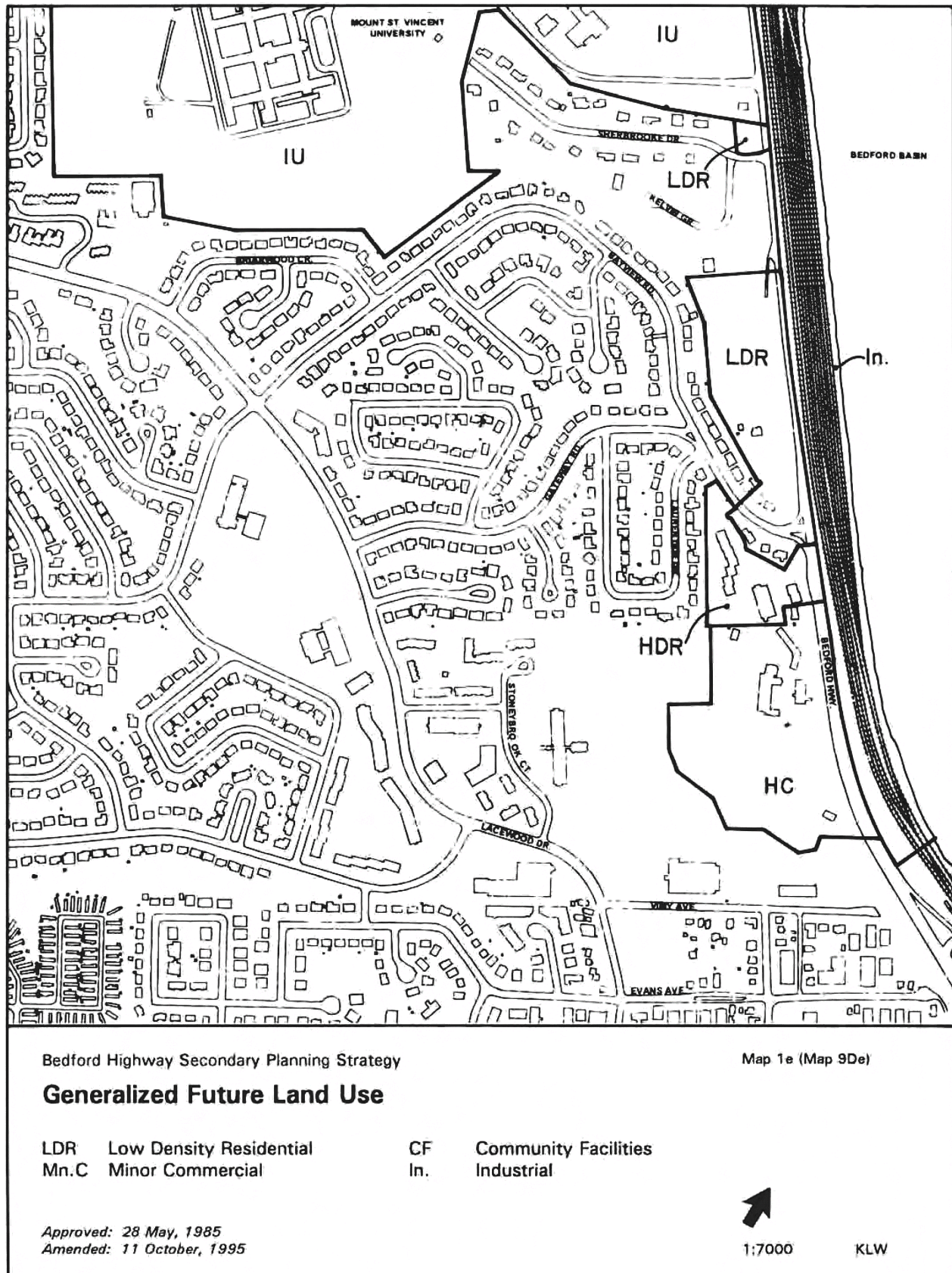
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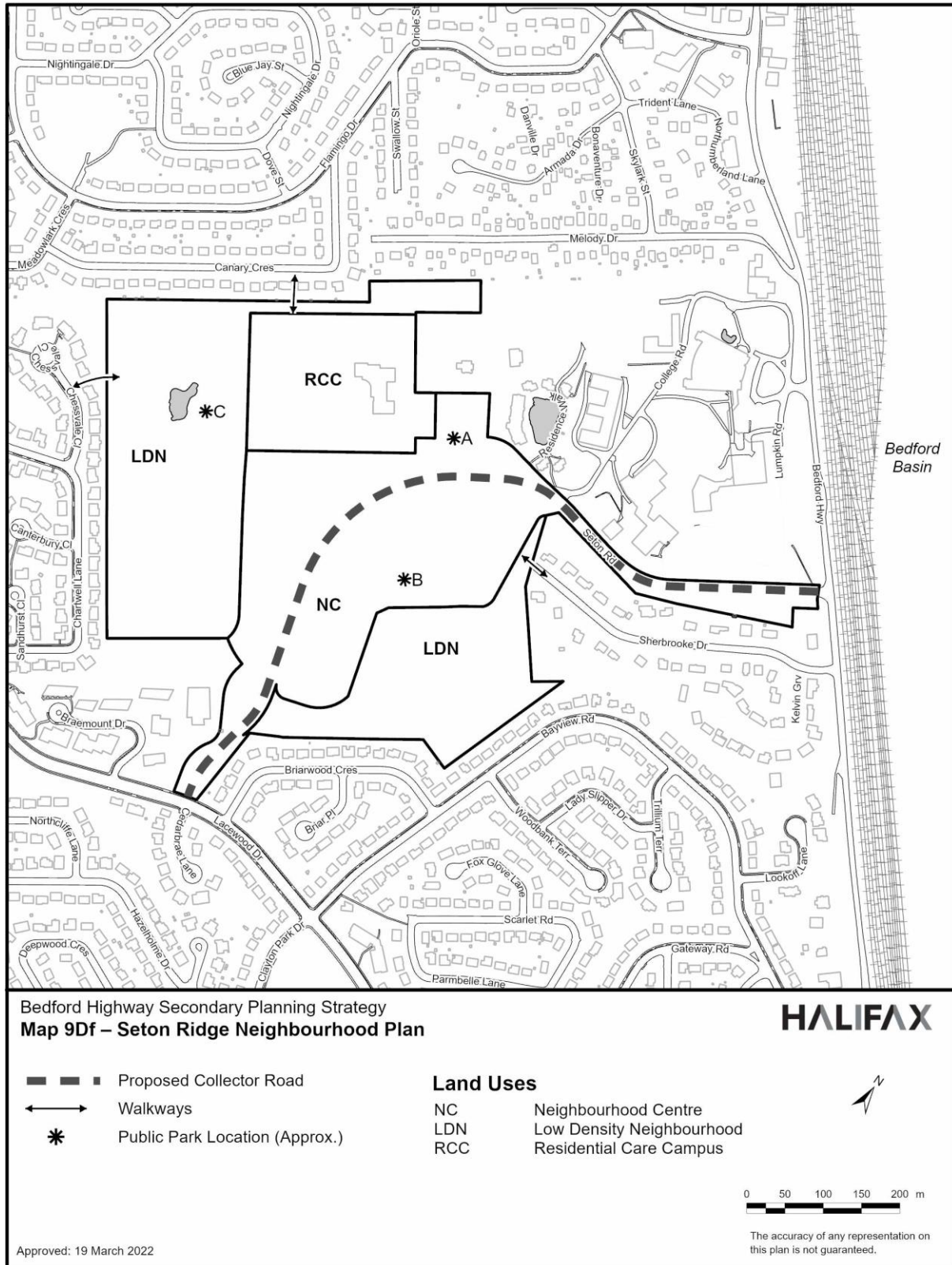
Map 9Dd: Generalized Future Land Use – Bedford Highway (RC-Jul 17/18;E-Jul 28/18)



Map 9De: Generalized Future Land Use – Bedford Highway



Map 9Df: Seton Ridge Neighbourhood Plan (RC-Jul 17/18;E-Jul 28/18) (RC-Feb 8/22;E-Mar 19/22)



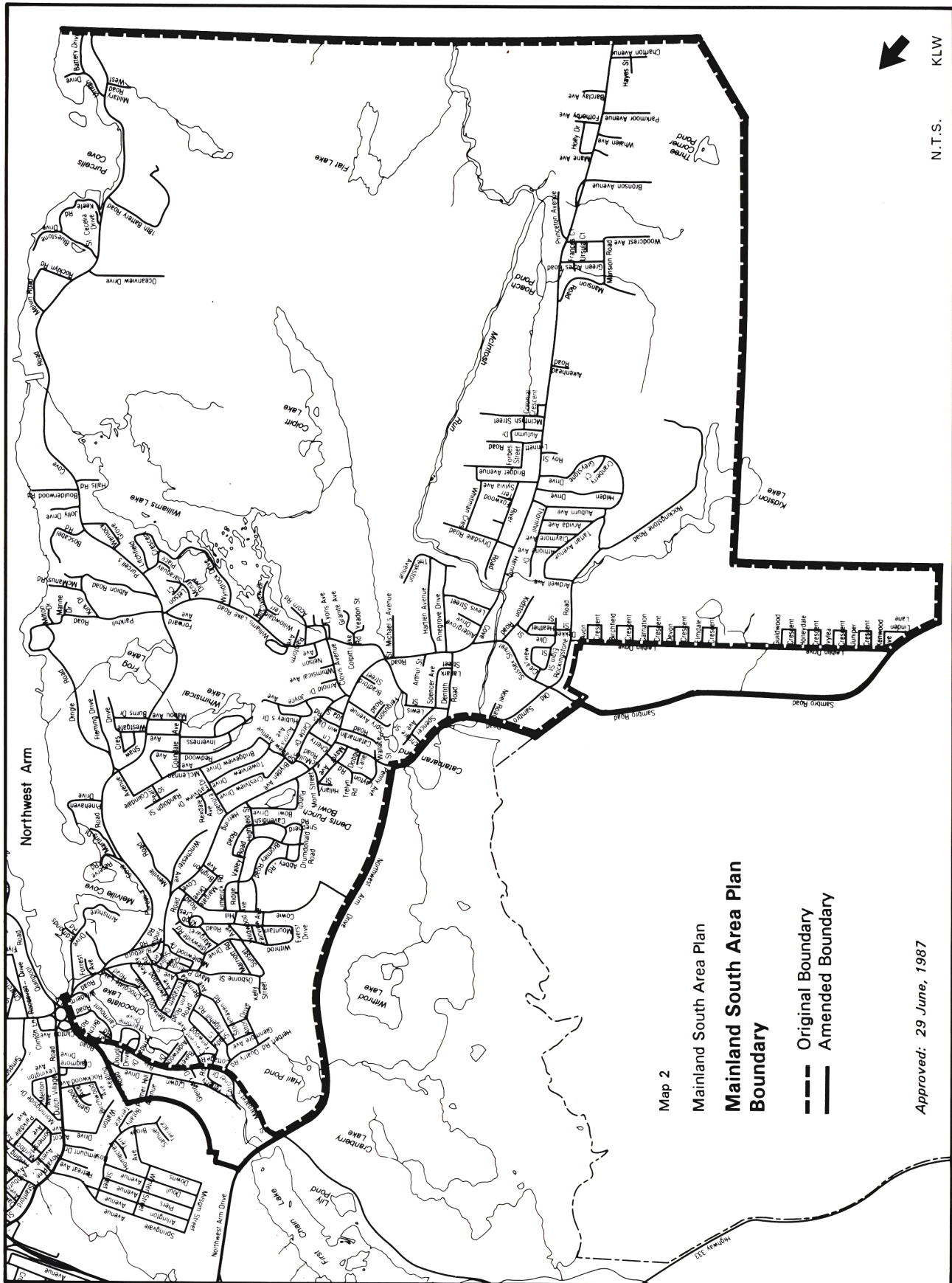
~~SECTION IX - SPRING GARDEN ROAD COMMERCIAL AREA PLAN~~
Deleted (RC-Jun 16/09; E-Oct 24/09)

**SECTION X: MAINLAND SOUTH SECONDARY PLANNING STRATEGY
OBJECTIVES AND POLICIES**

DEFINITION OF AREA

For the purpose of this Municipal Development Plan, the Mainland South Secondary Planning Strategy includes all those lands identified on Map 2, generally as described as: all lands generally bounded by the Northwest Arm, to the Armdale Rotary, thence northwesterly along St. Margaret's Bay Road to Keating Road, along Keating Road and the prolongation of Keating Road to the intersection of Samuel Terrace and Brook Street. Thence following a line being 600 feet distant from the northern right-of-way of the CNR right-of-way to the property line of the Fairmount Subdivision. Thence westerly to the property lines of the lands owned by the Public Service Commission. Thence southerly along the eastern property line of the Public Service Commission to the northern right-of-way of the CNR. Thence northwesterly along said right-of-way to the eastern boundary of Northwest Arm Drive; thence along the Northwest Arm Drive southward to the Old Sambro Road; the Old Sambro Road due west to the City Limits; the City Limits on the southwest and south progressing eastward to the Northwest Arm shoreline.

Map 2: Mainland South Area Plan Boundary



1. RESIDENTIAL ENVIRONMENTS

Objective: The development and maintenance of Mainland South as a predominantly residential area with a diverse mixture of family and non-family housing.

1.1.1 "Residential Environments" in terms of this secondary strategy means:

- (a) Low-Density Residential;
- (b) Medium-Density Residential;
- (c) High-Density Residential;
- (d) Residential Development District.

1.1.2 Forms of residential development which may be permitted in Mainland South are:

- (a) conversions;
- (b) detached dwellings;
- (c) semi-detached dwellings;
- (d) duplex dwellings;
- (e) townhouses; and
- (f) apartments.

1.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly single-family dwellings in character, residential development consisting of detached (single-family) dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.

1.2.1 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly two-family dwellings in character, residential development consisting of detached (single-family) dwellings, semi-detached dwellings and duplex dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1 and 2.1.2 of this Plan.

1.2.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are unserved by municipal sewer and/or water, the City may permit detached, single-family dwellings with individual on-site sewer and water services.

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 (RC-Aug 9/22;E-Sep 15/22)** buildings.

1.2.3.1 Any development permitted pursuant to Policy 1.2.3 shall be compatible with the surrounding area. This shall be achieved by attention to a variety of

factors for which conditions may be set out in a development agreement, such as but not limited to:

- (a) Architectural Design, Scale, Building Height and Mass
 - i) The height of the apartment building and buildings containing **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** 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 (RC-Aug 9/22;E-Sep 15/22)** 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 (RC-Aug 9/22;E-Sep 15/22)** 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 (RC-Aug 9/22;E-Sep 15/22)**.
 - 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 (RC-Aug 9/22;E-Sep 15/22)** buildings abut existing one or two unit dwellings the forty foot buffer will be maintained.

- v) Any agreement made pursuant to policy 1.2.3 shall include provisions for the continued maintenance and upkeep of the buffer areas and fencing as required by clause (b)iv.
 - vi) The ravine at the west end of Block F shall be maintained in a natural state.
 - vii) Planting and screening of air conditioners, dumpsters, propane tanks, service areas, driveways, parking areas, etc. is required.
 - viii) Adequate and safe vehicular and pedestrian accesses to the site and buildings shall be provided.
 - ix) The parking areas shall be located such that they do not interfere with the safe access of pedestrians and are able to be screened from the public street.
- (c) Additional Considerations
- i) Every effort shall be made to reduce traffic impacts on the adjacent neighbourhood.
 - ii) An assessment of the adequacy of municipal servicing systems available to the site shall be undertaken and any required improvements shall be addressed to the satisfaction of the Engineer prior to development.
 - iii) **Deleted (RC-Aug 9/22;E-Sep 15/22)**
 - iv) The development may be phased but no more than 25% of the development shall be permitted to proceed prior to rehabilitation and completion of Kelly Street.

1.2.4 Further to the Low Density Residential objective and policies of this section, for those municipally and privately owned lands known as the Fleming Park / Williams Lake Road lands (PID # 00310342 and 00284885) and designated “Low-Density Residential” on the Generalized Future Land Use Map, Council shall zone these lands Single Family Dwelling (R-1) zone and shall not consider future zoning amendment requests for these lands.

1.2.5 **In order to promote the integration of appropriately scaled and well-designed apartment house uses within a specific node along Herring Cove Road, that being the stretch of Herring Cove Road between Circle Drive and Williams Lake Road, and to prevent conflict between new and existing uses, the Municipality shall identify properties fronting on the eastern side of Herring Cove Road between Circle Drive and Williams Lake Road as shown on Map 4 Schedule I. (RC-Jun 10/14; E-Jul 26/14)**

1.2.6 **A Schedule shall be applied through the land use by-law to private properties within the area identified in policy 1.2.5, provided the properties have frontage on Herring Cove Road. Apartment house developments may be considered in the area identified by this Schedule by development agreement in accordance with the Halifax Regional Municipality Charter. (RC-Jun 10/14; E-Jul 26/14)**

1.2.7 Within the area identified by policy 1.2.6, no more than three apartment house developments shall be permitted. Each apartment house development may incorporate non-residential uses permitted by the zoning on the property and shall:

- (a) contain no less than 190 feet of frontage on Herring Cove Road;
- (b) contain no less than 60,000 square feet of lot area;
- (c) contain no more than 42 dwelling units, a minimum of 50 percent of which must contain 2 or more bedrooms;
- (d) be limited to a maximum of height of 55 feet;
- (e) be contained within a single building, which contains no more than 4 storeys; and
- (f) be limited to no more than 3 storeys at the rear (eastern) portion of the building.

(RC-Jun 10/14; E-Jul 26/14)

1.2.8 In considering development agreements pursuant to policies 1.2.6 and 1.2.7., Council shall consider the following:

- (a) the architectural design of the building includes high quality building materials, articulation of and variation to the building facades, and fine-grained architectural detailing;
- (b) the creation of high quality design detail at street level through attention to such matters as site landscaping, conspicuous building entrances, appropriate lighting and co-ordinated signage, and no surface parking between the building and the street;
- (c) the relationship of the building to the street, adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development of adjacent properties through effective urban design and landscape treatment;
- (d) appropriate separation of residential and commercial uses;
- (e) provision for vehicular and pedestrian access and egress patterns;
- (f) the adequacy of the servicing capacity of the site;
- (g) the majority of vehicular parking is provided underground;
- (h) the development provides adequate indoor and outdoor amenity space for residents on site;
- (i) the development provides a lighting plan;
- (j) where the development is located at an intersection, architectural treatments are incorporated to emphasize the building's relationship to the corner;
- (k) where a cemetery is present on the development site, the provision of appropriate protection and access; and
- (l) the provisions contained in policy 7.3 of this Section.

(RC-Jun 10/14; E-Jul 26/14)

1.2.9 Within the area identified by policy 1.2.6, the land use by-law shall permit one 3 unit dwelling, provided the 3 unit dwelling is located at 292 Herring Cove Road. The land use by-law shall identify the site where the 3 unit dwelling is permitted and shall limit the 3 unit dwelling to 2 storeys and include provisions to ensure the building is appropriately positioned in

relation to adjacent development. (RC-Jun 10/14; E-Jul 26/14)

1.2.10 Notwithstanding the Low-Density Residential designation of the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, the Park and Institutional Zone shall be applied to this property. (RC-Jun 10/14; E-Jul 26/14)

1.2.11 Notwithstanding policy 3.1, the land use by-law shall identify the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, and shall limit the use of the site to public park uses. (RC-Jun 10/14; E-Jul 26/14)

1.2.12 For the properties at 348 Purcell’s Cove Road (PID #00270975, 41158452 and 00633511), in order to recognize the longstanding land uses and existing building locations and sizes, the Halifax Mainland Land Use By-law shall be amended to permit the existing uses and buildings to remain at their present locations as of the effective date of this provision, notwithstanding that building setbacks and other By-law requirements may not be met, subject to the following: (RC-Aug 2/16;E-Sep 3/16)

- a) A dwelling and an accessory building shall be permitted on Lot G2 (PID #41158452) and a portion of a water lot (PID #00633511) in their existing locations; (RC-Aug 2/16;E-Sep 3/16)
- b) On Lot G1 (PID #00270975), one existing building which is accessory to the dwelling on Lot G2 shall be permitted at a height of three storeys. Two additional existing accessory buildings shall be permitted at a height of one storey in their existing locations on Lot G1; (RC-Aug 2/16;E-Sep 3/16)
- c) No additions to existing buildings which would increase the floor area nor any new buildings shall be permitted on any lot, with the exception of accessory buildings on Lot G1 which do not exceed one storey in height; and (RC-Aug 2/16;E-Sep 3/16)
- d) Nothing shall prevent repairs and renovations to or the replacement of any existing building. (RC-Aug 2/16;E-Sep 3/16)

1.2.12.1 The provisions of Policy 1.2.12 shall not exempt the existing buildings from any associated approvals from agencies which may be necessary in order to obtain development and construction permits for the existing buildings. (RC-Aug 2/16;E-Sep 3/16)

1.2.13 In the “Low Density Residential” designation and on the area shown on Map 5 of Schedule I, near Parkmoor Avenue and Charlton Avenue, Council may permit:

- (a) single detached dwellings on those compact lots identified on Schedule ZM-33 in the land use by-law, and
- (b) townhouse buildings.

(RC-Sep 29-30/20;E-Dec 5/20)

- 1.2.13.1** A Schedule identified as ZM-33 Parkmoor Ridge Subdivision shall be added to the land use by-law to regulate the location where single detached dwellings and townhouse buildings are permitted within the area identified in policy 1.2.13, provided that all properties have frontage onto a public street. (RC-Sep 29-30/20;E-Dec 5/20)
- 1.2.13.2** Within the area identified by policy 1.2.13, single detached dwellings
- (a) on compact lots, shall have a minimum frontage of 34 feet, except for cul-de-sacs bulbs, and minimum lot area of 3,400 square feet, and
 - (b) on moderate lots, shall have a minimum frontage of 40 feet, except for cul-de-sacs bulbs, and minimum lot area of 4000 square feet.
- (RC-Sep 29-30/20;E-Dec 5/20)
- 1.2.13.3** Within the area identified by policy 1.2.13, the land use by-law shall permit townhouse buildings with a maximum of four units, and include provisions to ensure the townhouse buildings are appropriately positioned in relation to existing residential uses and adjacent development. (RC-Sep 29-30/20;E-Dec 5/20)
- 1.3** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map, detached dwellings, semi-detached dwellings, duplex dwellings, townhouses and apartments containing a maximum of four units two of which must be family-type, shall be permitted and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.
- 1.3.1** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map Council may zone to permit apartments provided that their height is limited to a maximum of four storeys and in assessing such rezonings Council shall consider compatibility with the existing neighbourhoods and the adequacy of municipal infrastructure.
- 1.3.2** Pursuant to Policy 1.3.1, the Land Use By-law shall be amended to include regulations which limit the height, density and unit size.
- 1.3.3** For the purposes of Policies 1.3 family-type units shall mean those with two or more bedrooms conducive to family-type living.
- 1.3.4** In areas designated as "Medium Density Residential" on the Generalized Future Land Use Map Council may consider townhouse style residential developments according to the development agreement provisions of the *Halifax Regional Municipality Charter*. This form of development is appropriate where subdivision regulations for townhouses can not be met, due to lack of frontage on a public street, or where developments are located on major collector or arterial streets, and direct access to the street is undesirable. In considering such an agreement, Council shall have regard for the following:

- (a) that the development includes a minimum lot area of 20,000 square feet, with access provided to a public street;
- (b) that each unit has access to an internal private driveway which services the development;
- (c) that municipal central services are available and capable of supporting the development;
- (d) that the site design features including landscaping, screening, fencing, parking areas, and driveways are of an adequate size and design to meet the needs of residents of the development and to address potential impacts on adjacent development;
- (e) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent uses; and,
- (f) the general maintenance of the development. (RC-Feb 2/10; E-Apr 17/10)

1.4 In areas designated as "High-Density Residential" on the Generalized Future Land Use Map, uses permitted in the low-density and medium-density designation and apartments exceeding four storeys shall be permitted. Apartments in excess of four stories shall be regulated as to size and scale by appropriate regulations in the By-law. Apartment dwellings may be composed of both family and non-family type. Neighbourhood commercial uses shall be permitted in apartment dwellings of 100 units or greater.

1.5 Areas designated as "Residential Development District" on the Generalized Future Land Use Map shall be residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.

1.5.1 Pursuant to Policy 1.5, the Land Use By-law shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.

1.5.2 Notwithstanding Policy 1.5.1, Policy 2.1.4 of Section II shall remain in force and the City shall maintain a Holding Zone until such time as municipal services are available.

1.5.3 For the area designated as "Residential Development District" known as Melville Ridge as shown on Map 1 of Schedule I, the City may by an amendment to the existing development agreement permit a change in use of and/or an addition to the existing building at 15 Shoreham Lane and a sign on Ramsgate Lane near Purcell's Cove Road.

1.5.3.1 Any change in use permitted pursuant to Policy 1.5.3 shall be **limited to: neighbourhood commercial uses; appropriate local commercial uses, including restaurant uses; and health care related uses. A significant portion of the existing building shall continue to be used for health care related uses.** (RC- Sep 19/17; E- Nov 11/17)

- 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 (RC-Aug 9/22;E-Sep 15/22).**
- 1.5.3.2 Any addition permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) height
 - (iii) setbacks
 - (iv) buffering
 - (v) access
 - (vi) materials
 - (vii) lighting
- 1.5.3.3 Any sign permitted pursuant to 1.5.3 shall be non-commercial in nature.
- 1.5.3.4 Any sign permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) heights
 - (iii) setbacks
 - (iv) materials
 - (v) lighting
- 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 (RC-Aug 9/22;E-Sep 15/22)** on Lot 4 Ramsgate Lane. **(RC- Feb 19/08; E-March 29/08)**
- 1.5.3.5.1 Any development permitted pursuant to Policy 1.5.3.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) screening of air conditioners, dumpsters, propane tanks, driveways, etc
 - (iii) service entrances
 - (iv) building materials
 - (v) lighting
 - (vi) parking
 - (vii) accesses to the site and building

- 1.5.3.5.2 Without limiting the generality of the foregoing, the Municipality shall have regard for the following:
- i) The height of the building shall not exceed four storeys nor elevation 174.5.
 - ii) the building shall comply with the size of building requirements of the R-4 Zone (angle controls) from Melville Avenue.
 - iii) No portion of the building shall be closer to Melville Avenue than 40 feet.
 - iv) Vehicular access shall not be permitted from Melville Avenue.
 - v) The footprint of the building shall not exceed 14,200 square feet.
 - vi) The area of Lot 4 abutting Melville Avenue for a depth of 35 feet shall be maintained as a buffer area within which no construction activity is to take place nor any existing trees removed except as required to install a water line or as required for safety reasons.
 - vii) Any agreement made pursuant to policy 1.5.3.5 shall include provisions for the continued maintenance and upkeep of the buffer area as required by clause vi.
 - viii) The layout and design of the building and services shall follow for the retention of mature trees.
- 1.5.3.5.3 Because certain residences on Melville Avenue are serviced with individual wells, and as any development permitted pursuant to policy 1.5.3.5 could impact on the source of the supply of the said wells, it shall be the intention of council to ensure that an acceptable quality of water in sufficient amounts is maintained by:
- i) Requiring that municipal water be provided to those properties now served by wells except where the owners do not want to connect to municipal water.
 - ii) Requiring that municipal water is available prior to any blasting or any other activity on Lot 4 which could effect the supply of well water.
 - iii) Requiring that as part of any permit application, the developer supply site development details including methods of excavation, methods of reducing impacts of construction on adjacent residences and the time schedule for construction.
 - iv) If deemed necessary, requiring a performance security to ensure that any conditions made pursuant to 1.5.3.5.3(iii) are carried out.
- 1.5.4 For the area designated as "Residential Development District" known as Regatta Point as shown on Map 2, of Schedule I, notwithstanding that the site is less than three acres and will result in greater than 15% of the land being used for apartment uses, the City may, by development agreement, permit a maximum of four townhouses on lot RP-7 Spinnaker Drive and an apartment building containing a maximum of 48 units on lot RP-6 Purcell's Cove Road.
- 1.5.5 Any development permitted pursuant to policy 1.5.4 shall be compatible with the surrounding area and consistent with Regatta Point and this shall be achieved by having regard for the following:

- i) The development shall be subject to Design Review Guidelines which shall be approved by the Design Review Board and registered as a restrictive covenant on the lands.
- ii) The height of the apartment building shall not exceed four storeys.
- iii) The development shall comply with the provisions of the R-4 zone.
- iv) Vehicular access shall not be permitted from Purcell's Cove Road.
- v) The areas abutting Purcell's Cove Road shall be well landscaped including hard and soft elements and trees.
- vi) The developer shall retain established buffer areas.
- vii) The layout and design of the buildings shall allow for the retention of mature trees.

1.5.5.1 For the area designated as "Residential Development District" known as Regatta Point, as shown on Map 2 of Schedule I, notwithstanding that the site is less than three acres, does not provide a mixture of residential uses, and will result in greater than 15% of the land being used for apartment uses, the Municipality may, by development agreement, permit the consolidation of Lot RP-1 (PID 40396699) with Lot RP-2 (16 Anchor Drive; PID 40396681), and the expansion of the existing apartment building to a maximum of 118 units on the consolidated lot.

1.5.5.2 Any development permitted pursuant to Policy 1.5.5.1 shall be compatible with the surrounding area and consistent with Regatta Point and this shall be achieved by having regard for the following:

- i) The height of any expansion shall not exceed seven storeys;
- ii) Vehicular access shall not be permitted from Purcell's Cove Road;
- iii) The areas abutting Purcell's Cove Road shall be well landscaped including hard and soft elements and trees; and
- iv) The layout and design of the buildings shall allow for the retention of mature trees.

1.5.5.3 For the purposes of calculating population density for any development permitted pursuant to Policies 1.5.5.1 and 1.5.5.2, the following population allocations shall apply:

- i) Bachelor units shall be assigned 1 person per unit;
- ii) One-bedroom units shall be assigned 2 persons per unit; and
- iii) All other dwelling units shall be assigned 2.25 persons per unit.

(RC-Jan 19,10/E-Apr 17,10)

1.5.6.4 Any development permitted pursuant to Policy 1.5.3.5 may be exempt from guideline 8 of Schedule I of this Section provided that adequate measures are taken to ensure water quality and flow are not diminished and that such measures receive approval from the Nova Scotia Department of the Environment.

1.5.7 For the area designated as "Residential Development District" known as the former BC Silver School site as shown on Map 3 of Schedule I, notwithstanding that policy 1.5 calls for, "an emphasis on a mix of

dwelling types,” the Municipality may by development agreement pursuant to Schedule I, permit a subdivision of single detached dwellings with development specifications that differ from those of the R-1 and R-2 zones. (RC-Feb 19/08; E-Mar 29/08)

1.5.8 Lots N1, N2 and N3A, Long Lake Village (RC-Oct 2/18;E-Nov 3/18)

The area designated as ‘Residential Development District’ known as Long Lake Village, at Cowie Hill Road and North West Arm Drive, contains a compact form of mixed-use development containing single-family, townhouse, multiple-unit residential and commercial uses combined with open space, which includes parkland and conservation land.

Notwithstanding Schedule I (Guidelines for Residential Development District), which restricts the land area being used for apartment uses to a maximum of 15%, the Municipality may consider by development agreement multiple-unit residential (apartment) uses with ground floor commercial uses on Lots N1, N2 and N3A (PID 41352022, 41352030, and 41394024), Cowie Hill Road with those 3 lots encompassing up to 17.5% of the land area covered by the development agreement. Adequate controls shall be placed on the building height and location on lot N3A in order to reduce impacts on abutting residential uses.

Furthermore, notwithstanding Policy 1.5 of the Mainland South SMPS, which calls for a mix of dwelling unit types, the development agreement may allow for a single unit type (bachelor-type unit counting as 1 person per unit) on Lot N3A.

- 1.6 The City shall maintain zoning regulations which encourage stability and maintenance of the prevalent character and integrity of residential neighbourhoods.
- 1.7 It is the intent of the City to encourage energy efficient and energy conserving residential development and may adopt regulatory controls through the Land Use By-law in order to further this intent.
- 1.8 The Land Use By-law shall permit the reconstruction of any non-conforming residential building existing on the date of adoption of this Strategy to the original size and density in the event that said building is destroyed by fire or otherwise.

SCHEDULE I: GUIDELINES FOR RESIDENTIAL DEVELOPMENT DISTRICT

Pursuant to Policy 1.5.1, contract development in any area designated "Residential Development District" on the Generalized Future Land Use Map must conform with the following guidelines:

Uses Which May be Permitted

1. Residential Uses
2. Community Facilities
3. Institutional Uses
4. Neighbourhood Commercial Uses
5. Commercial Convenience Centres.

Site Development Guidelines

5. Residential

- a density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons per gross acre may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered.

- no more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping.

- the design and layout of the portion of new residential developments abutting existing residential areas shall endeavour to protect the character and scale of these areas by attention to such matters as use of open space, landscaping, and ensuring adequate transition between areas of differing building forms and densities.

6. Commercial

- neighbourhood commercial uses are permitted at or near the intersection of local streets, and on the ground floor of high-density residential buildings. In addition, consideration may be given for a commercial convenience centre, except in the RDD areas generally west of the Herring Cove Road and south of Leiblin Drive. The amount of gross leasable space may be limited to ensure that the development primarily serves the adjacent neighbourhoods. The intent is to provide for a range of uses such as retail, rental and personal service, household repair shops, service stations, restaurants and office uses. The additional matters to be considered are found in the guidelines of Policy 3.7 of Section II.

Landscaping and Open Space

7. At least 5 percent of the area of the district development must be useable, landscaped, open space.

8. No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.
9. Any proposal to construct a community facility or institutional use within 100 feet of the water's edge should ensure, through the use of landscaping or other means, that adverse effects on water quality will be avoided or ameliorated during and after construction.
10. A landscape plan shall be submitted as part of the approval process and the preservation of natural amenities, including rock outcroppings, groves of trees, mature trees, ponds, streams, shores, and wetlands should be preserved whenever possible.

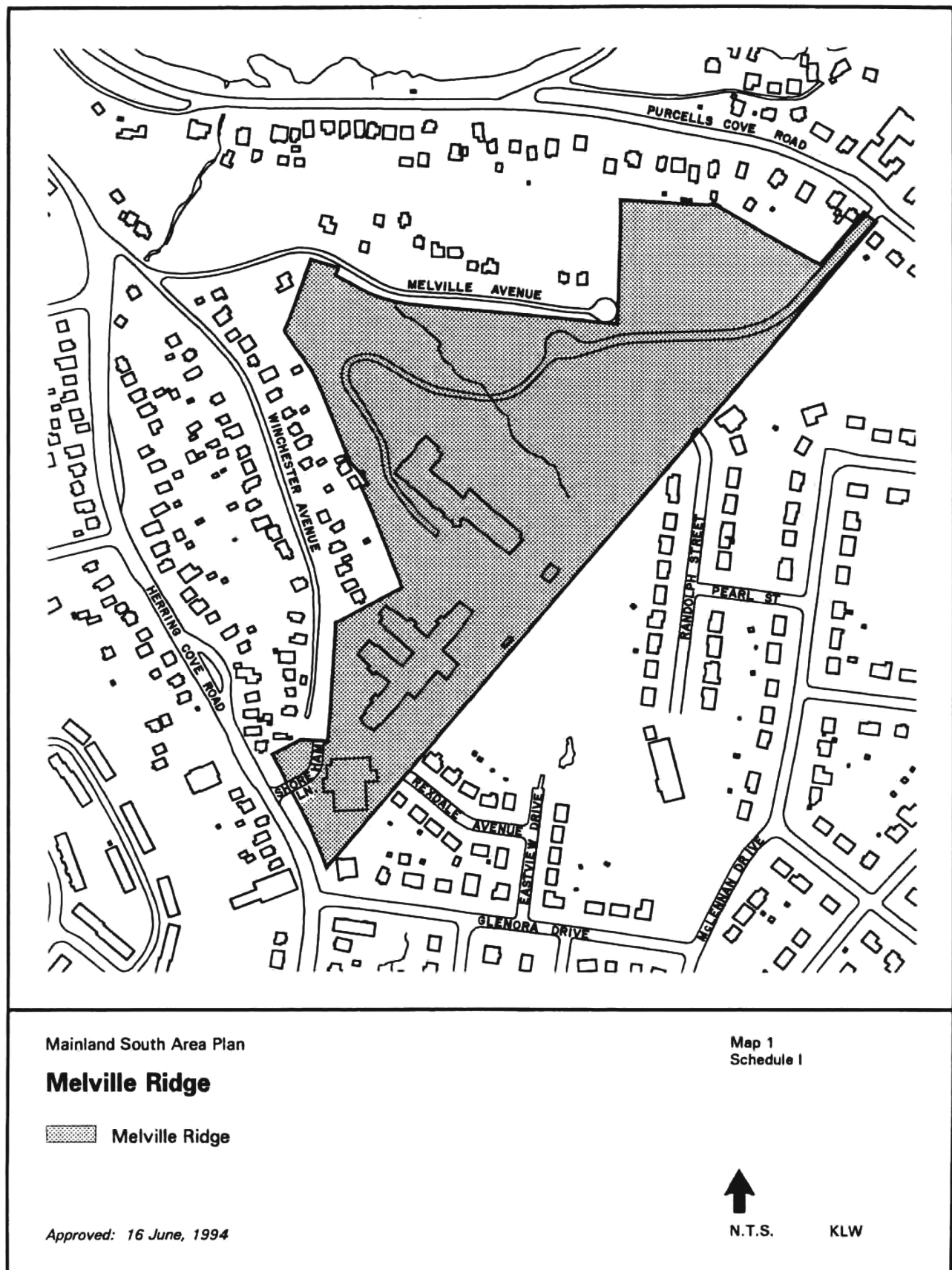
Circulation

11. Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized.
12. Where common parking areas are provided, they should be so aligned as to restrict through traffic.

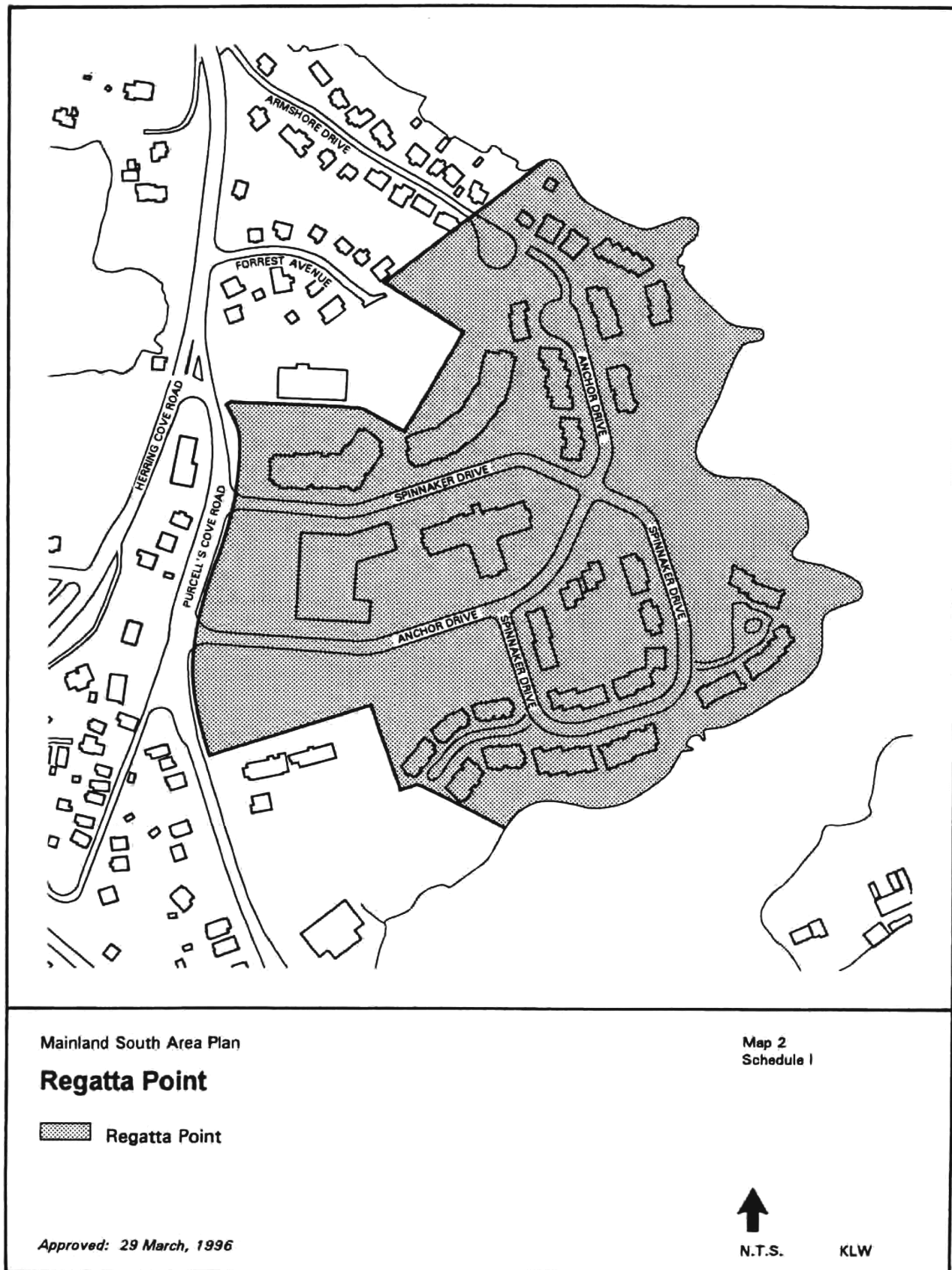
General

13. The minimum required site size for a contract within this area shall be three acres.
14. Municipal infrastructure must be adequate to service any proposed development.

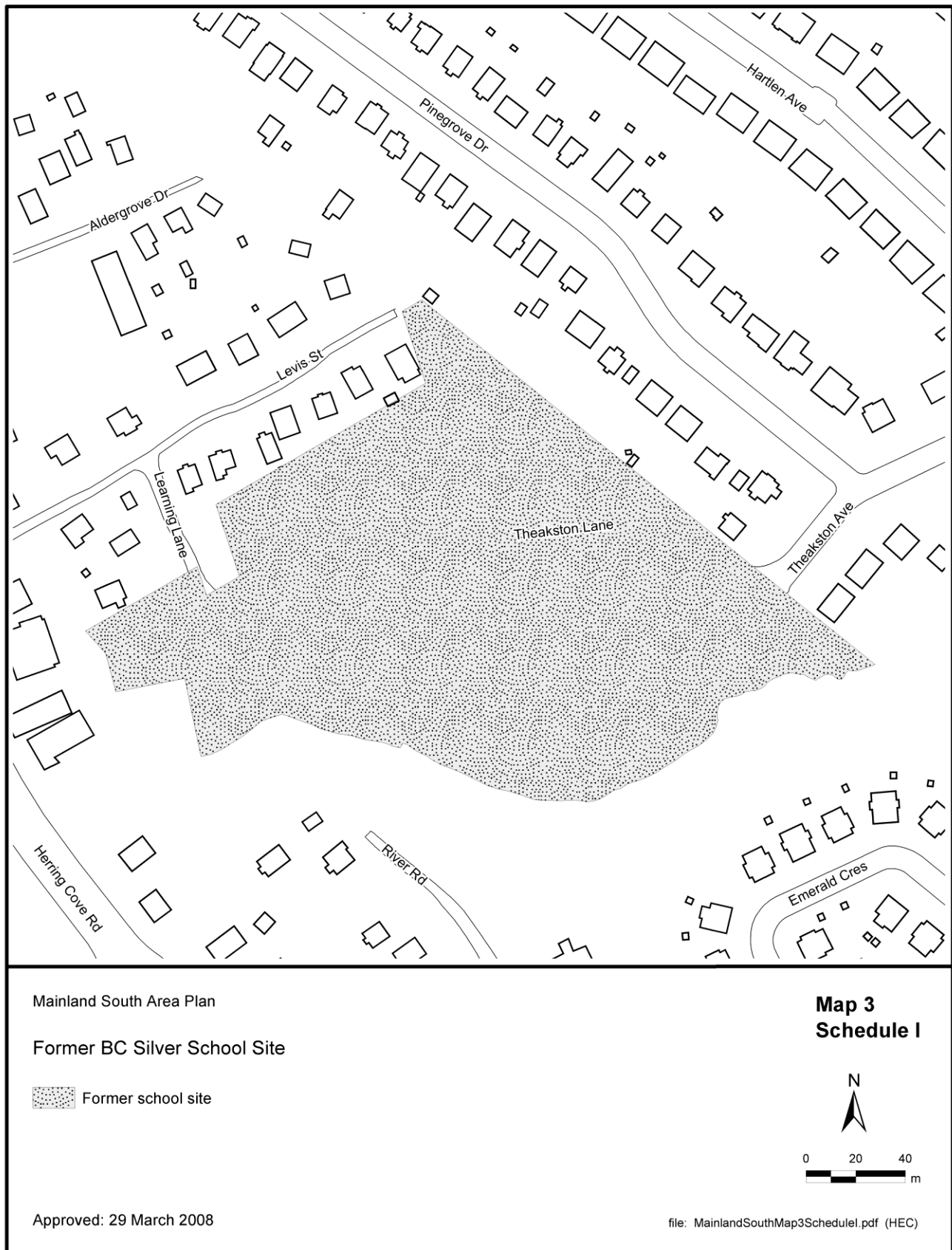
Map 1: Melville Ridge (Schedule I)



Map 2: Regatta Point (Schedule I)



Map 3: Former BC Silver School Site (Schedule I)




Map 4: Policy 1.2.5 Area – Mainland South (Schedule I)



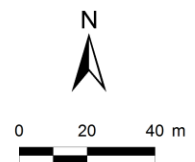
Mainland South Area Plan

Policy 1.2.5 Area

 Policy 1.2.5 Area

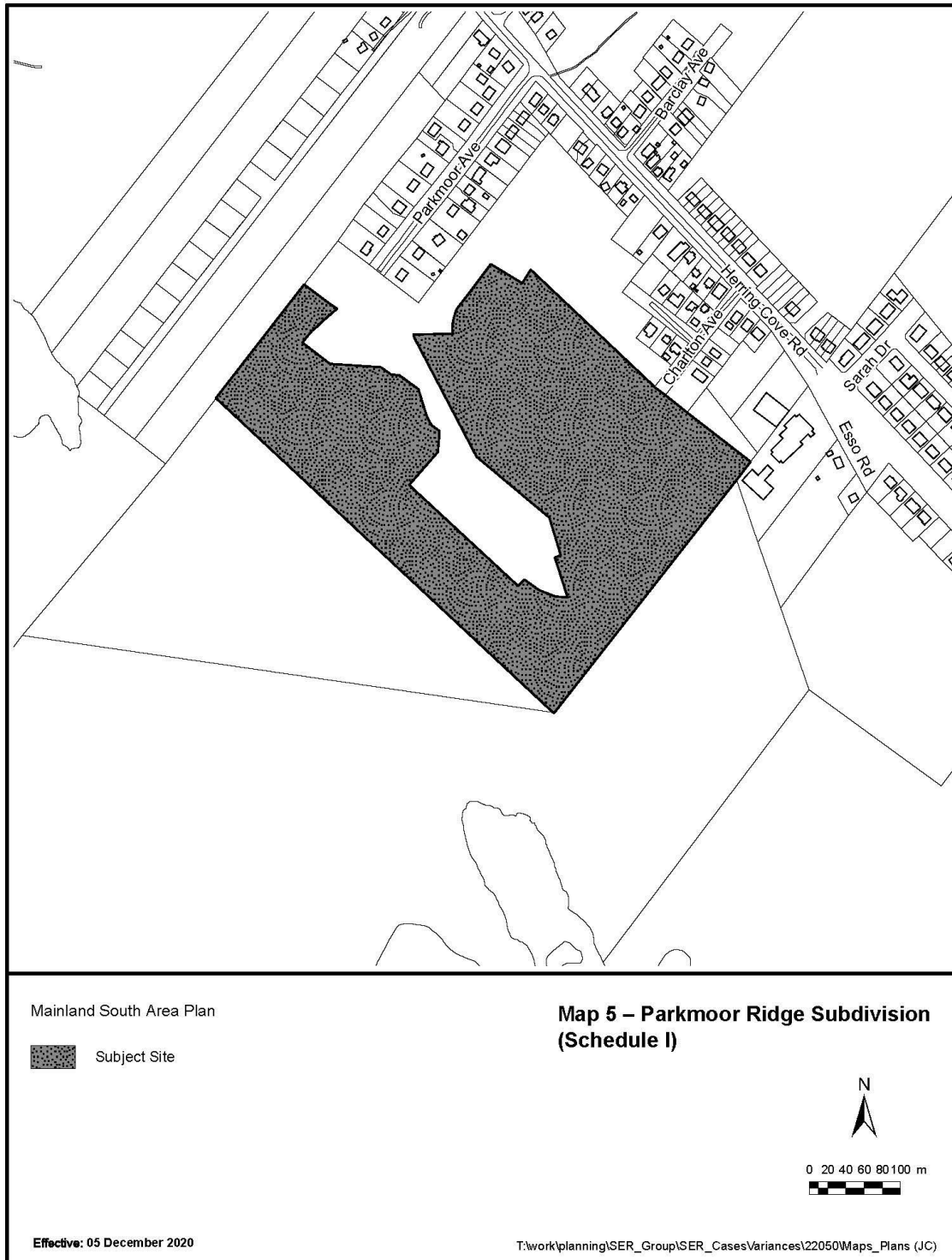
Effective: 26 July 2014

**Map 4
Schedule I**



file: MainlandSouthMap4ScheduleI.gif (HEC)

Map 5: Parkmoor Ridge Subdivision (Schedule I) (RC-Sep 29-30/20;E-Dec 5/20)



2. COMMERCIAL

Objective: A variety of commercial and business uses in convenient and accessible locations to serve the area and the City, compatible with adjacent residential neighbourhoods.

2.1 The forms of commercial development provided for shall include neighbourhood commercial uses, minor commercial uses and major commercial centres.

2.1.1 Neighbourhood commercial uses are local convenience establishments providing services and the sale of convenience goods intended for the daily needs of immediate neighbourhoods, and shall be regulated in terms of size and type by the Land Use By-law.

2.1.2 Except as provided in the Residential Development District for neighbourhood and convenience centre commercial uses, the City may consider new neighbourhood commercial uses in residential designations only through a rezoning process to a neighbourhood commercial zone and provided that the use is located at, or near, a City street intersection.

2.2 Minor commercial uses are commercial facilities as set out in Section II, Policy 2.1.2 serving several neighbourhoods, and may include a range of retail, professional, office and service facilities, and shall be permitted in areas designated "Minor Commercial" on the Generalized Future Land Use Map.

2.2.1 Pursuant to Policy 2.2, the Land Use By-law shall regulate parking in respect to location and amount, access lighting, setbacks, side yards and the location, size and treatment of signs.

2.2.2 The City shall amend the Land Use By-law to require that landscaping buffering be provided between "Minor Commercial Uses" and "Residential Uses."

2.2.3 Pursuant to Policy 2.2, the Land Use By-law shall permit a limited range of motor vehicle repair facilities in areas designation "Minor Commercial" on the Generalized Future Land Use Map. The range of such uses shall be dependent upon their potential conflict with the surrounding commercial and residential uses in respect to intensity of use and any visual, auditory, or other off-site impacts that may be detrimental to surrounding areas.

2.2.4 Further to Policy 2.2.3 the Land Use By-law shall require that:

- (a) the motor vehicle repair facility be visually screened by fences from abutting residential zones;
- (b) any lighting be directed away from abutting residential zones;
- (c) all commercial refuse containers be screened from abutting residential zones and the street;

- (d) outdoor storage of inoperative motor vehicles, boxes, crates, or any other materials shall be prohibited; and
 - (e) an area between the street line and the parking area along the part of the street line not required for the curb cut or pedestrian entrance shall be landscaped.
- 2.3 The designated "Minor Commercial" areas along the Herring Cove Road and Dentith Road are the primary retail and business areas in Mainland South; and minor commercial uses shall be restricted to areas so designated.
- 2.3.1 **Minor Commercial uses, excluding service stations, recycling depots, motor vehicle repair, and billboards, shall be permitted on Minor Commercial designated properties within the area identified on Map 4 Schedule I. These properties shall be identified by the land use by-law. (RC-Jun 10/14; E-Jul 16/14)**
- 2.3.2 **Notwithstanding policy 2.3.1, Council may consider apartment house developments pursuant to policies 1.2.5, 1.2.6, 1.2.7 and 1.2.8 of this Section. (RC-Jun 10/14; E-Jul 16/14)**
- 2.3.3 **The property located at the southern corner of the intersection of Herring Cove Road and Sussex Street (383 Herring Cove Road), is designated "Minor Commercial" and was formerly developed with a gas and service station. To encourage redevelopment which contributes to a walkable, complete community, while ensuring that the design of any new building is sensitive to the adjacent residential neighbourhood, the Halifax Mainland Land Use By-law shall be amended to introduce an area-specific zone titled C-20 (Herring Cove Road Residential/Minor Commercial Zone). The C-2D Zone shall permit minor commercial and residential uses in pedestrian-oriented mid-rise buildings no taller than 25 metres (not including non-habitable space). C-2D Zone provisions shall regulate built form, including streetwall height, building setbacks and stepbacks, the external appearance of buildings, amenity space, landscaping, buffering adjacent to residential properties, and signage. (RC – Nov 27/18; E – Jan 12/19)**
- 2.4 Major commercial centres are commercial facilities as set out in Section II, Policy 3.1.3 and shall be permitted in areas designated "Major Commercial" on the Generalized Future Land Use Map.
- 2.4.1 Pursuant to Policy 2.5, the Land Use By-law shall regulate parking with respect to location and amount, landscaping and vehicular access. Building location and size shall also be regulated.

3. INSTITUTIONAL

Objective: Public and private institutional uses to serve the Mainland South area and the City.

3.1 Institutional development may comprise public, quasi-public and non-commercial private institutional uses devoted to the provision of social, cultural, health, educational and recreational services.

3.1.1 Institutional uses may be considered throughout Mainland South, through rezoning. In considering such rezoning, the City shall have regard for compatibility with neighbouring residential uses in terms of scale, size, intensity of use, traffic generation, and noise.

3.2 The City shall encourage existing institutional uses to remain in their present locations, and shall encourage the re-use of such institutional areas and facilities, consistent with the policies of this Section and Part II, Section II.

4. RECREATIONAL

Objective: The provision of recreation facilities in Mainland South at the same level as obtained throughout the City.

- 4.1 Recreational facilities may comprise indoor or outdoor areas providing opportunities for active and passive recreation.
- 4.2 The City shall encourage passive recreational uses adjoining the McIntosh Run shoreline including public walkways and bicycle trails along the flood plain area and related environmentally sensitive areas reserved for public use. Such uses should be integrated with adjacent recreational and institutional uses, where considered appropriate.
- 4.3 The City shall seek to secure passive recreational areas along the McIntosh Run by such means as acquisition through open space dedication as part of the subdivision process or through purchase.
- 4.4 The City shall continue to seek public access to the Northwest Arm from and including the Edmonds Grounds to the City limits at Purcell's Cove. Such access may include pedestrian or limited vehicular access, and consist of existing and future parks, streets and other public land and rights-of-way. Continuous access along the Arm shall be a priority. However, exceptions to this may be considered based upon detailed consideration of site conditions and the acceptability of alternative means of maintaining a continuous open space system in accordance with Policy 4.6.
- 4.5 Pursuant to Policy 4.4, the City shall continue to seek control of portions of the pathway fronting on the Northwest Arm through acquisition or dedication of land as part of the land subdivision process.
- 4.6 The City shall develop a strategy for and seek to establish a continuous passive or active recreational open space system in the Mainland South area; such a system would include public parks, walkways, nature trails and water-oriented activities. The principal components of such a system shall be located adjacent to or in association with the Northwest Arm and shoreline, Williams Lake, Colbart Lake, Long Lake, Kidston Lake, and McIntosh Run.
- 4.7 The City should negotiate the acquisition of Provincially-owned land west of Purcell's Cove Road adjacent to Fleming Park for recreation purposes.

5. TRANSPORTATION

Objective: Sufficient, effective, and efficient transportation to serve the Mainland South area and the City.

- 5.1 The City shall pursue completion of the widening and realignment of the Herring Cove Road between the Armdale Rotary and the City limits to improve traffic flow.
- 5.2 The City shall seek to minimize through traffic on local residential streets.
- 5.3 The City shall maintain pedestrian crosswalks on arterial and collector streets, and should ensure, provide, and maintain overhead illuminated signs at uncontrolled zebra crosswalks, particularly in commercial and high-density residential areas.
- 5.4 The City shall continue to review its existing street design standards and construction standards to account for particular neighbourhood characteristics and constraints.
- 5.5 In considering capital projects in the Mainland South area with respect to street improvements, the City shall give priority to those public streets serving:
 - (a) as public transit routes;
 - (b) commercial or industrial uses;
 - (c) high-density residential areas;
 - (d) as direct access to public recreation uses, community facilities and public schools; and
 - (e) as local streets.
- 5.6 In the development of the Long Lake area, the watershed lands to the east of Northwest Arm Drive and the Nova Scotia Department of Housing lands, the City shall seek transportation routes and designs which minimize through traffic in adjacent residential areas.

6. MUNICIPAL SERVICES

Objective: Adequate sanitary and storm water disposal systems to maintain environmental quality.

6.1 The City shall continue to improve and upgrade sanitary and storm sewer infrastructures in accordance with City standards.

6.1.1 The City shall continue measures for the reduction of infiltration in sanitary sewers with specific regard to connections of roof and foundation drains to sanitary sewers.

6.2 The City shall discourage the practice of disposing uncontrolled and unmanaged storm water directly into inland lakes and waterways.

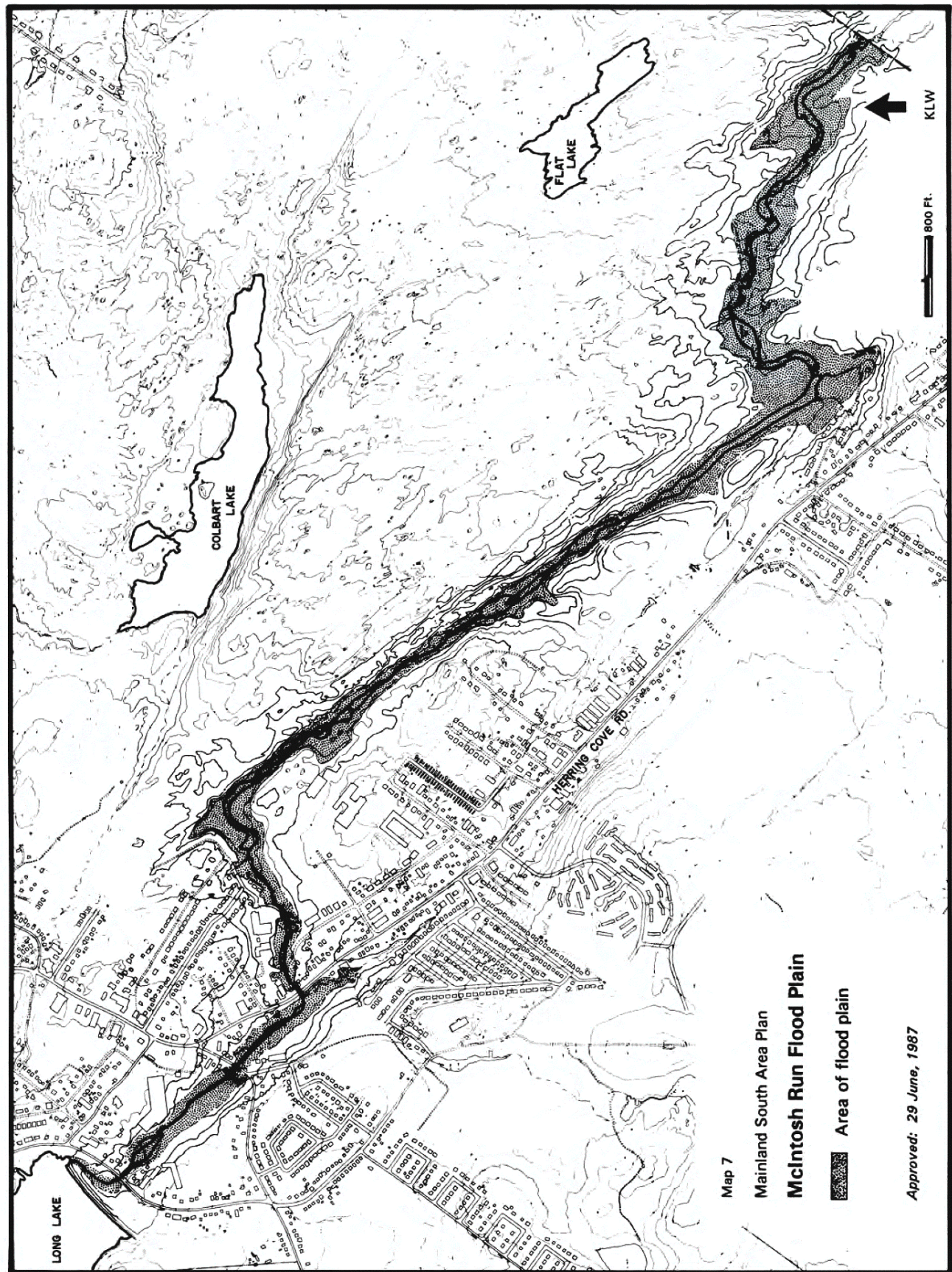
6.2.1 The City shall investigate alternative measures for flooding and drainage control, and erosion and sedimentation control with regard to the disposal of storm water, and shall develop appropriate regulations or legislation to implement such measures.

6.3 Through negotiation with the Nova Scotia Department of the Environment, the City shall seek the preservation of the McIntosh Run waterway as an open channel for storm water.

6.3.1 The City shall encourage measures for protective management of natural flood plain areas along McIntosh Run between Long Lake and the City limits, as outlined on Map 7 of this Plan, and shall negotiate with the Provincial Government to further this intent.

6.3.2 The City shall have regard for potential environmental effects of installing municipal services within flood plain areas of the McIntosh Run.

Map 7: McIntosh Run Flood Plain



7. ENVIRONMENT

Objective: Identify and protect environmentally sensitive and ecologically valuable natural features.

7.1 Environmental sensitivity shall be considered as of the degree of susceptibility of natural areas to deleterious effects of urban development. Areas of high sensitivity are identified on the Environmental Sensitivity Maps. These maps shall be used as general resource documents in evaluating zone changes and contract development applications.

7.1.1 Pursuant to Policy 7.1 the following features are used to identify such areas:

- (a) tree cover - 40 percent and greater in density;
- (b) exposed bedrock;
- (c) wetlands and streams;
- (d) slopes - 16 percent and greater.

7.1.2 Lands within 100 feet of the water's edge of any water body shall be considered to be environmentally sensitive and the Land Use By-law shall require a higher standard for new single-family lots adjacent to watercourses.

7.2 The Environmental Sensitivity Map may be used in assessing the effects of capital work to be undertaken by the City.

7.3 Where development proposals are being considered through rezoning or development agreement, the City shall protect environmentally sensitive areas.

7.4 The City shall require setbacks for new development adjacent to lakes, watercourses or waterbodies for the purposes of maintaining and enhancing a high quality lakes and waterways system for development considered pursuant to Policy 1.5.1.

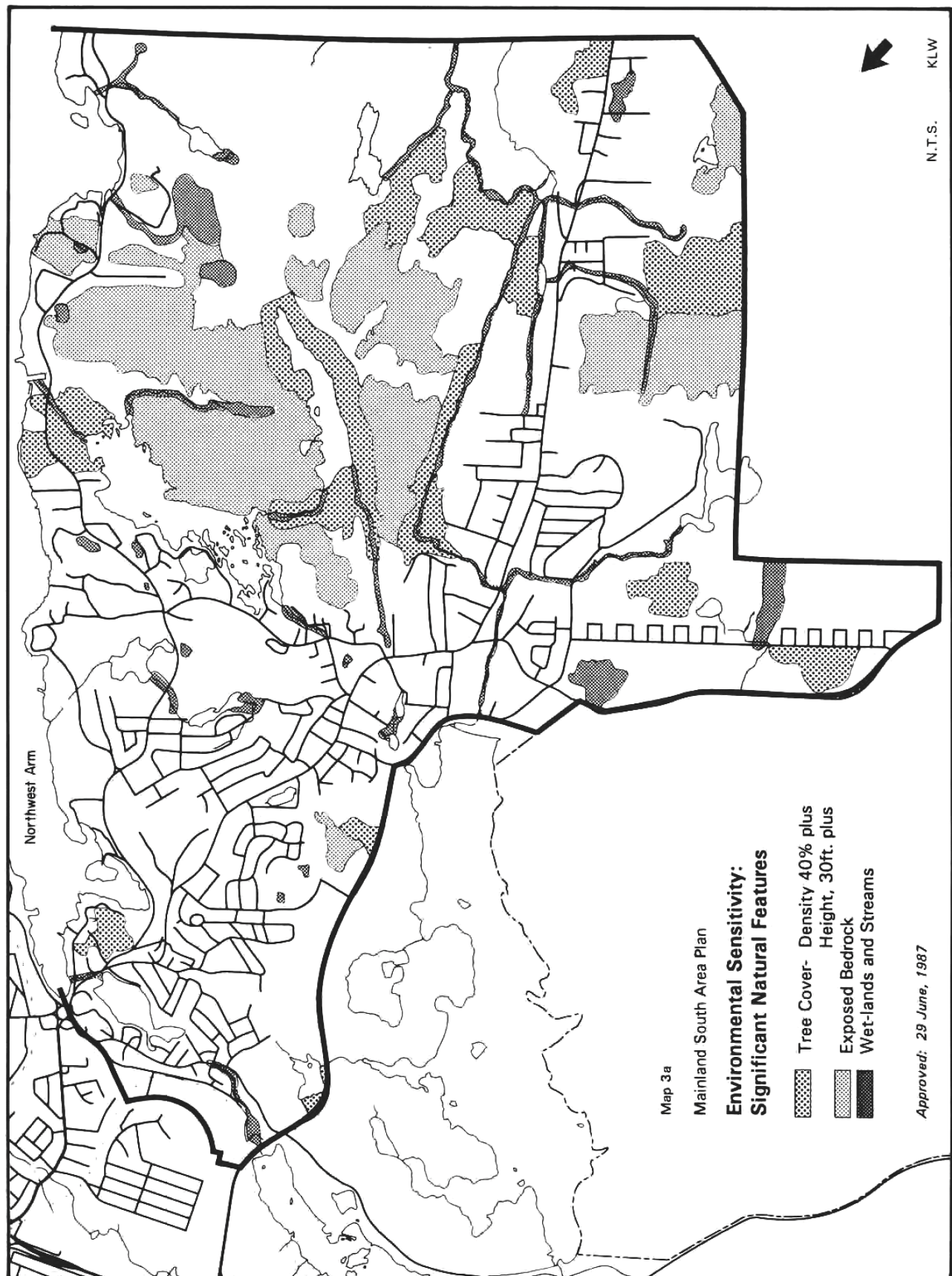
7.4.1 The City shall undertake an analysis of flooding along the McIntosh Run and prepare suitable policy and regulatory controls to protect the watercourse.

7.4.2 Pending the completion of the study outlined in Policy 7.4.1, the City shall amend its Land Use By-law to require a setback for all new development of one hundred feet from the McIntosh Run.

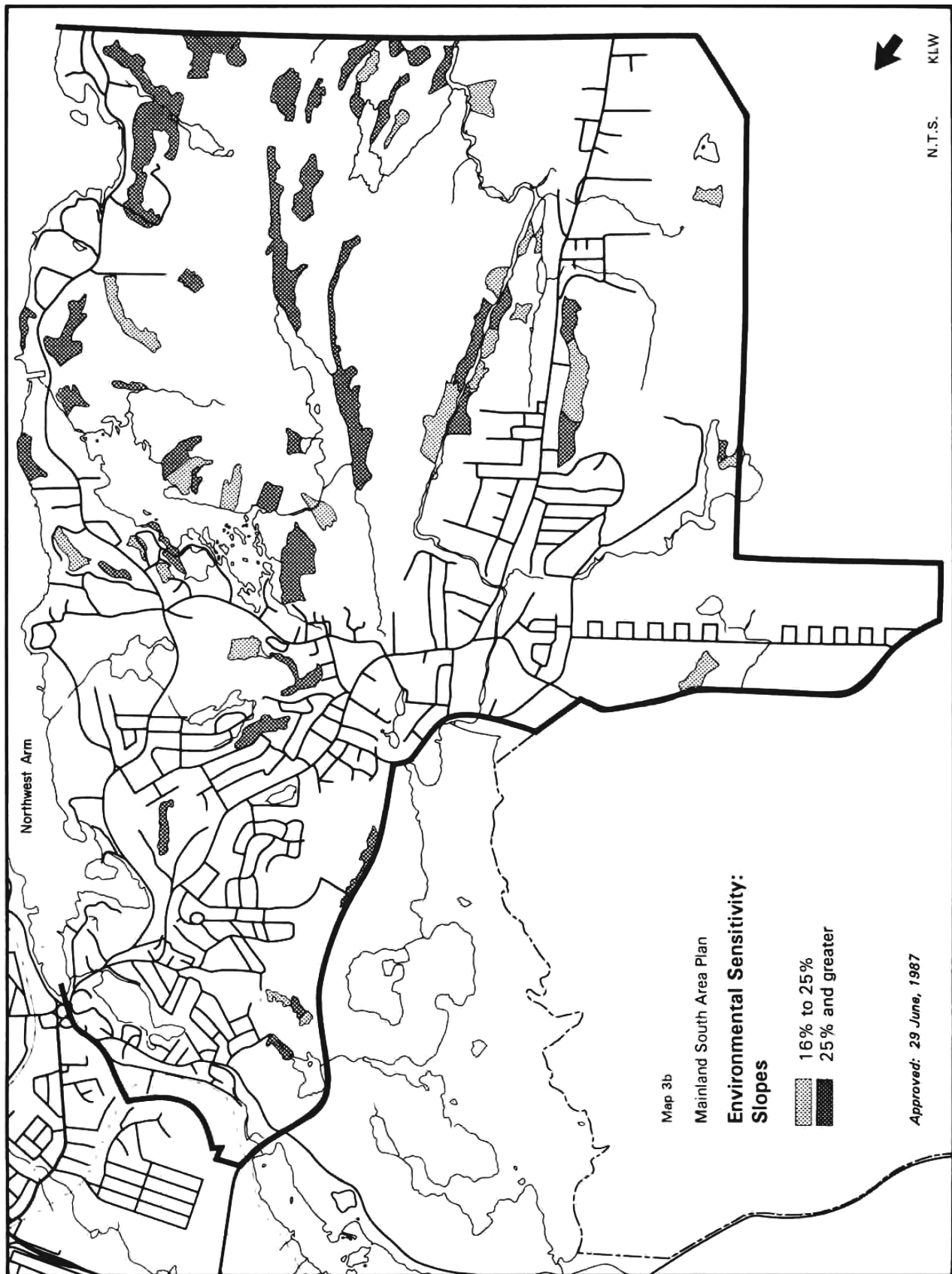
7.5 Environmentally sensitive areas in public ownership should be preserved in their natural state and utilized for limited park and recreation uses.

7.6 The City shall attempt to minimize using salt on streets in areas where contamination of groundwater and wells is likely or apparent, and to accomplish this shall identify areas subject to potential contamination as a result of salt use.

Map 3a: Environmental Sensitivity – Significant Natural Features



Map 3b: Environmental Sensitivity - Slopes



8. GENERALIZED FUTURE LAND USE MAP

- 8.1 The Generalized Future Land Use Map shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Strategy.
- 8.2 The areas for future land use shown on the Generalized Future Land Use Map shall be governed primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 8.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer in respect of which approval was given by Council, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement or, in the absence of such time limit, within one year of the approval of this Strategy.

**SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY
(Repealed: RC-Oct 26/21;E-Nov 27/21)**

**SECTION XII: QUINPOOL ROAD COMMERCIAL AREA PLAN
OBJECTIVES AND POLICIES (Repealed: RC-Oct 26/21;E-Nov 27/21)**

**SECTION XIII: WESTERN COMMON AREA PLAN OBJECTIVES AND
POLICIES**

AREA DEFINITION

For the purposes of this municipal planning strategy, the Western Common Area Plan encompasses the area shown on Map 1.

OBJECTIVES

The promotion of a comprehensively planned serviced community which

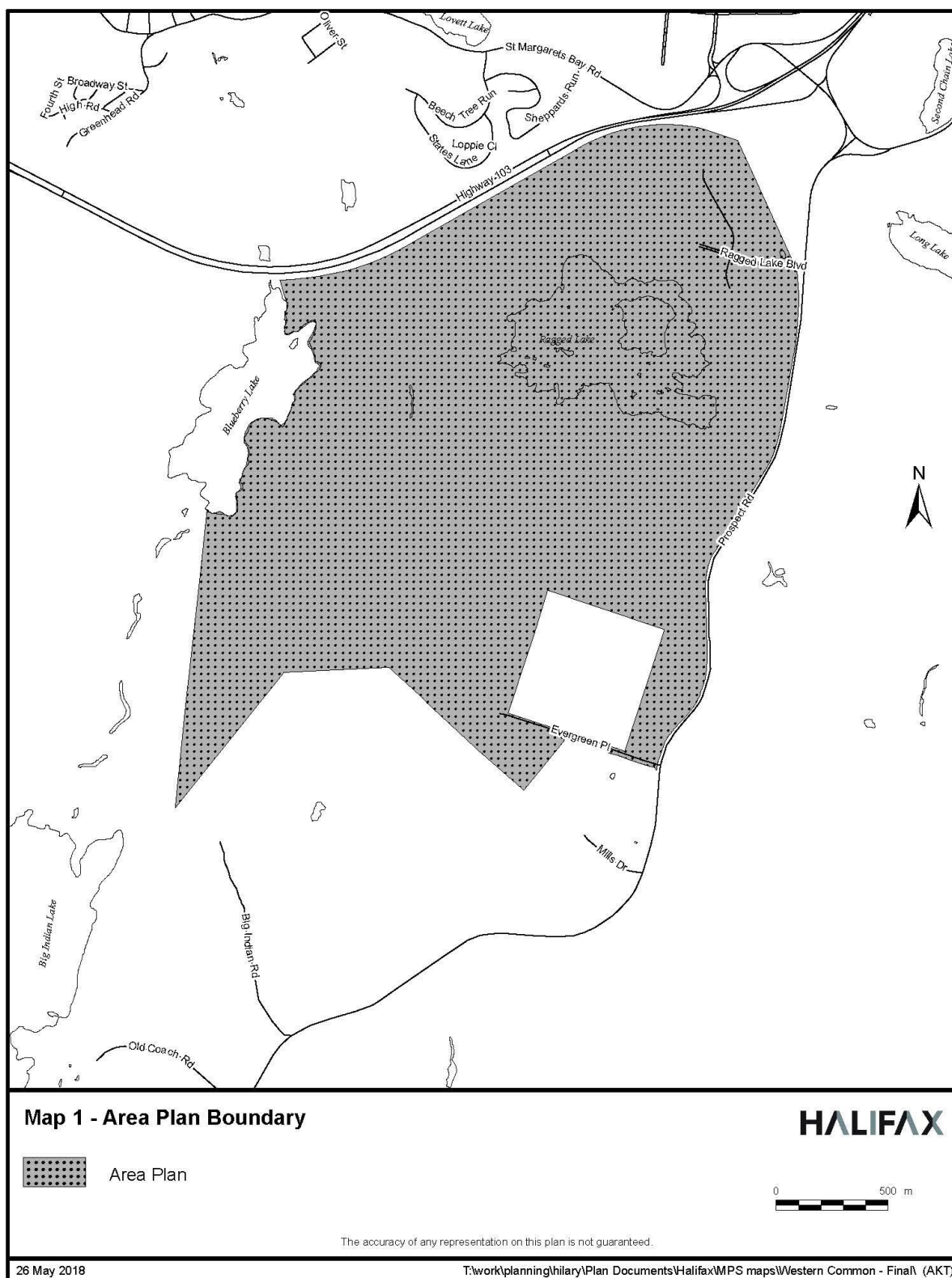
- (a) integrates residential, commercial, business and community facility development with active and passive recreational areas;
- (b) incorporates design features to protect the water quality of the surrounding lakes and watercourses;
- (c) retains public lands around significant lakes and watercourses, as well as other significant environmentally or culturally significant features; and
- (d) provides for effective consultation among all interested parties in the preparation of detailed planning documents

POLICIES

- 1. The Western Common Conceptual Land Use Plan, presented as Map 9I, shall be adopted by Council as the framework for planning and regulatory decisions within this area plan.
- 2. The Western Common Zone shall be established under the Land Use By-law for Mainland Halifax and initially applied to all lands within the Western Common Area Plan with the exception of lands previously developed or serviced for development within the Ragged Lake Business Park. The latter lands shall retain an industrial zone.
- 3. The Western Common Zone shall permit the following uses: conservation related uses, trails, picnic areas, wilderness campsites, public and private parks and playgrounds, historic sites and monuments, recreation uses (excepting golf courses), cemeteries and churches. Related uses may be considered by an amendment to the zone provisions but no provisions shall be made to consider a rezoning or development agreement application except as provided for by policy 5.

4. No provision shall be made for development within the Active Recreation, Business Campus, Mixed Residential/Business and Serviced Residential Designations shown on Map 9I until a community planning study is undertaken in accordance with the objectives presented in Schedule IV.
5. A Western Common Comprehensive Development District Zone shall be established under the Land Use By-law for Mainland Halifax. Upon satisfactory completion of the study and adoption by resolution of Council, the Municipality may zone the lands to this zone whereby any subsequent development of the land can only be considered by development agreement. Any development agreement application shall conform with the recommendations contained in the approved community planning study.

Map 1: Western Common Area Plan Boundary



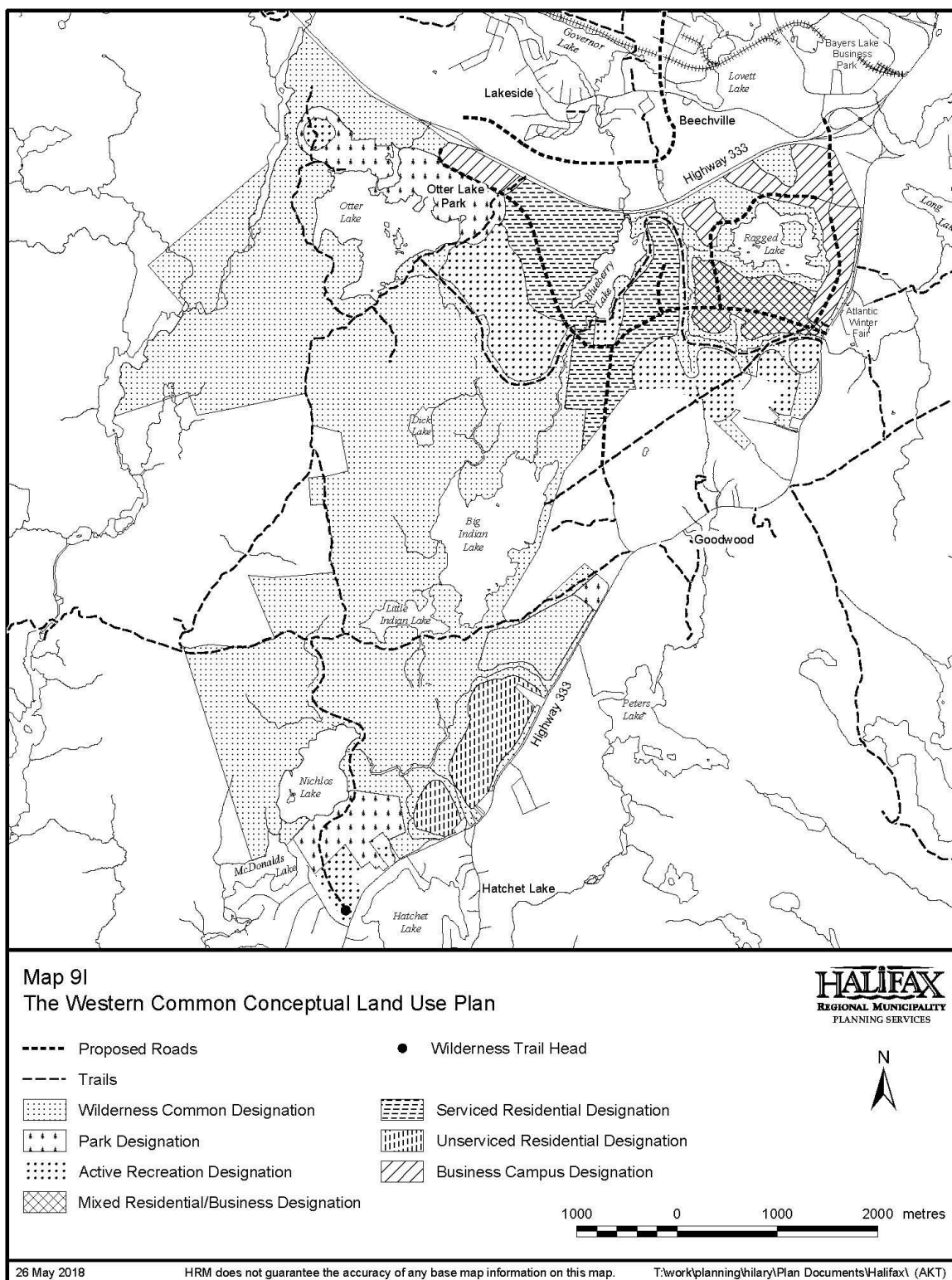
SCHEDULE IV: COMMUNITY PLANNING STUDY

Objectives: to prepare a conceptual community plan which

- anticipates future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- integrates design with established neighbouring communities in terms of the natural and man made environment;
- reduces travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- preserves sensitive environmental areas and unique cultural features and responds to the opportunities and constraints imposed by the environment;
- maintains adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- allows for design flexibility in recognition of future changes to external circumstances/market conditions
- minimizes future demands on the Municipality's fiscal resources (capital and operating budgets) and provides fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing;
- provides policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality).

Map 9I: The Western Common Conceptual Land Use Plan

Schedule Hfx-A3



SECTION XIV: THE WENTWORTH SECONDARY PLANNING STRATEGY

1. BACKGROUND

After amalgamation of the region's four municipal units in 1996, master planning exercises were initiated as a means of responding to the challenges facing the Municipality in accommodating new growth. In a report prepared for Regional Council in 1998, four potential growth areas were identified as potential infill opportunities which could strengthen links between established communities¹.

One of the potential growth areas encompassed approximately 625 acres of undeveloped lands bounded by Crestview on the Basin Subdivision to the north, Royale Hemlocks Estates Subdivision to the south, the Bicentennial Highway to the west, and the Bedford Highway to the east, excluding Millview and Fernleigh Subdivisions. Development within the southern portion of this area is governed by the Halifax Municipal Planning Strategy and the northern portions governed by the Bedford Municipal Planning Strategy.

The master planning exercise sought to comprehensively plan for a new community over these lands while integrating with the established community planning documents. The study objectives adopted by Council were to prepare conceptual community plans which:

- anticipate future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- integrate design with established neighbouring communities in terms of the natural and man made environment;
- reduce travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- preserves sensitive environmental areas and unique cultural features and respond to the opportunities and constraints imposed by the environment;
- maintains adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- allows for design flexibility in recognition of future changes to external circumstances/market conditions;
- minimizes future demands on the Municipality's fiscal resources (capital and operating budgets) and provide fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing
- provides policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with

¹ 1 Report to Mayor Fitzgerald and Members of Halifax Regional Council Re: Master Planning Studies. Dated November 30, 1999.

associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality²:

This secondary planning strategy has been prepared in accordance with the master plan study objectives and the terms of reference established by Council. Wentworth was adopted as the community name under this planning strategy in recognition of the in recognition of the contributions made by Sir John Wentworth's to the development of this area. Bedford South has been adopted as the name under the Bedford planning strategy strong in recognition of the links these lands have to the residents of Bedford.

² 2 Report to Mayor Fitzgerald and Members of Halifax Regional Council Re: Public Participation Programs for Governor's Lake North and Hemlock Ravine North (Prince's Lodge) Master Plan Study Areas. Dated November 30, 1999.

2. THE COMMUNITY CONCEPT PLAN

The Community Concept Plan, presented as Schedule I, illustrates the main land use and transportation elements proposed for this community. The design principles incorporated into the plan are highlighted as follows:

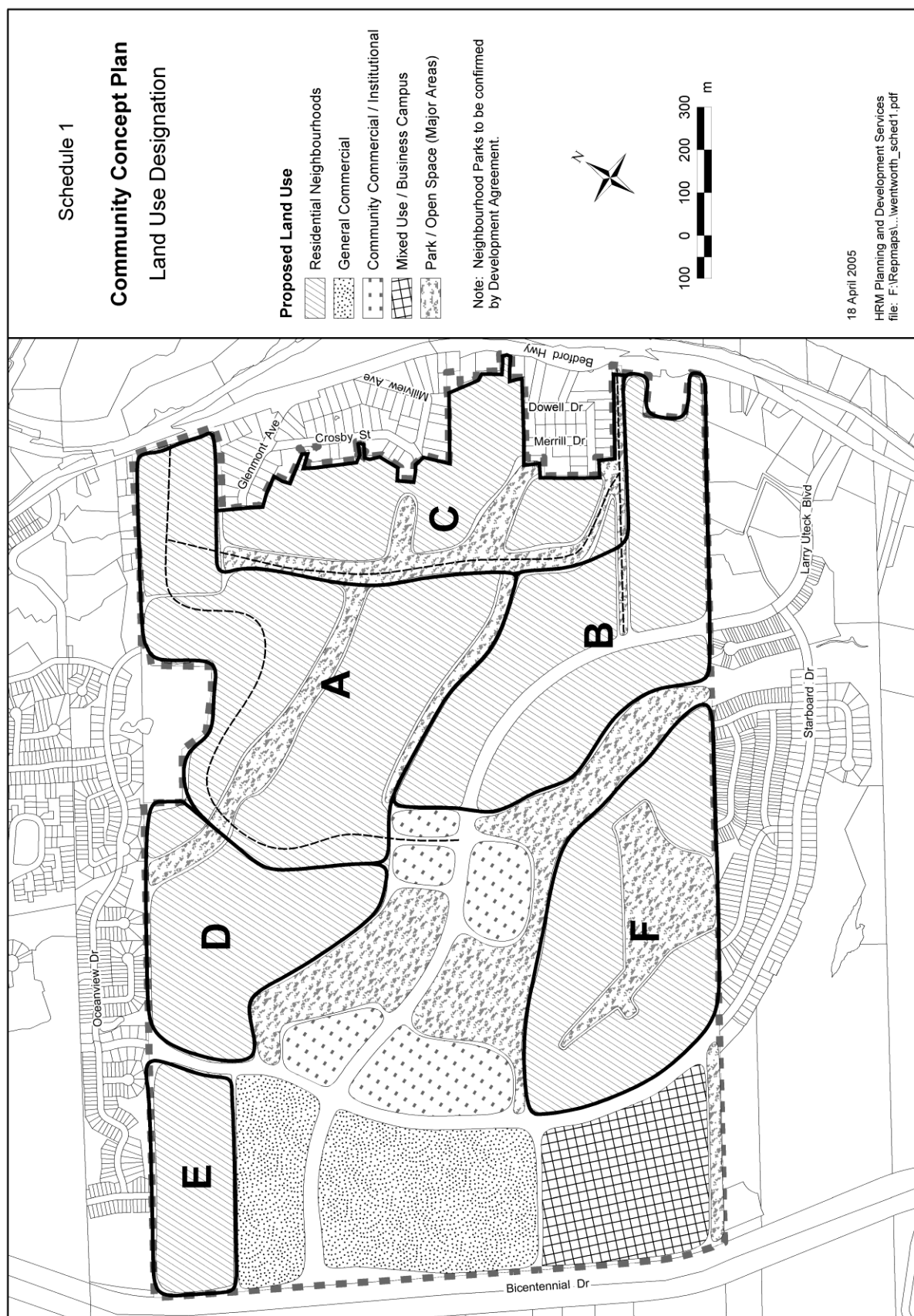
- Lands needed for daily living activities - housing, shops, workplaces, schools, parks, and civic facilities - are integrated within the community.
- A central corridor is established around a community collector street which provides for uses beneficial to the surrounding residential neighbourhoods including a community park, institutional and community facilities and community commercial developments.
- A future trail system connects with Hemlock Ravine Park and a regional trail system including the trail serving Clayton Park and the Mainland Common, as well as a future connection to the waterfront project being developed around the shoreline of Mill Cove.
- Watercourses, the Old Coach Road, and certain sites which provide panoramic views of the Bedford Basin are preserved as open spaces.
- Residential neighbourhoods have well defined edges in which the open space boundaries prevent external traffic from traveling on local streets while accommodating pedestrians and cyclists throughout the community.
- The residential neighbourhoods encompass lands of varying topography allowing for differing identities and a range of housing opportunities within each.
- The community collector streets facilitate efficient public transit routes which can provide a high level of service to the residential neighbourhoods and activity centres within the community and which conveniently connect with the regional transit system.
- Lands adjacent to the Bicentennial Highway provide opportunities for employment centres and businesses that produce goods and services. Businesses benefit from the accessibility to the regional transportation system and the close proximity to the residential neighbourhoods within this community and surrounding areas.

The Community Concept Plan provides guidance for the overall development of this community. More detailed objectives and policies for each element are presented in the following sections.

Policy MCP-1:

The Community Concept Plan, presented as Schedule I, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the master plan area and any development of the land shall be subject to approval of a development agreement.

Schedule I: Community Concept Plan Land Use Designation



4. THE PARKS AND OPEN SPACE DESIGNATION

The Park/Open Space Designation features a large central area that serves as a focus for the community within which active and passive community recreational facilities can be developed. The Designation also included linear open spaces where pedestrian and cycling paths can provide safe and convenient connections between residential neighbourhoods and activity areas throughout the community.

Recreational needs for this community were assessed within the context of existing recreational services and facilities available in the surrounding communities. Various documents were reviewed including *The Halifax Parkland Strategy* (City of Halifax. October 1995), *Guidelines for Parkland Planning* (Halifax Regional Municipality. June 2000), and *The Town of Bedford Recreational Facilities Study* (Burke/Oliver. 1995).

Objectives:

- to provide a central park/open space area which is conveniently accessible to the community and which provides a range of active and passive recreational opportunities
- to provide strategically designed public spaces which encourage the attention of and presence of people during day and evening
- to preserve natural watercourses, sites offering vistas of the Bedford Basin and other features of natural and cultural significance
- to provide for a trail system which establishes links with residential neighbourhoods, community activity centres, Hemlock Ravine Park, a regional trail system and neighbouring communities
- to accommodate storm water management practices that are compatible with recreational functions and minimize environmental degradation and flooding of downstream developments
- to prepare a recreation facilities plan to identify passive and active recreational facilities needed to serve present and future community needs.

Policy P/OS-1:

The areas designated as Park/Open Space on Schedule I shall be reserved for active and passive recreational uses, stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Park/Open Space Designation may be varied where such changes provide:

1. *enhanced protection of environmentally sensitive site features;*
2. *more opportunity for preservation of significant aesthetic features;*
3. *more suitable lands for active recreational uses; or*
4. *a more functional path system for pedestrians and cyclists.*

Policy P/OS-2:

No streets shall be permitted to cross the Park/Open Space Designation except:

1. *as illustrated on Schedule I;*

2. *to allow for a local road connection between residential neighbourhoods A and C;*
3. *to allow for a local road connection between Neighbourhood A and the Neighbourhood Collector leading to the Bedford Highway; or*
4. *to allow for a road connection the Royale Hemlocks Estate Subdivision and the Mixed Use/Business Campus Designation*

Policy P/OS-3:

No stormwater management, sanitary sewer or water service system shall be located within the Open Space/Park Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended and, unless otherwise necessary, all such systems shall be located outside areas delineated for active and passive recreation.

Policy P/OS-4:

In the event that the Municipality is unable to determine whether any undertaking will adversely affect environmentally sensitive areas, the Municipality shall require that an environmental impact assessment be undertaken at the cost of the developer by a person qualified to make such a determination.

Policy P/OS-5:

The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning and the recommendations adopted under the Hemlock Ravine Park Management Plan (Halifax Regional Municipality. July 7, 2000).

Policy P/OS-6:

The Municipality shall prepare a recreation facilities plan for the development of active and passive recreational facilities within the Park/Open Space Designation. The plan shall consider facility requirements in relation to present and future community needs, safety and convenience, environmental protection or enhancement, financial resources and phasing.

5. THE COMMUNITY TRANSPORTATION SYSTEM

To encourage less automobile use, a principle established for the community transportation system is that local streets and a pathway system be incorporated into subdivision designs to allow safe and convenient opportunities pedestrian and cyclist travel between residential neighbourhoods, open spaces and activity areas.

Objectives:

- to facilitate the safe and convenient movement of pedestrians and cyclists within the community and to surrounding neighbourhoods
- to allow for a convenient and cost efficient public transit system that can provide a high level of service to residents in the community and which can integrate with the regional public transit system.
- to encourage synergy between land uses, lifestyle needs and transportation modes
- to minimize motor vehicle traffic impacts on the regional transportation system
- to preclude excessive traffic levels in residential neighbourhoods
- to allow for efficient access to places of commerce and employment in the community

Policy CTS-1:

A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule II except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain or preserve significant environmental features. The following requirements shall be applied:

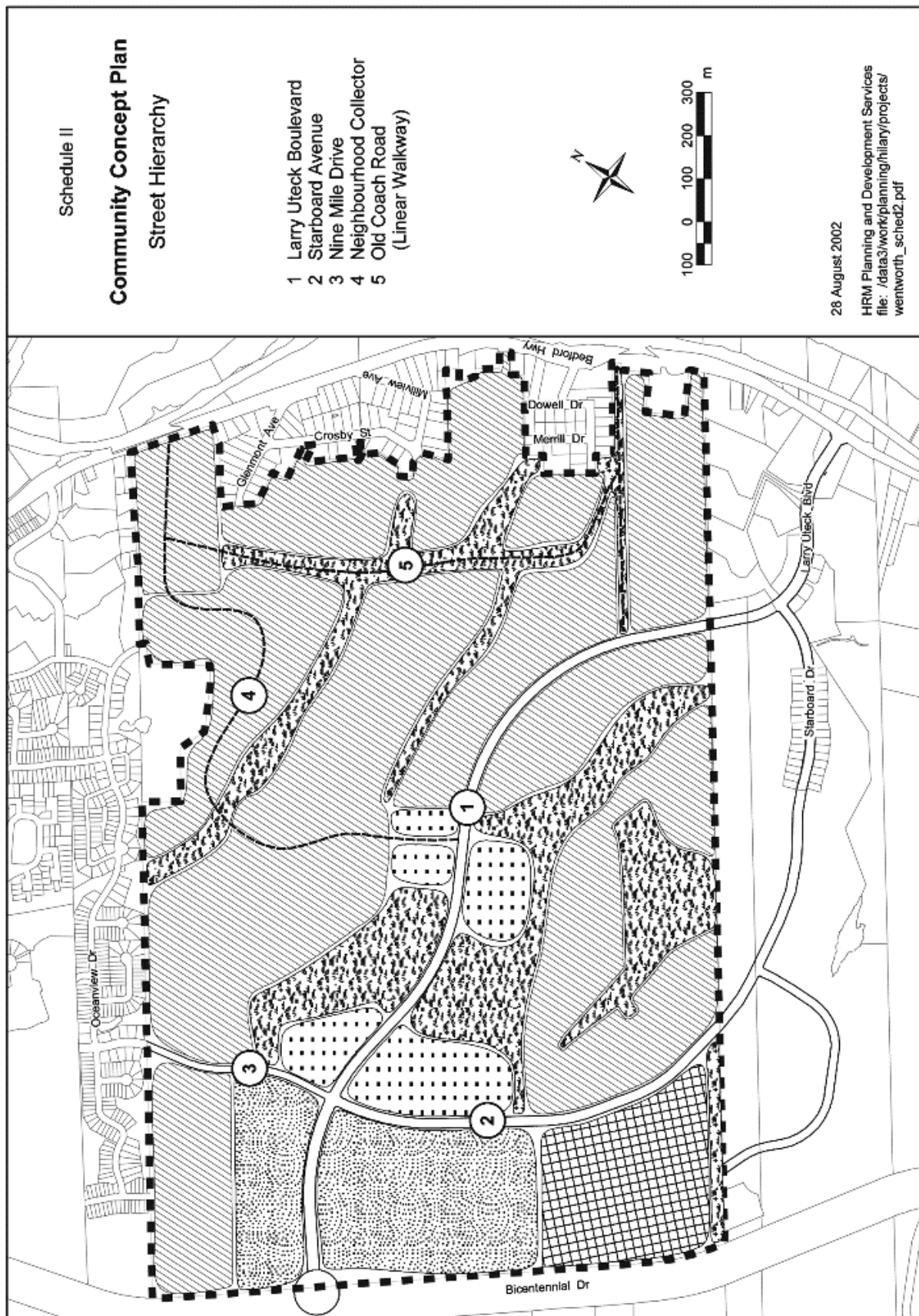
1. *between the Royale Hemlocks Subdivision and the Nine Mile Drive/Starboard Drive intersection, Larry Uteck Boulevard shall have sufficient right-of-way width to allow for two lanes of traffic and sidewalks on both sides with provisions for turning lanes at major intersections and driveways. Driveway access shall only be permitted for apartment buildings, clustered housing comprising at least ten housing units, commercial and institutional developments. Traffic signals shall be provided at the Neighbourhood Collector and the Nine Mile Drive/Starboard Drive intersections. Driveway locations, the geometric design of intersections and the timing of installation of traffic signals shall be negotiated under development agreements;*
2. *between the proposed interchange and the Nine Mile Drive/Starboard Drive intersection, Larry Uteck Boulevard shall have sufficient right-of-way width for four lanes of traffic and sidewalks on both sides with provisions for turning lanes at the Nine Mile/Starboard Drive intersection. Driveway access shall be restricted to right-in and right-out movements unless traffic signals are provided and the need for sidewalks shall be determined at the time development agreements are negotiated;*
3. *Starboard Drive shall have the same design specifications as in the abutting Royale shall be required;*
4. *Nine Mile Drive shall have sufficient right-of-way width for two lanes of traffic with sidewalks on both sides and provisions for turning lanes at Larry Uteck 0Boulevard. The number of driveway accesses shall be minimized.;*
5. *The Neighbourhood Collector shall have sufficient right-of-way width for two lanes of traffic with a sidewalk on one side and provisions for turning lanes at Larry Uteck Boulevard and the Bedford Highway. A minimum lot frontage of fifty feet shall be*

- required and, if warranted, the cost of providing traffic signals at the Bedford Highway intersection shall be the responsibility of the developer;*
6. *a community trail system shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community.*

Policy CTS-2:

The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.

Schedule II: Community Concept Plan Street Hierarchy



7. RESIDENTIAL NEIGHBOURHOODS DESIGNATION

Planning residential development on a neighbourhood basis is a central theme to this secondary plan. Each of the six residential neighbourhoods shown on the Community Concept Plan is bounded by the community park/open space areas and the community collector road and pathway system.

The varying site topography allows for neighbourhoods of differing characteristics. On lands with steeper slopes, efforts are made to concentrate development in order to preserve the surrounding open space and unique site features.

Objectives:

- to plan neighbourhood development on a comprehensive basis
- to integrate housing opportunities for a variety of income levels, lifestyles and age groups
- to foster individual neighbourhood identities with attractive streetscapes and distinctive architectural and landscaping themes
- to preserve natural drainage systems and areas of unique or sensitive terrain and vegetation
- to provide attractive, safe and convenient routes for pedestrians and cyclists that connect with the community trail system, local commercial and community facilities and public transit stops.
- to provide neighbourhood parks at convenient locations that are safe, visible and secure
- to encourage innovative design within clearly defined performance criterion
- to provide an effective integration with established neighbourhoods

Policy RN-1:

The Municipality shall require that any development agreement application encompass an entire Residential Neighbourhood Designation unless satisfied that a property owner within the designation is not willing to participate. In such instance, a development agreement may be approved for part of the neighborhood provided that a neighbourhood concept plan is prepared for the entire neighbourhood which identifies the significant transportation systems, parkland and open space features and municipal service systems and the Municipality is satisfied that the concept plan conforms with all objectives and policies established under this Municipal Planning Strategy and provides for a fair and reasonable allocation of development rights among property owners. Any subsequent development agreement application within the affected Residential Neighbourhood shall conform with neighbourhood concept plan unless an alternative design is provided which is satisfactory to the Municipality.

Policy RN-2:

The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation:

1. *the density of housing units does not exceed six units per acre within neighbourhoods A, or C;*

2. *community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;*
3. *sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;*
4. *the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;*
5. *the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;*
6. *building locations, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian scale and compatibility with the natural environment;*
7. *natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the total on-site parking supply;*
8. *all open space/parkland dedications proposed conform with the objectives and policies adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality and;*
9. *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

Policy RN-3:

Each residential neighbourhood shall conform with the following provisions:

Neighbourhood “A”:

*Lands located between the minor neighbourhood collector street and the Old Coach Road will be primarily developed with single-family dwellings of varying lot sizes. Single unit dwellings shall have a minimum lot frontage of forty feet, a minimum side yard of four feet and a minimum separation of twelve feet between buildings. A majority of the single unit dwelling lots shall have a minimum fifty foot lot frontage and 5,000 square feet of lot area. A maximum of twenty **five (RC-Jul 5/05; E-Aug 9/05)** percent of the housing units may be townhouses or semi-detached dwellings.*

Lands abutting the Neighbourhood Collector Road in the vicinity of the Old Coach Road and the Bedford Highway may be developed with apartment buildings and townhouses, provided that townhouse units have shared driveway access to the Neighbourhood Collector Road. Any apartment building development shall be limited to five storeys above grade and shall maintain a minimum fifty foot non-disturbance area from any existing single unit dwelling lot abutting Glenmount Avenue.

Commercial uses may also be considered on lots which have frontage on the Bedford Highway.

Neighbourhood B:

This neighbourhood is intended primarily for apartment building and townhouse developments, although lower density housing units and other developments supported in the Residential Neighbourhood Designation may also be considered. Buildings will not exceed twelve stories above ground level, except that no building shall exceed five stories in height if located within 200 feet of an existing residential lot within Fernleigh Park Subdivision.

Neighbourhood C:

Development will be restricted to single-family dwellings with minimum lot frontages of sixty feet. No new development shall be permitted on any lot abutting Crosby Street unless serviced with municipal sewer and water services.

Neighbourhood F:

Lands will be developed primarily with lower density residential housing which may include single, semi-detached and townhouse units. Apartment buildings may be considered on lots with frontage on Starboard Drive.

8. COMMUNITY COMMERCIAL/INSTITUTIONAL DESIGNATION

The Community Commercial/Institutional Designation envisions a built form of human scale with a diverse range of commercial, civic and residential activities. The developments are intended to be safe and attractive for pedestrians with convenient links established to surrounding residential neighbourhoods. A specific site has been reserved for one or more new schools if needed by the Regional School Board.

Objectives:

- to provide a focus for pedestrian oriented community and commercial activities with the community
- to create a built form reminiscent of a town square or main street
- to foster activities for all ages and a wide range of lifestyles in a safe and secure environment
- to encourage innovative design and comprehensive planning
- to reserve lands for schools

Policy CCI-1:

A range of community commercial, institutional, and recreational uses may be permitted within the Community Commercial/Institutional Designation subject to consideration of the following matters:

- 1. no parking or loading areas are located between a public street and a building and any buildings with commercial occupancies shall be located in close proximity to the street line;*
- 2. parking areas are designed so as not to appear obtrusive from a public street or dominate the streetscape, provide safe and convenient pedestrian access to the buildings they are intended to serve;*
- 3. provisions are made for the storage of bicycles;*
- 4. exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
- 5. the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
- 6. no building height exceeds six stories in height and no residential uses are permitted on the ground floor of any building within fifty (50) feet of a public street;*
- 7. the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

Policy CCI-2:

For lands at the intersection of Larry Uteck Boulevard and the Neighbourhood Collector Road, no development agreement shall be entered into if notified by the Halifax Regional District School Board that such lands are required for a school site. This provision shall remain in effect until the greater of 700 housing units have been constructed in the master plan area or five years from the date of adoption of this secondary planning strategy. In the event that the School Board does not require the site, the property may be developed in accordance with the provisions of this secondary planning strategy.

9. THE MIXED USE BUSINESS CAMPUS DESIGNATION

The Mixed Use Business Campus Designation, located between the Bicentennial Highway and Starboard Drive provides a strategic location for businesses that produce goods and services provides employment opportunities within the community. A campus style environment is envisioned where employment centres, public facilities and multiple unit residences are integrated with public spaces, the transportation system and the natural environment. In recognition of market uncertainties, residential developments may also be considered.

Objectives:

- to provide places of employment within the community that are easily accessible from the Community Collector Streets and Trail System and by public transit.
- to support a mixed use environment where opportunities are afforded to live and work in the same neighbourhood
- to create an setting where buildings and transportation systems networks are attractively integrated with the natural environment
- to encourage business opportunities by adopting an efficient and flexible regulatory environment
- to encourage innovative subdivision and community design

Policy MUBC-1:

The Mixed Use Business Campus designation shall support a wide range of businesses which produce goods and services, as well as institutional facilities. To encourage development of the Community/Commercial and General Commercial Designations, retail uses and restaurants shall only be permitted as accessory uses within larger buildings and retail uses shall be restricted in floor area. The following matters shall be considered in any development agreement application for business and institutional facilities:

- (a) *building facades incorporate materials and design elements to create a sense of interest from public streets;*
- (b) *no outdoor storage or outdoor display and sales shall be permitted and any outdoor waste containers shall be screened;*
- (c) *open spaces are integrated into the layout and where feasible, larger trees are retained;*
- (d) *landscaping is introduced to all areas disturbed during construction;*
- (e) *where more than twenty parking spaces are to be provided, no more than fifty percent (50%) of the parking spaces shall be located between a building and the front lot line and no loading bays shall be located on the building facade facing a public street and parking areas are buffered to provide a visual break from the street and adjacent land uses with fencing, landscaping or both;*
- (f) *bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces.*
- (g) *walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;*
- (h) *buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces;*

- (i) *a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces;*
- (j) *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

Policy MUBC-2:

Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be given to the provisions of policies RN-3 and the provisions for Residential Neighbourhood F under policy RN-3.

The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations. (RC-Nov 18/14;E-Jan 10/15)

MUBC-3 (RC-Nov 18/14;E-Jan 10/15):

Within the Wentworth and/ Bedford South Secondary Planning Strategies and the adjacent Bedford West Secondary Planning Strategy area it shall be the intention to establish a land use node as identified in Schedule V. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

- a) the proposed land use to be relocated must be enabled within the Wentworth/ Bedford South Secondary Planning Strategies portion of the node and the Bedford West portion of the node;*
- b) the collection of infrastructure charges;*
- c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
- d) the impact on water and sewer infrastructure;*
- e) that the proposed increase of density does not exceed that transferred out from the Bedford South and/or Bedford West Secondary Planning Strategies.*

10. THE GENERAL COMMERCIAL DESIGNATION

The General Commercial Designation encompasses lands around Larry Uteck Boulevard adjacent to the proposed interchange at the Bicentennial Highway. With direct access to regional and community transportation roads, this area is strategically located for businesses which can provide goods and services needed by residents within the community and surrounding areas.

Objectives:

- to support businesses which provide goods and services benefitting residents within the community and surrounding region
- to create employment opportunities within the community
- to provide for higher density residential developments which could benefit from being located in close proximity to goods and services
- to provide safe and convenient access by all transport modes, including walking, cycling and transit
- to support attractive streetscapes

Policy GC-1:

The General Commercial Designation shall support a wide range of goods, services and facilities with the exception of adult entertainment uses, automobile sales and leasing or any other business requiring extensive outdoor display areas. Multiple dwelling units shall also be permitted. The following matters shall be considered in any development agreement application:

- (a) Except as may be accessory to a permitted use, the outdoor storage of building or waste materials in the GC Zone shall be prohibited;
- (b) the criteria of policy MUBC-1 with the exception of clause (b).

11. ENVIRONMENTAL PROTECTION

Objectives:

- to undertake storm water management planning on a watershed basis with community design based on natural drainage patterns
- to prevent flooding of properties and safeguard flood plains
- to preserve the water quality of lakes and rivers
- to preserve groundwater flows
- to preserve and maintain significant environmental features
- to minimize site disturbance, maximize tree retention and to restore trees over area which have been disturbed by development activities
- to support regional initiatives in solid waste recovery, Halifax Harbour cleanup and watershed management

Policy EP-1:

No development agreement shall be entered into unless a master storm water management plan has been prepared for the entire Wentworth/Bedford South master plan area and accepted by the Municipality. The management plan shall:

- *identify significant constraints and sensitivities with regard to flood potential, and environmental features;*
- *provide estimates of pre-development and post development flow rates at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;*
- *specify water quality and quantity objectives which are consistent with all municipal and provincial guidelines and identify the means of preventing adverse changes to the quantity and quality of watercourses and groundwater;*
- *specify the type and location of storm water management facilities and the design requirements to protect receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows;*
- *prepare a program for implementation and monitoring before, during and after construction, including securities and any remedial action to be taken in the event that water quantity or quality objectives are not achieved.*

Policy EP-2:

No development agreement shall be entered into unless the detailed design specifications conform with the master stormwater management plan approved under policy EP-1;

Policy EP-3:

No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the master stormwater management plan and in accordance with municipal and provincial guidelines.

Policy EP-4:

No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within fifty (50) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of any watercourse, except as provided for by development agreement in accordance with an approved storm water management plan or as provided to allow for trail systems or transportation crossings.

Policy EP-5:

No development agreement shall be entered into over lands on which trees have been removed except as may otherwise be required for a bonafide land survey or as may be agreed upon with the Municipality to protect property or ensure safety.

Policy EP-6:

Features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non- disturbance areas shall be located to allow for continuity non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.

Policy EP-7:

A tree replanting program shall be incorporated into development agreements to allow for regrowth of trees over all lands on which the natural vegetation has been removed as a consequence of development. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.

Policy EP-8:

Development of land on major slope areas in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.

Policy EP-9:

The Municipality may allow for modifications to the service system specifications adopted under subdivision regulations where such modifications would enhance the ability to preserve the natural environment without compromising the intended objectives of the service systems.

Policy EP-10:

All development agreements shall conform with all applicable regional policies adopted by the Municipality in support of the regional solid waste management program, Halifax Harbour cleanup and the water resources management study.

12. MUNICIPAL SERVICES

The Municipal Government Act allows a municipality to impose infrastructure charges to recover all or part of the capital costs incurred for the subdivision and development of land. The charges, imposed at the time of subdivision approval, effectively allow for the cost of infrastructure needed to service new development areas to be transferred from taxpayers at large to the benefitting property owners. This legislative tool is instrumental in achieving the financial objectives established for this secondary planning strategy.

In accordance with the objectives and policies regarding infrastructure charges under Part (X) of the Municipal Planning Strategy, a study was undertaken to identify infrastructure needed to service the master plan area, allocate costs between benefitting property owners and the Municipality, and develop a phasing and financial plan¹. The Halifax Regional Water Commission had also prepared a master plan for a water distribution system to service this area and surrounding communities². A traffic impact study was also prepared to assess traffic implications of this community on the surrounding road network³.

The recommendations of these studies have formed the primary basis for the objectives and policies adopted under this section. Consideration has also been given to the need to safeguard the water supplies of the abutting Fernleigh and Millview subdivision and to allowing for innovating service design standards which further the objectives of comprehensively planned communities.

Objectives:

- to ensure that the municipal servicing systems are designed to satisfy the ultimate demands anticipated from this community and that services are phased with development to provide satisfactory service levels at all times;
- to employ service standards that are economical and innovative, and that achieve municipal objectives and policies, including public safety, healthy lifestyles and environmental protection;
- to protect the existing water supplies for residents of Fernleigh and Millview Subdivisions and to allow for the eventual connection of these subdivisions to the municipal water distribution and sanitary sewer systems
- to safeguard the capacity of the Mill Cove sewage treatment plant;
- to recover an infrastructure charge where the subdivision or development presents a requirement for new infrastructure
- to ensure that the costs of new infrastructure are properly allocated to subdividers and other stakeholders deriving benefit from the infrastructure, including existing residential neighbourhoods;

¹ SGE Group. Business Case & Analysis: Wentworth Estates/Bedford South Master Plan Area. Prepared for Halifax Regional Municipality. November 30, 2001.

² CBCL Consulting Engineers Ltd. Birch Cove North/Bedford West Water Infrastructure Master Plan. Prepared for Halifax Regional Water Commission. April 1999.

³ Atlantic Road & Traffic Management. Final Report: Traffic Impact Study - Prince's Lodge/Bedford South Master Plan. Prepared for Wallace Macdonald & Lively Ltd. June 2000.

- to limit the Municipality's financial exposure having regard to other budgetary commitments and constraints;
- to provide greater certainty to subdividers and other stakeholders with respect to the costs of development in the Municipality.
- to ensure that recovery of infrastructure charges is compatible with good land use planning in the Municipality.

Policy MS-1:

For sewage flow calculations, the population of the master plan area shall not exceed a gross density of twenty (20) persons per acre. To provide for an equitable distribution of development among property owners, three sub areas are established as illustrated in Schedule "III". Within each area, a maximum twenty persons per acre shall be permitted.

Policy MS-2:

Populations shall be calculated based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling. Commercial densities shall be calculated to a maximum of 50 persons per acre for general commercial uses and to a maximum of 30 persons per acre for community commercial, community facility and institutional uses. Final determination of the commercial densities shall be established by development agreement in accordance with intended land uses. In the event that the design population proposed for a residential neighbourhood or commercial designation is less than the maximum permitted, the Municipality may allow the difference to be allocated to another residential neighbourhood or commercial designation within the applicable sub area, provided that all other policy criteria can be satisfied.

Policy MS-3:

The "Bedford" sewershed shown on Schedule "IV" shall be limited to a maximum of 2,900 people in recognition of the limited capacity of the Mill Cove Sewage Treatment Plant and the need to reserve capacity for other areas currently outside the serviceable boundary. Additional density may be considered in the future should the Municipality determine that sufficient capacity exists at the Mill Cove treatment plant and that other areas currently outside the serviceable boundary have been evaluated for future development potential.

Policy MS-4:

The community water distribution system shall conform with the recommendations of the Birch Cove North/ Bedford West Water Infrastructure plan unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.

Policy MS-5:

No municipal approvals shall be granted within the watersheds of Fernleigh Park or Millview Subdivisions unless the Municipality is satisfied that the potable water supplies serving these subdivisions are protected and that a physical and financial means is

established to allow for connection to the water distribution system that is owned and maintained by the Halifax Regional Water Commission. The Municipality shall require the developer to furnish whatever studies are needed and guarantees provided to assure that these conditions are satisfied.

Policy MS-6:

A maximum of 1,330 residential units may be permitted within the master plan area prior to the construction of the proposed interchange. The allocation to each sub area shown on Schedule III shall be as follows:

<i>Sub Area "A":</i>	<i>615 units</i>
<i>Sub Area "B":</i>	<i>235 units</i>
<i>Sub Area "C":</i>	<i>480 units</i>

Policy MS-7:

No development agreement shall be approved which would permit building permits to be granted for more than 2,000 housing units within the master plan area and the abutting Royale Hemlocks Subdivision unless:

- (a) the interchange has been constructed and connected to Larry Uteck Boulevard or the financing for the interchange and roads has been secured, a time frame for implementation agreed upon; and*
- (b) consideration is given to the transportation improvements recommended by the Prince's Lodge/ Bedford South Transportation Study or any other transportation study available to the Municipality. A development agreement application shall not be approved where a traffic study concludes that the level of service for any road within the secondary planning strategy or connecting to the abutting road network does not conform with the performance criteria established under the Municipality's Guidelines for Preparation of Traffic Impact Studies and the applicant shall be required to provide the analysis, prepared by a qualified consultant, needed to make such a determination. Without limiting the generality of the foregoing statement, particular consideration will be given to traffic impacts on the Bedford Highway, Nine Mile Drive and Oceanview Drive.*

Policy MS-8:

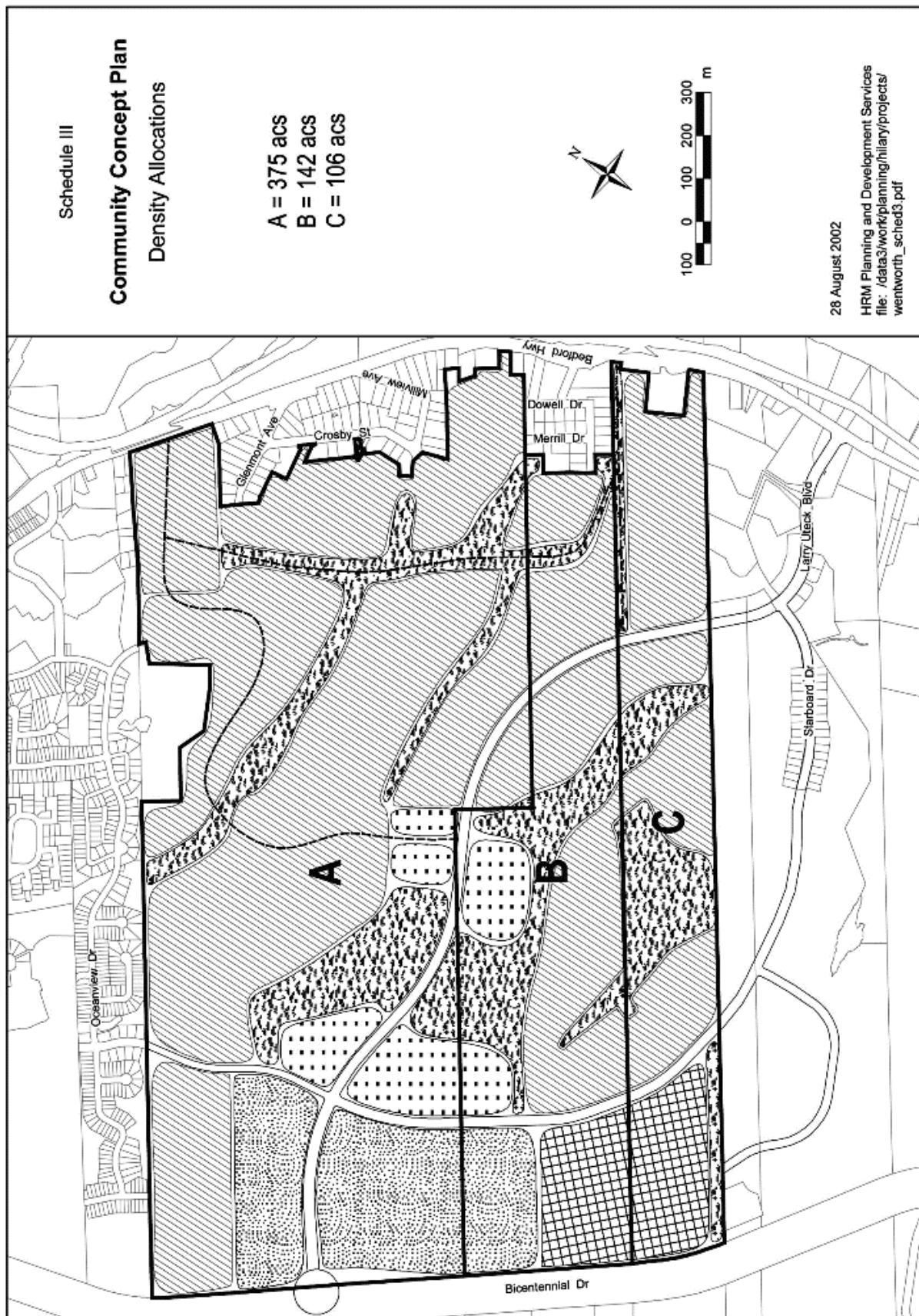
Variations to municipal service system standards may be considered where such variations conform with the principles set forth in the Transportation Association of Canada's "A New Vision for Urban Transportation" or any other guidelines or policies acceptable to the Municipality. Consideration shall be given to the objectives and policies established under this Municipal Planning Strategy, public safety, environmental and lifestyle factors, and capital and operating costs as well as other benefits to the Municipality, such as construction of trail systems on public lands.

Policy MS-9:

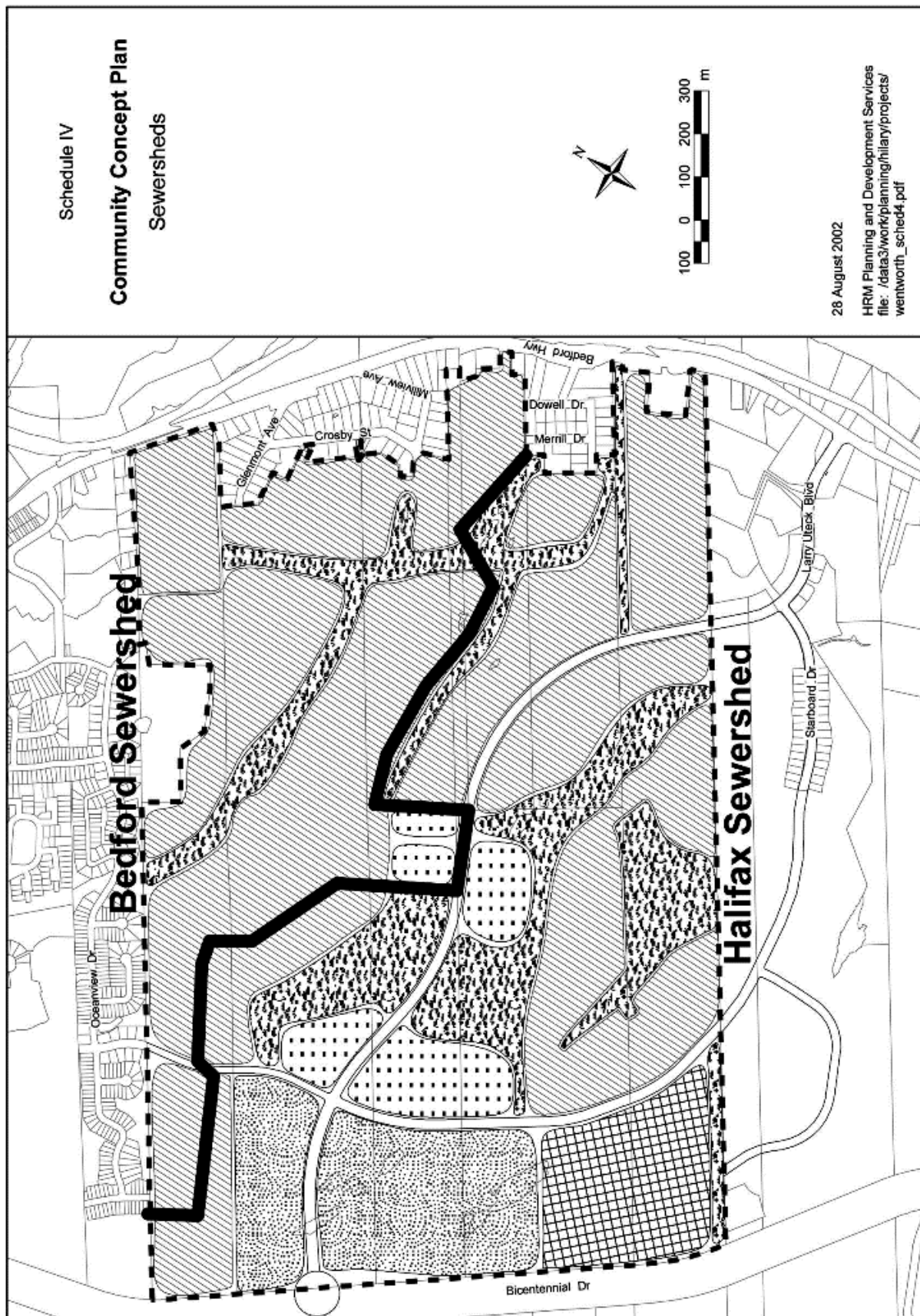
In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an

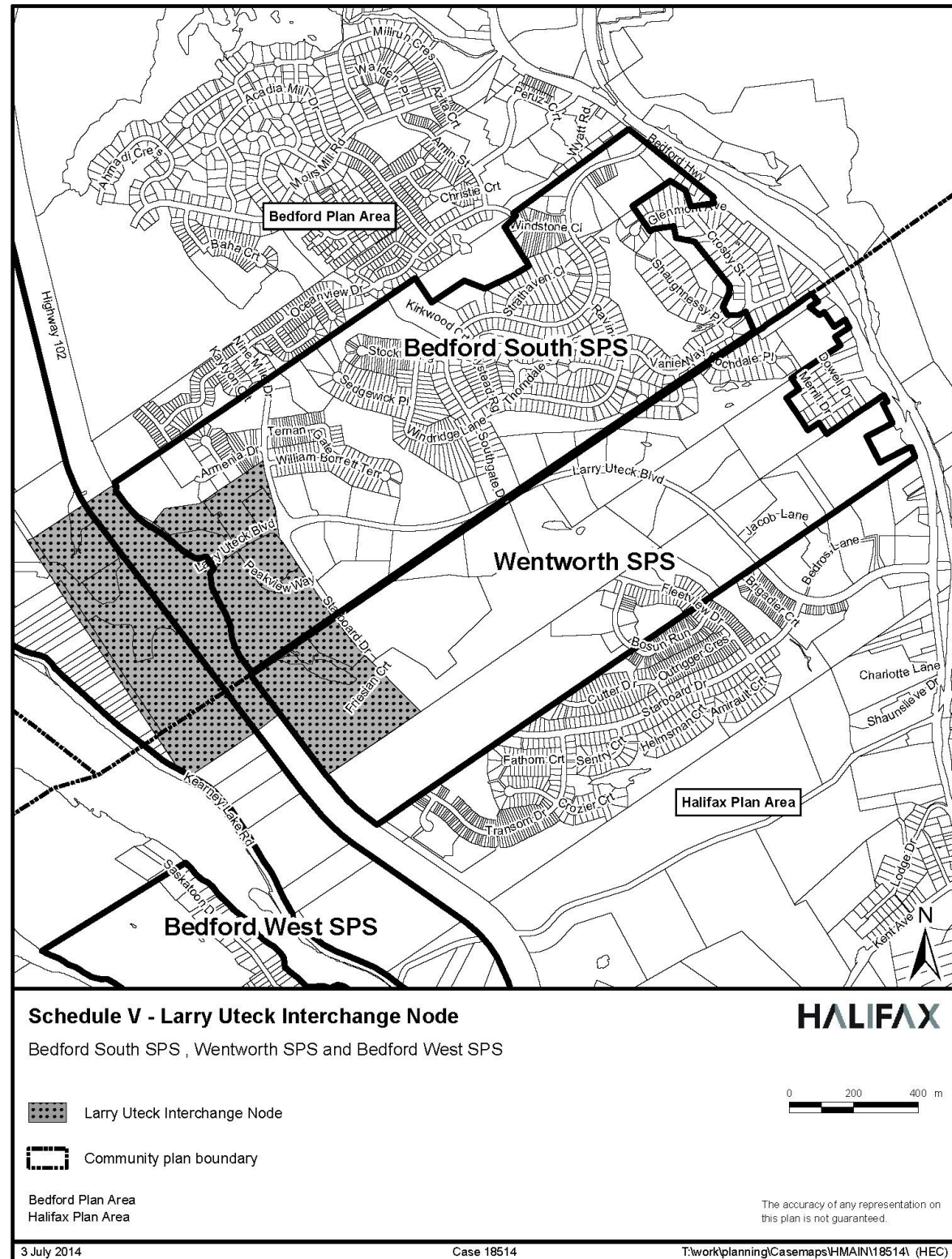
infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no development agreement shall be entered until infrastructure charges are in effect.

Schedule III: Community Concept Plan Density Allocations



Schedule IV: Community Concept Plan Sewersheds





SECTION XV: THE BEDFORD WEST SECONDARY PLANNING STRATEGY

1. BACKGROUND

In 2002, Regional Council directed that a master planning study be undertaken on lands on the west side of the Bicentennial Highway, in the vicinity of Hammonds Plains Road and Kearney Lake Road. The study was initiated in response to requests from two property owners to allow for development on municipal sewer and water services. Annapolis Group Ltd. owned approximately 1,200 acres and proposed to develop a comprehensively planned community while several family members requested municipal approvals to allow for a further 40 acre expansion of Peerless Subdivision with single unit dwellings.

In 2003, Council approved a study area boundary, study terms of reference and a public participation program⁴. The study area boundaries, encompassing a total area of approximately 2,600 acres, are illustrated on Schedule BW-1. The terms of reference were to prepare conceptual community plans which:

- anticipate future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- integrate design with established neighbouring communities in terms of the natural and man made environment;
- reduce travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- preserve sensitive environmental areas and unique cultural features and respond to the opportunities and constraints imposed by the environment;
- maintain adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- allow for design flexibility in recognition of future changes to external circumstances/market conditions;
- minimize future demands on the Municipality's fiscal resources (capital and operating budgets) and provide fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing in accordance with the Municipality's Capital Cost Contribution Policy;
- provide policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality).

⁴ Details can be found in a staff report re: Bedford West Master Plan (Project 00382), dated January 17, 2003 and present ed at the February 25, 2003 session of Regional Council.

A public participation committee was appointed with citizen representatives from Bedford, Hammonds Plains, and Prince's Lodge/Clayton Park. The committee's mandate was to ensure the public had opportunities to express opinions; collaborate with staff and developers in preparation of a plan; provide advice on policy and regulatory documents proposed; and confer with the Regional Planning Advisory Committee (the RPC).

The Bedford West master planning study was undertaken while a regional planning program that was being prepared under the supervision of the RPC. This secondary planning strategy has therefore been prepared in accordance with the master plan study terms of reference established by Council and in conformity with all relevant regional plan policies being proposed.

2. ENVIRONMENTAL PROTECTION

Lakes and Watercourses

A vast majority of the study area is within Paper Mill Lake watershed which includes Washmill Lake, Quarry Lake and Suzie Lake. Dam structures control water elevations at the outlets of Paper Mill Lake, Kearney Lake and Quarry Lake. The dams which remain under the ownership of Annapolis Group have historically been used for power generation at a turbine on Moirs Mills. Today, the lakes are used for various recreational activities such as swimming, fishing and boating - activities which are highly valued by the surrounding communities and which are dependent upon maintenance of the dams.

Annapolis Group has entered into negotiations with the Province pertaining to the upgrading of the dams and has proposed that control gates be introduced for flood control and storm water management purposes. Two studies: *Bedford Dams Comprehensive Review* (SGE Acres, October 2003) and *Bedford West Stormwater Management Pre-Design Brief* (SGE Acres, March 2004) were submitted by Annapolis to the Province in support of this proposal.

The Municipality supports preservation of the dams and the introduction of flow control mechanisms which reduce flood risks and which further good stormwater management practices provided that lake levels are maintained within ranges needed to sustain recreation activities and maintain shoreline aesthetic. The Municipality also supports an ownership plan to ensure proper long term operation and maintenance of the dams.

Annapolis Group also had two further studies prepared in support of it's development proposal: *Water Quality Assessment of Water Bodies Contained in the Bedford West Planing Area Using a Phosphorous Loading Model Approach* (Dalhousie University Centre for Water Resource Studies, April 2004) and *Bedford West Planning Area: Subwatershed Management Plan* (Jacques Whitford, May 2004).

The first study concluded that best management practices may be needed both during development and afterward to maintain a water quality in the lakes that is satisfactory for recreational activities. Leaching from septic fields from existing development in adjacent areas may also contribute to phosphorous loading and mitigative measures may be needed over the long term. The study recommended that a monitoring program be established on lakes throughout the watershed.

The Jacques Whitford study examined the characteristics of the watershed and the proposed development and prepared guidance for more detailed stormwater management plans.

Objectives:

- to undertake storm water management planning on a watershed basis with community design based on natural drainage patterns;
- to prevent flooding of properties and safeguard flood plains;
- to preserve the water quality of lakes and rivers;
- to preserve groundwater flows;
- to support regional initiatives in solid waste recovery, Halifax Harbour remediation and watershed management.

Policy BW-1:

No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:

- (a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures;*
- (b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;*
- (c) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and*
- (d) conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province.*

Policy BW-2:

No subdivision approvals shall be granted unless the detailed design specifications conform with the master stormwater management plan approved under policy BW-1.

Policy BW-3:

A water quality monitoring program shall be undertaken for the Paper Mill Lake watershed, illustrated on Schedule BW-2 to track the eutrophication process. The program is to be designed in accordance with national guidelines established by the Canadian Council for Ministers of the Environment (the CCME guidelines) and undertaken by a qualified persons retained by the Municipality and financed in whole or in part by developers within the watershed area. Specifics of the program are to be negotiated under the terms of a development agreement in consultation with the Bedford Watershed Advisory Board. The monitoring program shall:

- (a) specify the duration of monitoring for the pre-construction, construction and post-construction phases of development. Pre-construction phase means a period of time before construction activity starts. Post-construction phase means a period of time that commences at full build out of the area permitted by a development agreement. Construction phase means the full time period between the pre-construction and post-construction phase);*
- (b) specify the physical and chemical water quality indicators to be measured, the location and frequency of testing and the format of submissions to the Municipality in each phase referenced under clause (a);*
- (c) establish physical and chemical water quality indicator threshold levels for the recreational uses of the lakes which would be used as a basis for reevaluating watershed management controls and future development potential within the area. The threshold indicators are to be established prior to any development approvals being granted;*

- (d) *conform with all water quality policies, specifications, protocols and review and approval procedures approved by Regional Council.*

Policy BW-4:

Where the Community Council is satisfied that a development agreement application has been made for a development proposal which could not be reasonably expected to impact the quality of water within the Paper Mill Lake watershed, the requirements of policy BW-3 may be waived.

The Community Council shall seek the advice of the Bedford Watershed Advisory Board before granting any waiver.

Policy BW-5:

In the event that water quality threshold levels, as specified under clause (c) of policy BW-3, for Paper Mill Lake or Kearney Lake are reached, the Municipality shall undertake an assessment and determine an appropriate course of action respecting watershed management and future land use development in the area. An assessment shall consider the CCME guidelines. Water quality thresholds and any assessment reports shall be made available to the public.

Policy BW-6:

No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the stormwater management plan and in accordance with municipal and provincial guidelines.

Policy BW-7:

No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within one hundred (100) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of Kearney Lake, Kearney Lake Run or Black Duck Brook or within sixty-six (66) feet of the high water mark of any other watercourse, or within the limits of any 1 in 20 year flood plain of any watercourse, except as provided for by development agreement in accordance with an approved water management plan approved pursuant to the provisions of policy BW-9 or as provided to allow for trail systems, transportation crossings or utilities.

Preservation of Trees and Environmentally Significant Features:

Objectives:

- to identify, preserve and maintain significant environmental features;
- to protect riparian buffer areas around lakes and watercourses;
- to minimize site disturbance, maximize tree retention and to restore trees over area which have been disturbed by development activities

Policy BW-8:

No development agreement shall be entered into over lands on which trees have been removed except:

- (a) as may be required for a bonafide land survey;*
- (b) to satisfy any provincial or federal requirements; or*
- (c) where, in the opinion of Council, the extent of such cutting would not preclude achieving the three objectives stated above.*

Policy BW-9:

Within any watercourse protection setback established under policy BW-7, no vegetation or soil shall be removed or altered unless a management plan has been approved to provide for restoration of vegetation, shoreline access paths, habitat management, safety and welfare or shoreline recreation where such provisions may be made without adversely affecting the primary purpose of preserving water quality in the lake. Any study or management plan submitted pursuant to this clause shall be prepared by a person qualified to make the required determinations and an approval procedure shall be established under the terms of a development agreement.

Policy BW-10:

Wetlands, lakes, watercourses, endangered species habitat and any other features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non-disturbance areas shall be located to allow for continuity of non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.

Policy BW-11:

A tree replanting program shall be incorporated into development agreements. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.

Policy BW-12:

Development of major land areas on slopes in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.

Policy BW-13:

The Municipality may allow for modifications to the service system specifications adopted under subdivision regulations where such modifications would enhance the ability to preserve the natural environment without compromising the intended objectives of the service systems.

3. MUNICIPAL SERVICES

The feasibility of servicing the Bedford West area was examined and compared to ten other potential development areas around the metropolitan area under the regional planning program. A study concluded that Bedford West was one of two study areas with minimal constraints to development and had low servicing costs per acre⁵.

Servicing costs were deemed low because there was already considerable infrastructure in the area which could be utilized for new development. The transmission main from the Pockwock Lake water supply to Halifax extends along Kearney Lake Road making a potable water supply readily available. Halifax Regional Water Commission had previously commissioned a study to determine infrastructure needed to service this area⁶.

Traffic from Bedford West is easily accessible to the Bicentennial Highway - a principle arterial road for the region - via interchanges at the Hammonds Plains Road and Kearney Lake Road and from a future interchange proposed with Larry Uteck Boulevard. Annapolis Group Ltd., the major land owner within the Bedford West study area, prepared a transportation plan which concluded that minimal investment in transportation infrastructure would be required by the Municipality to facilitate development of this area⁷. The study identified transportation upgrades needed and a phasing plan.

Through the regional planning program, the Municipality has sought to encourage alternative transportation modes to the automobile. Bedford West is well situated to integrate with regional transit and trail systems and consideration was given to how the community could be designed to take advantage of these attributes.

Bedford West could be connected to either the municipal sanitary collection sewer system which is discharged to Mill Cove treatment plant or to the system which will discharge to the new Halifax treatment plant. In both instances, sewage would have to be pumped to existing gravity mains in the Hammonds Plains Road (discharging to Mill Cove) or in Kearney Lake Road (Halifax system). Careful consideration was given to available capacities for new development when allocating sewage flow from Bedford West to each of these systems.

A development phasing plan has been developed which integrates various servicing needs and, in accordance with the Municipality's capital cost contribution policy, an infrastructure charge area will be established under the subdivision by-law to recover the costs of infrastructure needed to accommodate new development.

⁵ CBCL Ltd. & Marshall Macklin Monaghan. *Final Report: Greenfield Areas Servicing Analysis Report*. Prepared for Halifax Regional Municipality. July 2004.

⁶ CBCL Ltd. *Birch Cove North/Bedford West Water Infrastructure Master Plan*. Prepared for Halifax Regional Water Commission. February 1999.

⁷ MRC Delphi. *Bedford West Master Plan: Transportation Study*. February 2004.

Objectives:

- to ensure that the municipal servicing systems are designed to satisfy the ultimate demands anticipated from this community and that services are phased with development to provide satisfactory service levels at all times;
- to employ service standards that are economical and innovative, and that achieve municipal objectives and policies, including public safety, healthy lifestyles and environmental protection;
- to safeguard the capacity of the Halifax and Mill Cove sewage treatment plants;
- to facilitate the safe and convenient movement of pedestrians and cyclists within the community and to surrounding neighbourhoods;
- to allow for a convenient and cost efficient public transit system that can provide a high level of service to residents in the community and which can integrate with the regional public transit system;
- to encourage synergy between land uses, lifestyle needs and transportation modes;
- to minimize motor vehicle traffic impacts on the regional transportation system;
- to preclude excessive traffic levels in residential neighbourhoods;
- to allow for efficient access to places of commerce and employment in the community;
- to recover the cost of new infrastructure needed to service development within the secondary plan areas in accordance with the capital cost contribution policy adopted by the Municipality.

4. WATER AND SANITARY SEWER SYSTEMS

Policy BW-14:

The water distribution system shall conform with the recommendations of the Birch Cove North/ Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.

Policy BW-15:

The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses⁸.

Policy BW-16:

Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed for a maximum density of 50 persons per acre for general commercial uses and a maximum density of 20 person per acre shall be permitted for all residential uses.

Policy BW-16A:

The temporary pumping station and forcemain, illustrated as "PS (TEMP)" and "FORCEMAIN (TEMP)" on schedule BW-4, shall be permitted to service a maximum of 6,100 persons where upon the permanent pumping station and forcemain along the Kearney Lake Road must be designed and constructed to service all lands intended to flow to the Halifax Sewage Treatment Plant (as illustrated on schedule BW-4). This requirement may be waived if:

- a) the financing for the construction for the permanent pumping station and forcemain has been secured by the Municipality and a time frame for construction agreed upon; and*
- b) there is sufficient capacity remaining in the temporary pumping station and forcemain to allow for additional sewage discharge to the Mill Cove Sewage Treatment Plant. (RC-Mar 15/11; E-May 28/11)*

⁸ For the purposes of this Secondary Planning Strategy, all density calculations are based on gross area.

Policy BW-16B

The maximum permitted population for Sub-Area 9 (including portions within the Bedford Municipal Planning Strategy) shall not exceed 1476 persons. (RC-Mar 15/11; E-May 28/11)

5. TRANSPORTATION

Policy BW-17:

Phasing of transportation system upgrades shall be undertaken in accordance with the recommendations of the Transportation Plan (MRC Delphi, February 2004) unless otherwise agreed to by the Municipality and the Province.

Policy BW-18:

The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.

Policy BW-19:

Variations to municipal service system standards may be considered where such variations conform with the principles set forth in the Transportation Association of Canada's "A New Vision for Urban Transportation" or any other guidelines or policies acceptable to the Municipality. Consideration shall be given to the objectives and policies established under this Municipal Planning Strategy, public safety, environmental and lifestyle factors, and capital and operating costs as well as other benefits to the Municipality, such as construction of trail systems on public lands.

6. DEVELOPMENT PHASING AND COST RECOVERY

Policy BW-20:

A development Sub-Area plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:

- a) Any approvals within Sub-Areas 1 to 12 will also be contingent upon availability of capacity within municipal service systems;*
- b) any development agreement entered into within Sub-Areas 2 to 8 and 12 shall include provisions for all new development intended within the Sub-Area;*

No development agreement shall be entered into for Sub-Areas 5 unless a servicing and phasing plan has been prepared and included in the agreement for the extension of municipal sewer and water services to both Sub-Areas 5 and 9.

Policy BW-20A:

The requirement for a servicing and phasing plan for Sub area 5 may be waived if a development agreement for Sub-Area 9 has been approved prior to an application for Sub-Area 5 and the agreement provides for the extension of municipal services to Sub-area 9 at no cost to the Municipality. (RC-Mar 15/11; E-May 28/11)

Policy BW-21:

In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.

Sub Area 9:

These lands drain towards the proposed sewage pumping station at the outlet of Kearney Lake and encompass the proposed connector road between Kearney Lake Road and the new Larry Uteck Boulevard interchange with the Bicentennial Highway. Lands in the vicinity of the interchange may be suitable for both community commercial and highway commercial uses. The remaining lands may be developed with residential uses. The steep slopes offer challenges to integrating development with the natural environment and opportunities to take advantage of the vistas of Kearney Lake and the forested regions to the west. Comprehensive planning over larger properties is therefore supported with the opportunity for public input in the planning and design process.

The capacity of the temporary pumping station and force main (directing sewage to the Mill Cove Treatment facility) has been sized to service both sub-areas 5 and 9 before a permanent pumping station and forcemain are required to direct sewage to the Halifax Treatment Facility (policy BW-16A. An application may be made to service sub-area 9 from the temporary pumping station provided that all associated servicing costs are assumed by the developers (BW-20A).

Policy BW-21A:

A public participation program was undertaken to identify development opportunities and constraints and to facilitate collaboration in preparing a conceptual community design for larger undeveloped parcels within Sub-Area 9. Schedule BW-7 shall form the framework for land use allocation within these portions of Sub-Area 9 and all policies and action taken by the Municipality shall conform to the intent of this plan. (RC-Mar 15/11; E-May 28/11)

Policy BW-21B:

A comprehensive development district zone shall be applied to larger undeveloped parcels within Sub-Area 9. Commercial uses may be considered on lands in the vicinity of the proposed interchange with consideration given to the criteria of policy BW-21E, except that clause 1 shall not apply. Residential uses may be permitted on the remaining lands with consideration given to the criteria of policy BW-28, except that clause (a) shall not apply. (RC-Mar 15/11; E-May 28/11)

Policy BW-21C:

Further to Schedule BW-7, Sub-Area 9 may be comprised of medium or higher density residential land uses on the northwest side of the site, and general commercial uses in the center portion of the Sub-Area, south of the interchange. On the south-east portion of the Sub-Area, general commercial or higher density residential land uses may be permitted. (RC-Mar 15/11; E-May 28/11)

Policy BW-21D:

Within the Sub Area, population assigned under BW-16B may be redistributed throughout the Sub Area covered by development agreement provided the intent of the all policies is maintained. (RC-Mar 15/11; E-May 28/11)

The General Commercial Centre

The General Commercial Designation envisions a built form with a range of commercial, activities and medium to higher density residential. Recognizing the location of the General Commercial Designation adjacent the Larry Uteck Boulevard and the Bicentennial Highway (Highway 102) interchange, the following objectives are intended:

- to provide for general and highway commercial uses;
- to enable a portion of the site to be developed as medium or higher density residential;
- integrate pedestrian access between surrounding residential areas and commercial activities;
- to encourage innovative design and comprehensive planning; and
- to support public transit. (RC-Mar 15/11; E-May 28/11)

Policy BW-21E:

A range of general and highway commercial, medium and higher density residential, institutional, and recreational uses may be permitted within the General Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters:

- a) natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;*
- b) sidewalks and/or plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;*
- c) provisions are made for the storage of bicycles;*
- d) exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
- e) the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
- f) the massing, height of buildings and architectural detail contribute to a pedestrian oriented environment; and the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services. (RC-Mar 15/11; E-May 28/11)*

The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations. (RC-Nov 18/14;E-Jan 10/15)

Policy BW-21G (RC-Nov 18/14;E-Jan 10/15):

Within the Bedford West Secondary Planning Strategy and the adjacent Bedford South and Wentworth Secondary Planning Strategy areas it shall be the intention to establish a land use node as identified in Schedule BW-8. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

- a) the proposed land use to be relocated must be enabled within the Bedford West portion of the node and the Bedford South and Wentworth Secondary Planning Strategy portions of the node;*
- b) the collection of infrastructure charges;*
- c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
- d) the impact on water and sewer infrastructure;*

- e) *the proposed increase of density does not exceed that transferred out from the Bedford South and/or Wentworth Secondary Planning Strategies.*

7. LAND USE: SUB-AREAS 10 AND 11

7(A) SUB-AREA 10 (RC-Dec 14/21;E-Feb 12/22)

Sub Area 10, as illustrated on Schedule BW-6, encompasses lands which fall under the Halifax Municipal Planning Strategy, and lands which fall under the Bedford Municipal Planning Strategy. As part of the Bedford West Secondary Planning Strategy an infrastructure master plan was produced that contemplated a population of over 2,000 people within Sub Area 10; however, at the time municipal services were unavailable to the area.

The original 2006 policy identified that when service extensions could be made to Sub Area 10, a comprehensive development district zone would be applied to all undeveloped lands and that a public participation process would be undertaken to identify development opportunities and constraints, and to facilitate collaboration in the preparation of the policies that would guide land use development for the area.

Municipal sewer and water services were extended to the majority of Sub Area 10 in 2014, making this area capable of being developed in an urban form. Subsequently, landowners in the area requested a process to consider the policy changes required to enable serviced development. Through the planning process, and the required public participation program, which was undertaken between Winter 2017 and Fall 2020, the following physical characteristics of the area were identified:

- A disjointed topography that has resulted from the former quarry operation;
- The presence of steep grades;
- Watercourses (streams) and wetlands;
- Traffic noise resulting from proximity to Highway 102;
- Potential environmental impacts resulting from former industrial uses;

The northwest portion of Sub Area 10 consists of ten existing lots currently developed and held in separate ownership. Municipal services have not been extended to these lands and a means of municipal finance will need to be determined prior to extending services to these existing properties.

The remainder of the sub area, approximately 29 hectares (71.6 acres) located to the southeast of Sub Area 9, is the portion of the sub area where services are available. This area is topographically divided by the former quarry operation.

While the general intention is for development within Bedford West to occur through a single development agreement per sub area, this is a difficult approach to implement given the geographic and topographic separation of the sub area. Therefore, four distinct neighbourhood districts shall be administratively defined, and separate development agreements shall be permitted within each neighbourhood district.

Policy BW-21H(1)

Schedule BW-7A shall form the framework for land use planning within Sub-Area 10. Schedule BW-7A shall administratively divide Sub Area 10 into four distinct neighbourhood districts as follows: Sub Area 10A, which will encompass the properties

southwest of Sub Area 9 that contains existing development; Sub Area 10B, which shall encompass undeveloped lands southeast of Sub Area 9 and northwest of the former quarry lands; Sub Area 10C, which shall encompass the quarry lands as well as the abutting parcel to the northwest; (Municipal Affairs-Housing-Nov 21/23;E-Dec 20/23) and, Sub Area 10D, which shall encompass lands to the southeast of the quarry lands containing primarily undeveloped lands and one property, 189 Kearney Lake Road, currently developed with an existing dwelling.

Policy BW-21H(2)

The current zoning provisions for Sub Area 10A shall be maintained on these lands until such time as municipal services can be extended.

Policy BW-21H(3)

Lands within Sub Areas 10B, Sub Area 10C and Sub Area 10D, as illustrated on Schedule BW-7A, previously zoned US (Urban Settlement) shall be rezoned to BWCDD (Bedford West Comprehensive Development District) Zone. These lands shall be developed through the development agreement provisions of the Halifax Regional Municipality Charter and this secondary planning strategy.

Policy BW-21H(4):

One development agreement per neighbourhood district may be considered for Sub Area 10B, Sub Area 10C, and Sub Area 10D, as illustrated on Schedule BW-7A.

Policy BW-21H(5):

Notwithstanding Policy BW-21H(4), Council may consider development agreements for individual or groupings of parcels within Sub Area 10B and Sub Area 10D, subject to the following:

- 1. That the proposed development does not inhibit or preclude the development of other lands within the neighbourhood district as intended by policy, and that the applicant demonstrates how the proposed development can feasibly integrate with abutting lands;*
- 2. That the proposed development contemplates shared vehicular and pedestrian access to and from the remainder of the neighbourhood district; and*
- 3. Consistency with all other policies within this plan.*

Transportation Infrastructure

Multi-Use Pathway

Due to the topography of Sub Area 10, which limits or prohibits road connections between Sub Area 10B, Sub Area 10C, and Sub Area 10D, the Kearney Lake Road will serve as the main vehicular transportation route.

While the Kearney Lake Road serves vehicular traffic, it does not adequately serve pedestrian traffic. Painted bike lanes exist on both sides of the Kearney Lake Road in

this area, but the only pedestrian infrastructure present is a sidewalk located opposite the Kearney Lake Road from Sub Area 10, which connects Hamshaw Drive to the lands opposite Highway 102 at Exit 2. To provide appropriate active transportation options for future residents of Sub Area 10, and areas beyond, a multi-use pathway is envisioned. The multi-use pathway is intended to connect Hogan Court parkland to a future Highway 102 crossing to connect to the Mainland North Trail.

Active Transportation infrastructure is not considered parkland as its primary function is for transportation purposes rather than recreation purposes.

Policy BW-21I(1)

A multi-use pathway along the eastern side of Kearney Lake Road is required and is generally illustrated on Schedule BW-7A, and Schedule BW-5 as “community trail”. Development agreements shall ensure that the multi-use pathway is provided through the Regional Subdivision By-law’s subdivision approval process and complies with the municipal design guidelines.

Kearney Lake Road / Highway 102 Interchange

In order to accommodate the full development planned for Sub Area 10B, Sub Area 10C, and Sub Area 10D, upgrades to the Kearney Lake Road-Highway 102 interchange are required. Until these upgrades are completed, a limited amount of development shall be permitted within Sub Area 10B, Sub Area 10C, and Sub Area 10D.

Policy BW-21I(2)

Until upgrades to the Kearney Lake Road-Highway 102 interchange are complete to accommodate the full development of Sub Area 10B, Sub Area 10C and Sub Area 10D, a maximum of 400 dwelling units shall be permitted within the lands identified as Sub Area 10B, Sub Area 10C and Sub Area 10D on Schedule BW-7A of this Secondary Planning Strategy.

Policy BW-21I(3)

Notwithstanding Policy BW-21I(2), the number of permitted dwelling units may be increased subject to Provincial approval.

Highway 102 Widening

The Province has indicated that a realignment of a portion of Highway 102 is desirable adjacent to Sub Area 10D and that additional highway right-of-way may be required.

Policy BW-21I(4)

Any application for development agreement for Sub Area 10D must consider the needs of the Province with regards to additional right-of-way and any implications of such a project. Where possible, the allocation of population to lands needed for the re-alignment may be redistributed to the remaining lands within Sub Area 10D.

Transit Facilities

As the Kearney Lake Road will be the primary vehicular traffic route serving Sub Area 10 it is prudent to anticipate additional transit facilities may be needed to support the population growth enabled by this planning strategy.

As directed by Regional Municipal Planning Strategy policy (Policy T-6) and implemented throughout the Municipality's Land Use By-laws, transit facilities are permitted as-of-right in any zone provided there is frontage on a minor collector, major collector, arterial road or expressway. Given the status of the Kearney Lake Road as a major collector lands within Sub Area 10 could be utilized for transit purposes without an enabling planning process.

Policy BW-21I(5)

Any development agreement process for lands within Sub Area 10 must consider the municipal need to establish, or reserve land for, transit facilities.

Sewer and Water Capacities

To ensure adequate capacity of municipal sewer and water infrastructure, Bedford West was designed to accommodate a predetermined amount of development. In conjunction with the Community Concept Plan (Schedule BW-7) and Policies BW-15 and BW-16, each sub area was allocated a development capacity. Sub Area 10 was initially anticipated to be capable of accommodating 28.4 people per acre for a total population of 2,331 people.

In 2014 during the installation of services, the land owner of Sub Area 10C, at their cost, oversized services to accommodate additional development on the former quarry lands.

Given the extensive existing cleared and prepared area of Sub Area 10C, resulting from the former use of the site as a quarry, it is an appropriate area to accommodate an increased population.

Populations densities for each neighbourhood district is outlined within Policy BW-21K.

Parkland

As Sub Area 10 is planned to accommodate a population of approximately 2,800 people, the establishment of public parkland within this sub area is essential to develop and maintain a healthy and viable community.

Policy BW-21J(1)

Municipal parkland contribution shall be provided in Sub Area 10B, Sub Area 10C, and Sub Area 10D, as identified on Schedule BW-7A.

Policy BW-21J(2)

Parkland dedication shall be as per the requirements of the Regional Subdivision By-law.

Land Use

Development Clusters within Neighbourhood Districts

As described above, separate development agreements are envisioned for each serviced neighbourhood district within Sub Area 10 (Sub Area 10B, Sub Area 10C and Sub Area 10D). The development agreements will implement a clustered development form within each neighbourhood district that responds to each individual geography while facilitating a relationship between development clusters.

To respond to the topographical challenges inherent within the sub area, development is to be concentrated within each neighbourhood district to form development clusters. This development approach will allow significant portions of the land to remain in a natural state.

Development clusters are to be designed to integrate into the topography of the land as much as possible and to respect a human scale/ pedestrian first approach.

Development within each development cluster is intended to be designed in a cooperative manner. Active transportation opportunities are to be maximized, outdoor amenity areas are to be safe, accessible, welcoming and comfortable, and buildings are to be scaled appropriately.

To achieve an appropriate development form, permissible building heights are to be stepped from the front of the neighbourhood district (adjacent to the Kearney Lake Road) to the rear of the neighbourhood district (toward Highway 102). For taller buildings a change in materials and colour of upper floors will be required to lessen the visual impact of the height of the building. Building massing and setbacks shall create a comfortable pedestrian scale and a sensitive interface with other buildings within the development cluster.

Policy BW-21K

Development agreements for Sub Area 10B, Sub Area 10C and Sub Area 10D shall:

- 1. Require each existing parcel of land to be subdivided to create two or more lots. This is required to ensure parkland contributions required by Policy BW-21J(1) and Policy BW-21J(2) are satisfied. This is also required to ensure existing transportation capital cost contributions required by the Regional Subdivision By-law are provided at the subdivision approval stage. Applicable lot design requirements in the applicable Land Use By-law and the Regional Subdivision By-law may be adjusted through the development agreement process.***
- 2. Require a minimum of 75 percent of residential units within the development to be in the form of multiple unit dwellings;***

3. *Limit density within each neighbourhood district as follows (notwithstanding Policy BW-16(c)):*
 - (a) *28.4 persons per acre in Sub Area 10B*
 - (b) *48.67 (Municipal Affairs-Housing – Nov 21/23;E-Dec 20/23) persons per acre in Sub Area 10C; and*
 - (c) *28.4 persons per acre in Sub Area 10D.*

Development agreements for Sub Area 10B, Sub Area 10C, and Sub Area 10D shall consider the following matters:

4. *Other forms of residential development for the remaining 25% may be permitted;*
5. *Residential development is located proximate to local roads, shared private driveways, or the multi-use pathway, but does not provide individual units direct individual vehicular access to any public streets;*
6. *Institutional uses such as schools, churches, community centres and halls, and day care centres may be permitted;*
7. *Neighbourhood commercial uses that provide goods and services at the neighbourhood level, such as convenience stores, may be permitted;*
8. *Where provided, neighbourhood commercial uses are incorporated into multiple unit dwelling(s) at or near ground level, or in separate commercial buildings;*
9. *Home occupations may be permitted throughout the neighbourhood districts;*
10. *Environmental site assessment studies and supplementary environmental analysis are provided on lands with previous industrial land uses prior to determining the appropriateness of any land uses and building designs;*
11. *Development is concentrated into a development cluster(s);*
12. *Each development cluster is located within the neighbourhood district to:*
 - (a) *Minimize site disturbance (grading, excavation and tree removal);*
 - (b) *Maintain, as much as possible, existing terrain and drainage patterns;*
 - (c) *Provide an adequate buffer between the development cluster and Highway 102;*
13. *Landscape and disturbance plans are provided to identify the amount of disturbance required for the proposed development and the plan to stabilize and landscape all disturbed areas.*
14. *Where access is provided to Kearney Lake Road, access points are limited and shared where possible;*
15. *Each building within a development cluster is sited to:*

- (a) *relate to other buildings within the development;*
- (b) *front on local streets, shared private driveways, or the multi-use pathway;*
- (c) *provide a transition to neighbouring buildings by stepping massing down to where required while providing side and rear setbacks; and*
- (d) *fit within the natural topography of the site, by stepping down to sloping terrain and accommodating significant grade changes by creating transitions from the building to the ground level traveled ways adjacent to the building.*

16. Each building within a development cluster is be designed to:

- (a) *ensure a varied streetscape by providing variety in building massing, details, and building materials and finishes;*
- (b) *maintain design cohesion by aligning windowsills, cornices, and floor-to-floor spacing with other buildings within the development cluster;*
- (c) *ensure buildings are limited to a maximum of 12 habitable storeys, not including penthouses and mechanical elements;*
- (d) *ensure building heights (not including penthouses and mechanical elements) transition from a maximum of 4 habitable storeys to a maximum of 12 habitable storeys, subject to the following:*
 - (i) *buildings within 30.5 metres of the Kearney Lake Road right-of-way do not exceed 4 habitable storeys;*
 - (ii) *buildings beyond 30.5 metres, but within 61 metres of the Kearney Lake Road right-of-way do not exceed 9 habitable storeys;*
 - (iii) *buildings beyond 61 metres of the Kearney Lake Road right-of-way do not exceed 12 habitable storeys;*
- (g) *ensure buildings greater than 6 habitable storeys include a change in materials and colour above the fourth habitable storey;*
- (h) *ensure building façades have appropriate levels of transparency and have a direct interface with local streets, shared private driveways, the multi-use pathway, walkways, and open spaces; and*
- (i) *ensure building floorplates are limited to a maximum of 2,000 square metres for the first four habitable storeys, with reduced floorplate sizes above the fourth habitable storey.*

17. Buildings greater than 20 metres in height, at the construction permit stage, are accompanied by a qualitative wind analysis. The study shall assess wind impacts on pedestrian areas including recreation and amenity areas, the multi-use pathway, and recreational and competitive boating areas of Kearney Lake (if relevant). The study shall include detailed assessment methodologies, local wind climate data, wind comfort, and safety performance standards, as well as wind mitigation measures. Final building designs shall incorporate wind mitigation measures recommended in the study.

18. Adequate parking is provided, and is:

- (a) *designed to minimize the number of external parking spaces;*
- (b) *located and designed in a manner which is pedestrian friendly;*
- (c) *designed to incorporate landscaping measures, and*
- (d) *designed for snow storage;*

19. *Buildings containing 48 or more dwelling units include provision for interior parking.*
20. *Each development cluster provides pedestrian connection to:*
 - (a) *each building within the development cluster;*
 - (b) *the multi-use pathway;*
 - (c) *transit facilities within or adjacent to the development cluster including transit stops and any future proposed transit terminals; and*
 - (d) *adjacent development clusters within the same neighbourhood districts.*
21. *Residential development includes interior and exterior amenity space.*
22. *Exterior shared amenity space includes private parklike areas, and may include active and passive recreation features such as sports courts, playgrounds, walking trails, and gardens;*
23. *Residential accessory buildings may be permitted for the shared use of residents;*
24. *Lighting and landscaping plans are provided;*
25. *For any neighbourhood commercial development proposed, consideration is given to the policy criteria of Policy BW-29;*
26. *Overall site design in new developments considers public safety around hazardous topographical features (quarry faces and cliffs). Site design measures may include maintaining vegetated areas, introduction of landscaping features, fencing or other physical barriers. Appropriate site design measures are provided by a professional engineer and accompanied by any information deemed necessary by the Municipal Engineer to properly evaluate the suitability of such measures (such as a geotechnical analysis, safety report, and a stormwater management report).*
27. *The proposal conforms with all other relevant policies of the Bedford West Secondary Planning Strategy, including but not limited to: Policies BW-1, BW-12, BW-21J(1), and BW-21J(2) (RC-Oct 11/22;E-Nov 16/22).*

NS Power Lands

Within Sub Area 10D, Nova Scotia Power owns a 6-acre parcel of land (PID 40379257). It is uncertain how this parcel will ultimately be developed but it is reasonable to anticipate it will be developed by the utility for a utility use. To facilitate this eventuality, provision will be made in the land use by-law to allow utility uses on the parcel as-of-right. Should the parcel not be developed for a utility use it may either be developed as per the policies of this SPS, or remain undeveloped. Should the landowner not intend to develop the parcel, either in whole or in part, the servicing capacity allocated to the lands can be transferred elsewhere within Bedford West Sub Area 10 by way of a development agreement process.

Policy BW-21L(1)

In addition to the development rights conferred by the policies of this SPS, utility uses shall be permitted on lands in the ownership of Nova Scotia Power and Halifax Water (Municipal Affairs-Housing-Nov 21/23;E-Dec 20/23) through the Land Use By-law.

Policy BW-21L(2)

Notwithstanding Policy BW-21H(4), and in addition to Policy BW-21K, where utility uses are established or planned, the participation of Nova Scotia Power in a development agreement is not required. However, should Nova Scotia Power or subsequent owner wish to transfer their unused sewer or water capacity by way of a density transfer to another area of Bedford West Sub Area 10, their participation in a development agreement will be required.

Tree Clearing

Policy BW-8 is intended to discourage tree removal in advance of a development proposal to ensure maximum tree retention on development sites it did not contemplate the situation in Sub Area 10 with respect to previous tree removal that occurred from past development, such as the quarry operation.

Policy BW-21M

Tree removal as a result of previous land uses within Sub Area 10 shall be considered in conformance with Policy BW-8.

7(B) SUB-AREA 11 (RC-Dec 14/21;E-Feb 12/22)

Sub Area 11, as illustrated on Schedule BW-6, encompasses lands which fall solely under the Halifax MPS. As part of the Bedford West Secondary Planning Strategy an infrastructure master plan was produced that contemplated a population of 2,390 people within Sub Area 11, however at this time municipal services generally remain unavailable to the area (RC- Dec 14/21; E-Feb 12/22).

These current zoning provisions shall be maintained on these lands until such time as municipal services can be extended. When service extensions can be made, a comprehensive development district zone shall be applied to all undeveloped lands within the Sub-Area to be serviced. No commercial development shall be permitted within Sub-Area 11 unless the lands have frontage on the Kearney Lake Road.

Policy BW-22:

To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area.

Policy BW-23:

No stormwater management, sanitary sewer or water service system shall be located within the Open Space Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended. The intended purpose of all open spaces shall be identified and agreed to in a development agreement application. Lands within the Open Space Designation may be allocated to satisfy the Municipality's Subdivision By-law requirements for parkland dedication.

Policy BW-24:

In the event that the Municipality is unable to determine whether any undertaking will adversely affect environmentally sensitive areas, the Municipality shall require that an environmental impact analysis be undertaken at the cost of the developer by a person qualified to make such a determination and as selected or agreed upon by the Municipality.

Policy BW-25:

The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning adopted by Council.

Policy BW-26:

Prior to any subdivision approval being granted, the developer shall prepare a recreation facilities plan for the development of recreational facilities for lands to be conveyed to the Municipality for parkland and open space dedication. The plan shall consider facility requirements in relation to present and future community needs, safety and convenience, environmental protection or enhancement, financial resources and phasing.

Policy BW-27:

No municipal services shall be extended to existing developments within Sub-Area (RC-Dec 14/21;E-Feb 12/22) 11 until consultations have been held with affected property owners to determine:

- (a) the need for amendments to existing policies under the Municipal Planning Strategy and zoning regulations under the Land Use By-law;*
- (b) the need for municipal services and a means of finance.*

Policy BW-28:

When municipal services are available for Sub-Areas 10A (RC-Dec 14/21;E-Feb 12/22) or 11, a comprehensive development district zone may be applied to undeveloped properties within the Sub-Area to be serviced. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate

collaboration in the preparation of a conceptual concept design for the entire Sub-Area. Any future residential development shall be guided by the following:

- 1. the density of housing units shall not exceed six units per acre;*
- 2. community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;*
- 3. sidewalks and pathways facilitate comfortable and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;*
- 4. the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;*
- 5. a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes;*
- 6. the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;*
- 7. building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment;*
- 8. single unit dwelling lots have a minimum street frontage of 40 feet, a minimum area of 4,000 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings;*
- 9. natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply;*
- 10. Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts;*
- 11. all open space dedications proposed conform with the objectives and policies adopted for open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and*
- 12. the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

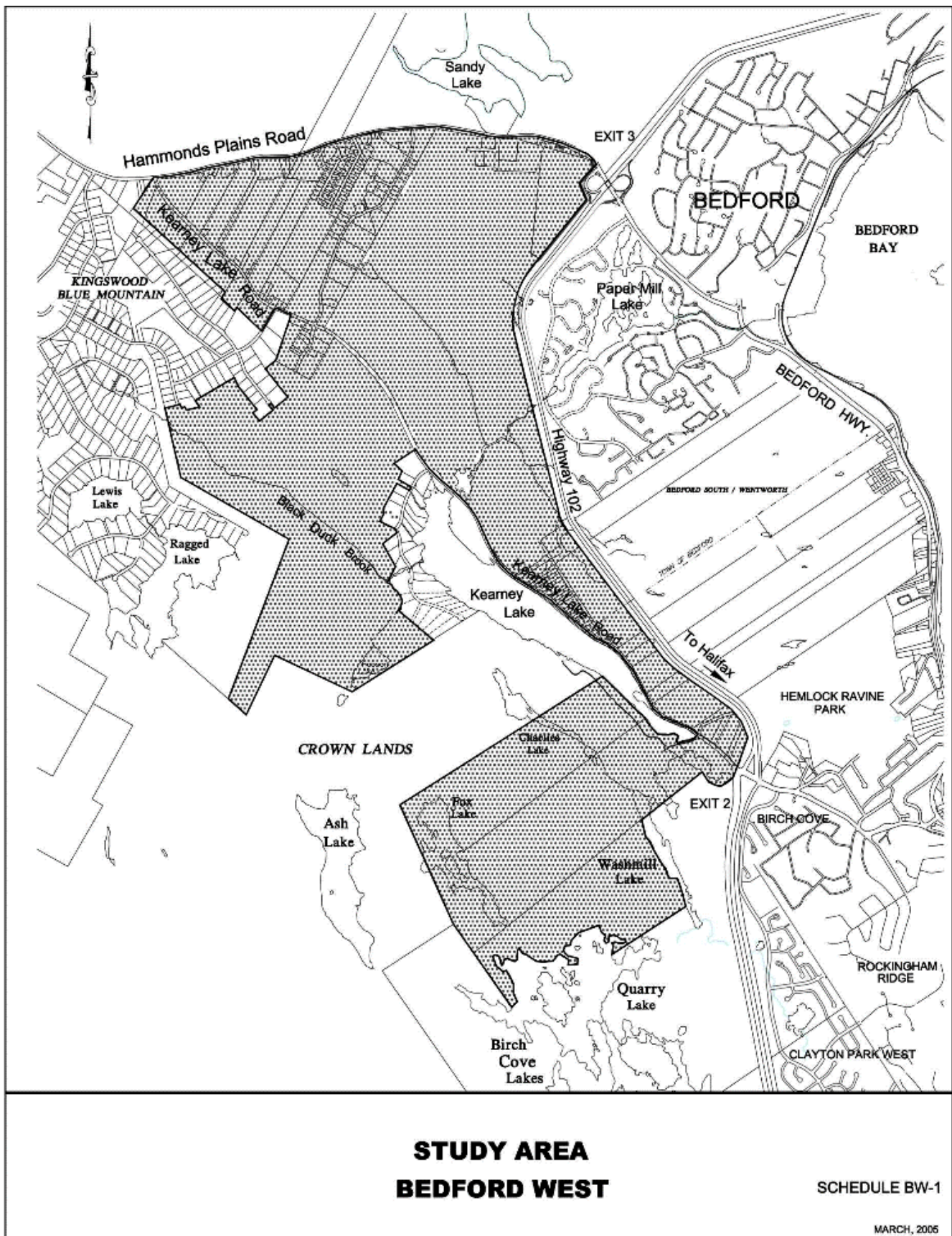
Policy BW-29:

For any commercial development proposed within Sub-Areas 10 or 11, consideration shall be given to the following matters:

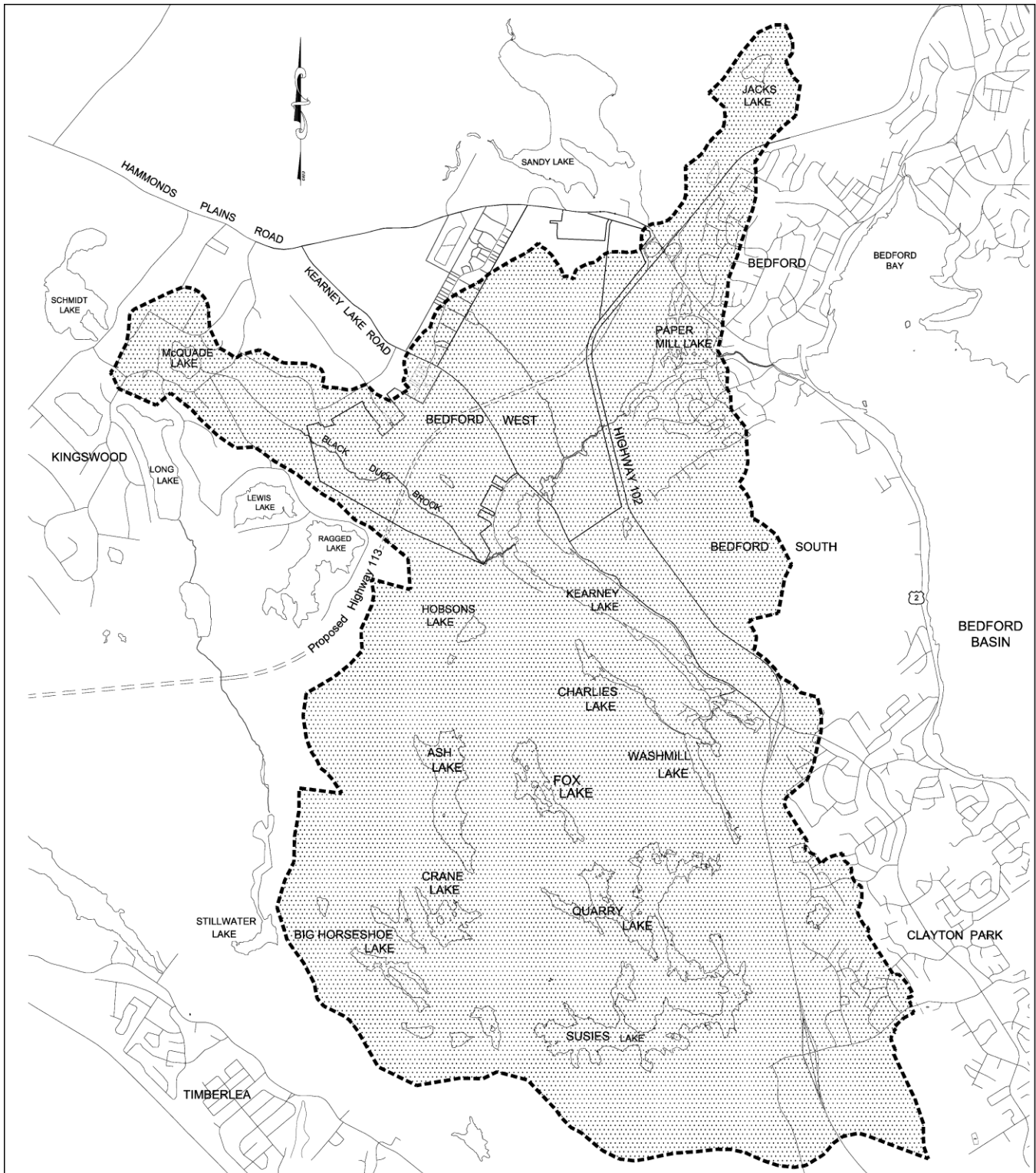
- 1. natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;*

2. *sidewalks and plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;*
 3. *provisions are made for the storage of bicycles;*
 4. *exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
 5. *the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
 6. *the massing and height of buildings are consistent with and contribute to an pedestrian oriented environment;*
 7. *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*
- (RC-Jun 20/06; E-Jul 29/06)

Schedule BW-1: Study Area



Schedule BW-2: Papermill Lake Watershed

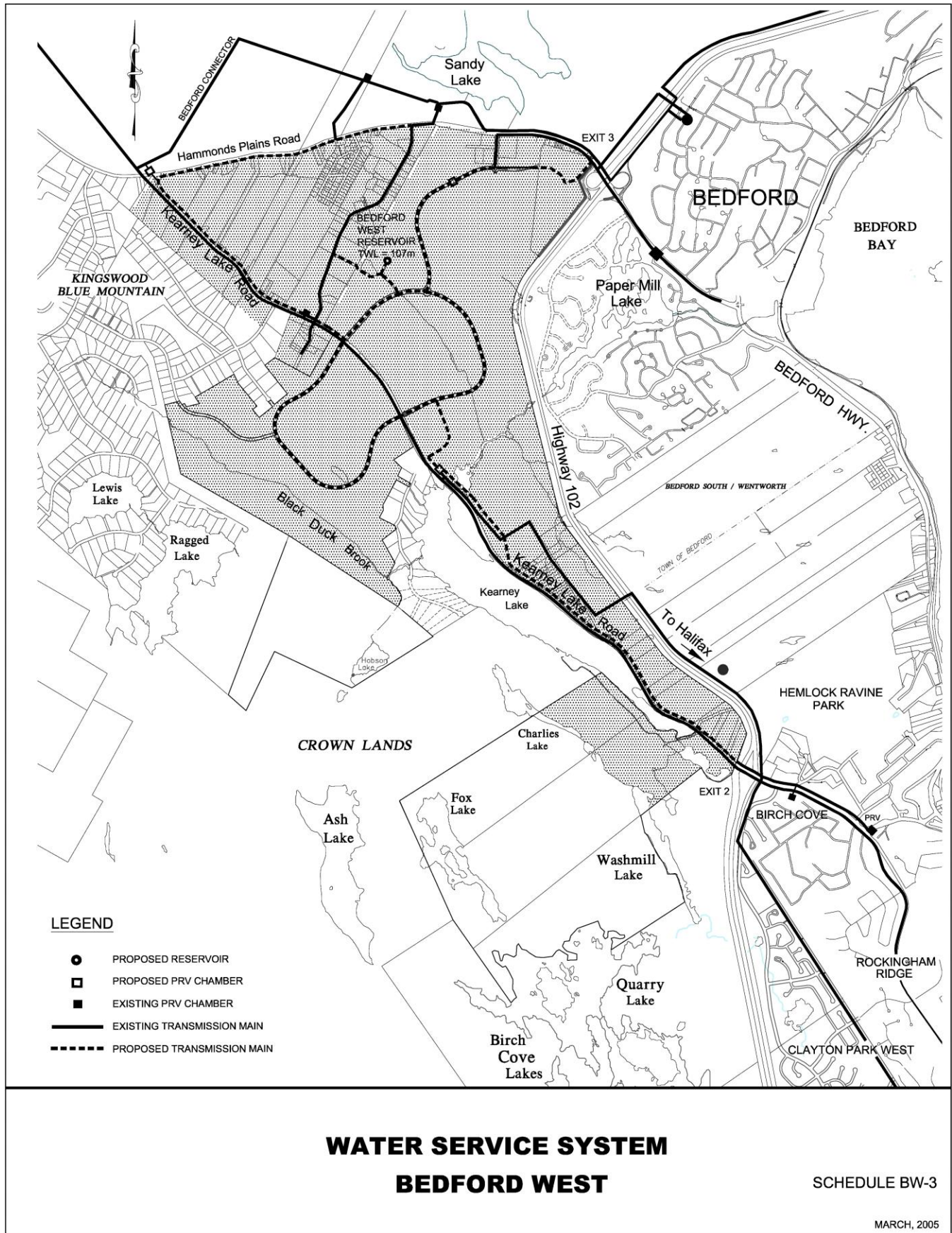


**PAPERMILL LAKE WATERSHED
BEDFORD WEST**

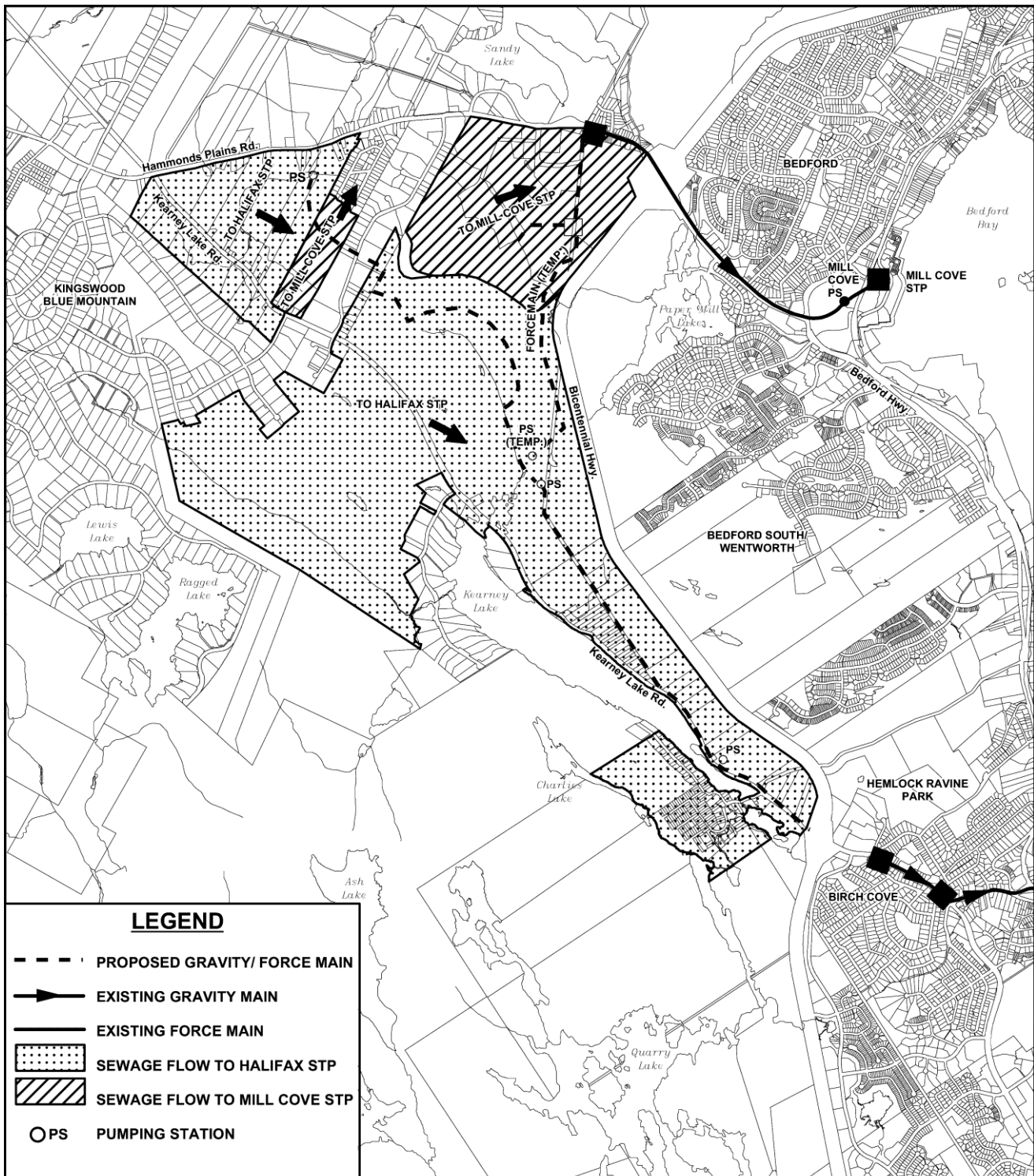
SCHEDULE BW-2

MARCH, 2005

Schedule BW-3: Water Service System



Schedule BW-4: Sanitary Sewer Servicing



Schedule BW-4
Sanitary Sewer Servicing Bedford West

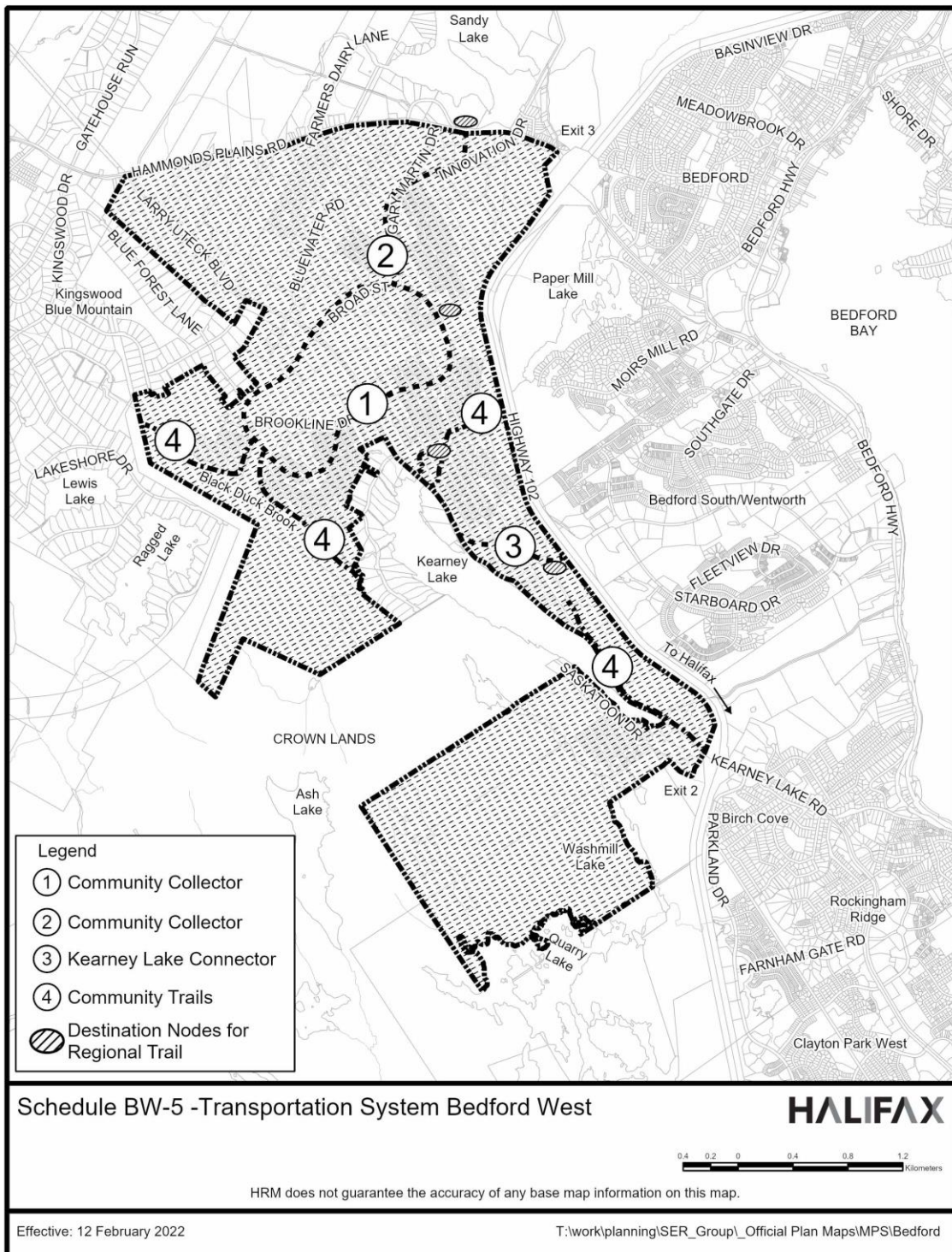
HALIFAX
REGIONAL MUNICIPALITY
Planning Services

Feb. 19, 2009

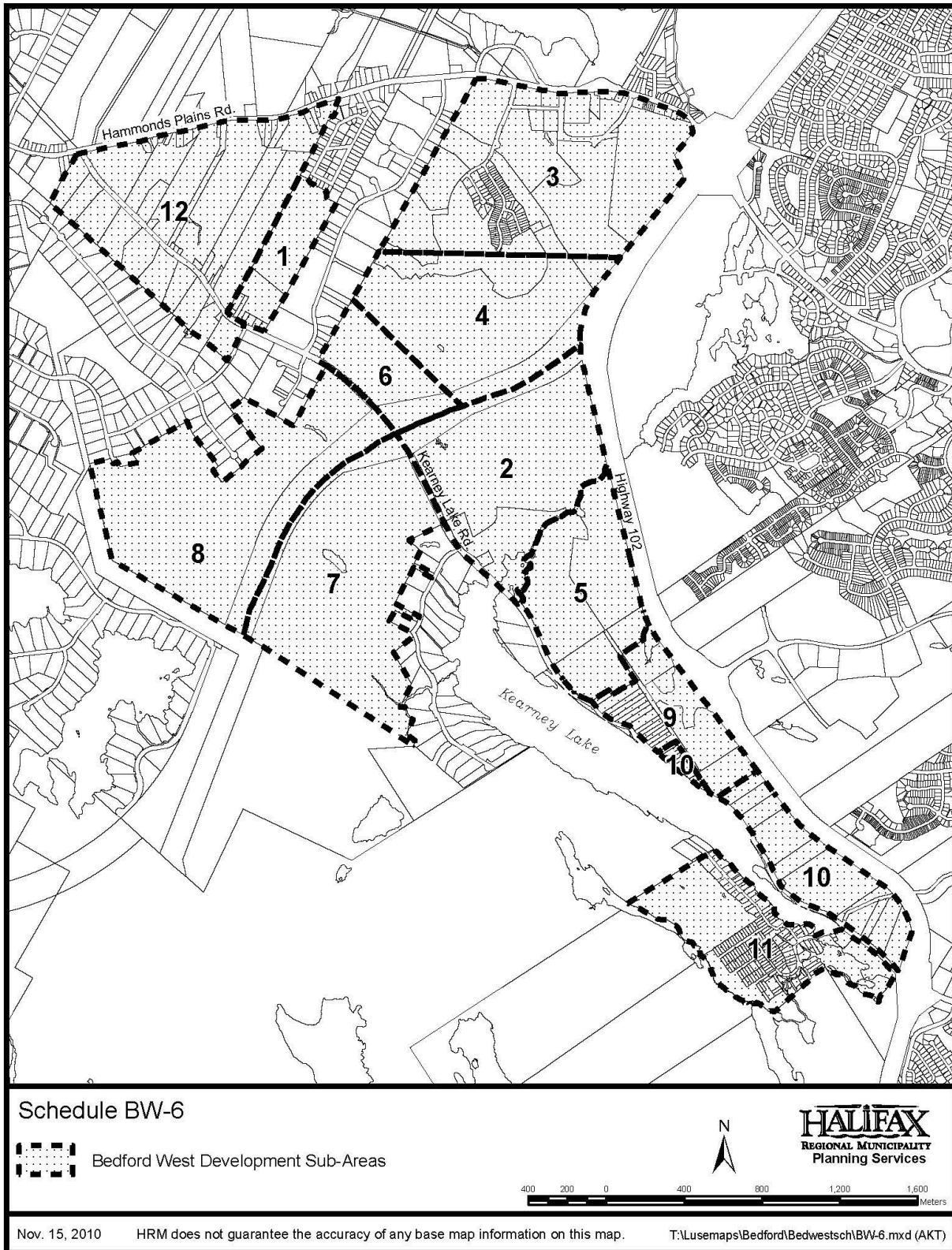
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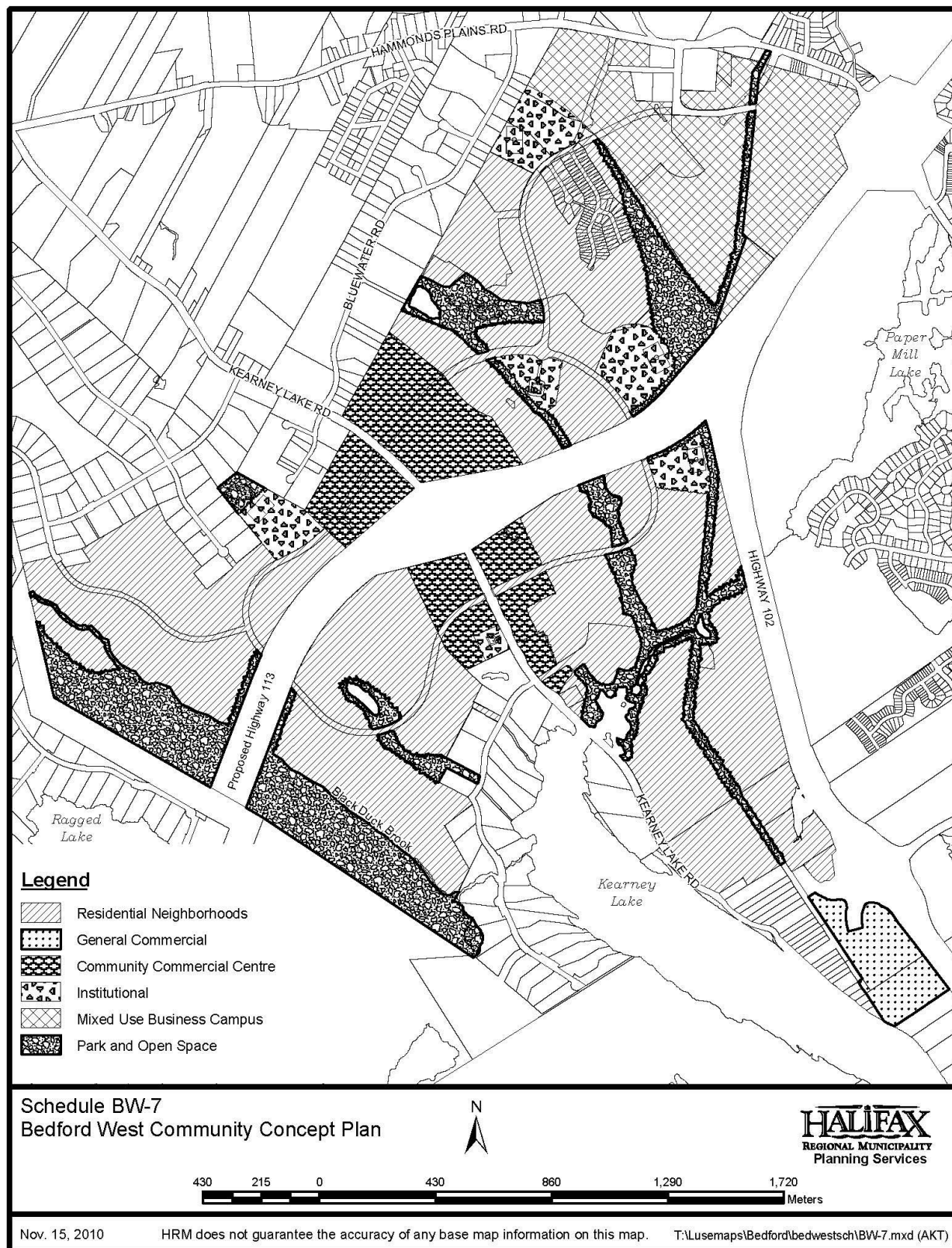
Schedule BW-5: Transportation System Bedford West (RC-Dec 14/21;E-Feb 12/22)



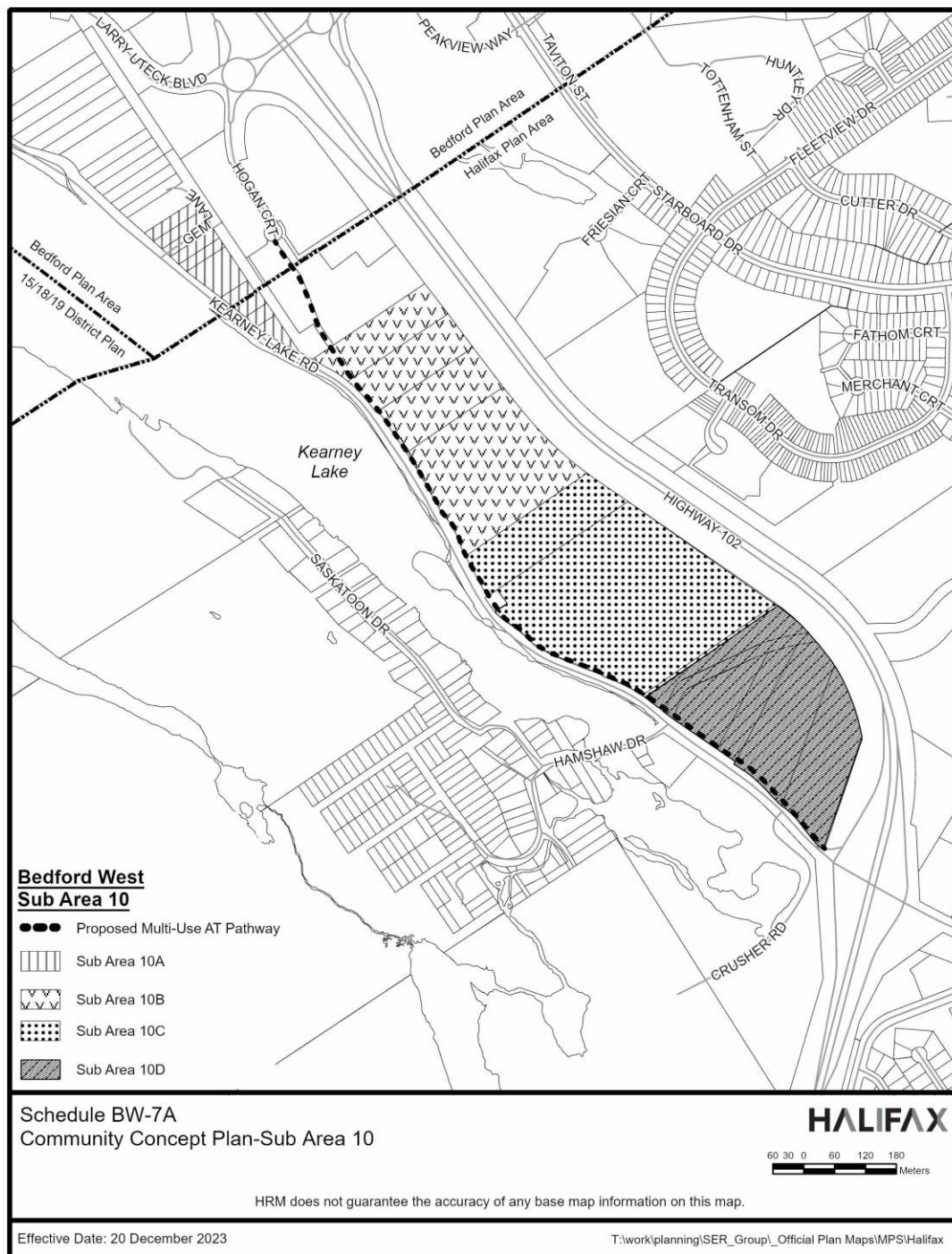
Schedule BW-6: Development Sub-Areas (RC-Mar 15/11; E-May 28/11)



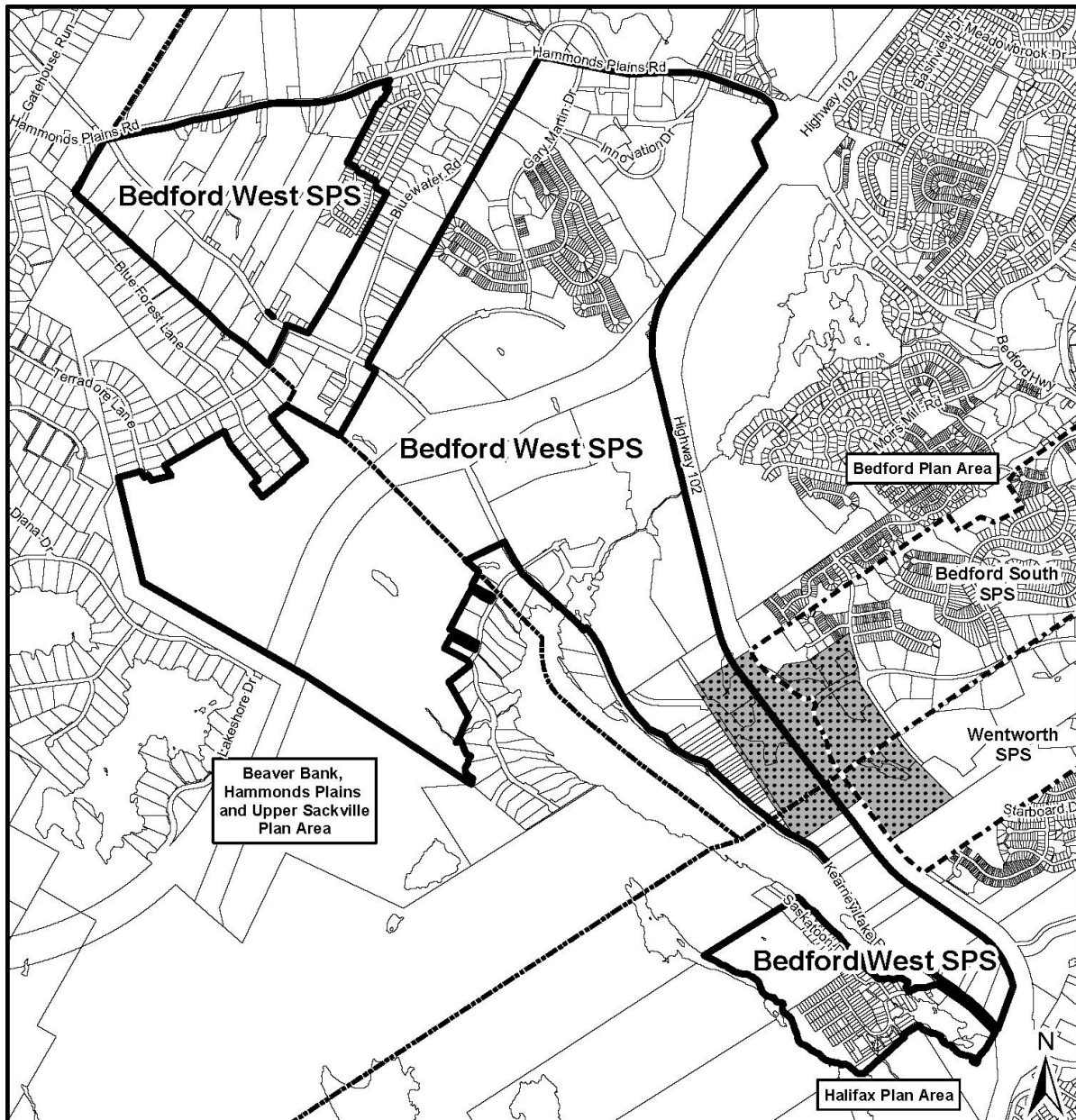
Schedule BW-7: Community Concept Plan (RC-Mar 15/11; E-May 28/11)



**Schedule BW-7A: Community Concept Plan (RC-Dec 14/21;E-Feb 12/22) (MAH-
Nov 21/23;E-Dec 20/23)**



Schedule BW-8: Larry Uteck Interchange Node (RC-Nov 18/14;E-Jan 10/15)



Schedule BW-8 - Larry Uteck Interchange Node

Bedford West Secondary Plan Area

HALIFAX

 Larry Uteck Interchange Node



 Community plan boundary

Bedford Plan Area
Halifax Plan Area

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

3 July 2014

Case 18514

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SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT - Repealed (RC-Sep 18/19;E-Nov 30/19)

IMPLEMENTATION POLICIES

GENERAL

1. The City of Halifax Municipal Development Plan provides the major framework to guide decision-making with respect to development in the City. This Plan shall be implemented through the powers of City Council under the Planning Act, the Halifax City Charter, and such other statutes as may apply.
2. The City shall follow and maintain a system of ongoing planning generally as detailed in Part III of this document.
- 2.1 (a) Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy 14.6”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS.

ZONING

3. Pursuant to the authority of Section 33 of the Planning Act, the City shall adopt the Zoning By-law, Mainland Area of the City of Halifax substantially as **it** presently exist to further the objectives and policies of this Plan, except **that by-law** shall first be revised according to the directions established by the detailed policies below (**RC – Oct 26/21; E – Nov 27/21**).

- 3.1 Repealed 6 June 1990

- 3.1.1 The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.

3.2, 3.2.1 and 3.2.1.1 – Repealed (RC-Sep 18/19;E-Nov 30/19)

- 3.2.2 Repealed.

- 3.2.3 Repealed.

3.2.4, 3.2.5, 3.2.6 and 3.2.7 - Repealed (RC-Sep 18/19;E-Nov 30/19)

- 3.3 For the residentially designated undeveloped areas of Mainland North, the City shall, pursuant to Section 38(2)(p) of the Planning Act, establish such development regulations as are necessary to implement the policies of this Plan.

- 3.3.1 Further to Policy 3.3 above, these areas shall be identified on the zoning map and within such areas no development permit shall be issued unless the proposed development has been approved by a resolution of Council, and further, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 3.3.2 Further to Policy 3.3.1 above, the purpose for which land within these areas is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types, shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and shall include provision for automobile, transit and pedestrian circulation and an emphasis on conservation of natural environment features including lakes and waterways, mature trees and natural topographic features. In addition to the above, City Council may consider provision for minor commercial uses in accordance with Policy 3.1.2 in Section II, provided that such uses are consistent with the policies of this Plan, are compatible in design form and function with comprehensively planned development and with development adjacent to a comprehensively planned development, and that such uses are located in such manner as to be in accord with Policy 2.4.1 of Section II, as the principles of said policy may apply to areas of vacant land.
- 3.3.3 The City shall prepare and adopt plans for major public facilities including the location of collector roadways, schools and major community open space in the residentially designated undeveloped areas of the City.
- 3.3.4 In entering into agreements pursuant to Policy 3.3.1 above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.
- 3.3.5 Prior to entering into any agreements pursuant to Policy 3.3.1, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.
- 3.4 Repealed 6 June 1990.
- 3.5 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.1 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.2 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.3 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.4 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.5 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.5.6 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.6 In accordance with Section II, Policy 2.1.4 the City shall establish a holding zone to be in effect at least until such time as the detailed area plan for Mainland South is adopted and approved as an amendment to this Plan.

- 3.6.1 Repealed.
- 3.7 It shall be the intention of the City, subject to further study, to draft a new zoning by-law which would more precisely reflect the intents of this Plan.
- 3.7.1 The City should from time to time review the zoning by-laws of the City to seek ways in which they may be brought into greater harmony with this Plan.
- 3.8 Repealed.
- 3.9 Pursuant to Section II, Policies 4.1, 4.5 and 7.4 and Section II, Map 9, the City shall establish a zone to be applied to these areas and within such zone the City shall permit only harbour-related industrial use and recreation use.
- 3.10 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**
- 3.10.1 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**
- 3.11 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**
- 3.11.1 **(Repealed: RC–Oct 26/21;E–Nov 27/21)**
- 3.12 **For areas designated as “industrial” or “commercial” excluding areas designated for detailed planning pursuant to Section II, Policy 2.5.2, and for which intensive development may have significant environmental or land use impacts, HRM may amend its Zoning By-law to provide for developments under Section 249 of the Halifax Regional Municipality Charter. (RC-Jun 16/09; E-Oct 24/09)**
- 3.13 **The HRM may, pursuant to the authority of Sections 249 and 251 of the Halifax Regional Municipality Charter permit amusement centres as defined in the Zoning By-law in shopping centres as established in Council’s judgement by Part II, Section II, Policy 3.1.4 and in major commercial areas determined by Council in their judgement or through detailed plans for individual areas, pursuant to Policy 3.1.3 of Part II, Section II. (RC-Jun 16/09; E-Oct 24/09)**
- 3.13.1 The City may, for greater clarity, specify the area within the Zoning By-law, the area(s) within which a development agreement pursuant to Policy 3.13 will be considered.
- 3.13.2 In making a determination pursuant to Policy 3.13, Council shall have regard for the Residential Environments Policies as, and if, they apply and the proximity of such proposed uses to residential areas, schools, and other community facilities.
- 3.14 Council may, by development agreement, permit a non-conforming use to be changed to another less intensive non-conforming use, or permit the structure in which such a use is located to be altered or expanded, provided that:
- a) the layout and design of the property shall be complementary to the fabric of the neighbourhood, and this shall be achieved through attention to a variety

of factors including, but not limited to, the following, on which Council shall specify conditions to be met in the development agreement:

- i) architectural design;
- ii) the size, location, and landscaping of courts, open spaces, and yards;
- iii) location of primary and secondary entrances to the building; and
- iv) size, location, and design of fences.
- b) vehicular activity, particularly parking and loading, shall be controlled so as not adversely to affect the neighbourhood in terms of traffic flow and nuisance;
- c) facilities for parking, loading, vehicular access, outdoor display, and outdoor storage shall be designed to avoid any adverse effects on adjacent properties and to ameliorate existing problems, through attention to factors including but not limited to:
 - i) location;
 - ii) surface treatment;
 - iii) storm drainage;
 - iv) access from the street; and
 - v) screening, buffering, and landscaping.
- d) except where specific benefits to the neighbourhood can be demonstrated, all additions to a building, all off-street parking and loading areas, and all outdoor display and storage areas shall be set back from the street line by the more restrictive of:
 - i) the minimum setback of the existing building; or
 - ii) the mean setback of the buildings on the adjacent properties on either side; or
 - iii) the minimum setback specified for the zone in which the use is located.
- e) except where specific benefits to the neighbourhood can be demonstrated, additions to the structures on the property shall not:
 - i) further encroach upon the minimum side and rear yards stipulated for the zone in which the property is located; or
 - ii) result in the total lot coverage or building height exceeding the maximum stipulated for the zone in which the property is located;
- f) any outdoor lighting or sign illumination shall be directed away from, or screened from, adjacent residential properties;
- g) no bulk refuse containers shall be visible from the street or from the immediate neighbourhood;
- h) no additional lot area shall be used for outdoor storage, and measures shall be taken to screen any outdoor storage areas from the street and immediate neighbourhood;
- i) with regard to on-site advertising for commercial or industrial uses:
 - i) where the property is located in a residential zone, no additional advertising surface area or illuminated signage shall be added; and
 - ii) in all other cases, such advertising shall not exceed the limits prescribed for the zone in which the property is located.
- j) in the case of commercial and industrial operations in residential zones, the following additional considerations shall also apply:
 - i) there shall be a demonstrable improvement to the neighbourhood;

- ii) existing conditions resulting in noise, dust, vibration, odour, and emissions shall be required to be ameliorated where these cause a nuisance or hazard; and
 - iii) operating hours shall be restricted to prevent nuisance.
 - k) No subdivision of the lot shall have occurred subsequent to the time of the adoption of this section.
- 3.15 Pursuant to the authority of the Planning Act, the Land Use By-law shall allow for the replacement of deteriorated portions of non-conforming structures or structures containing non-conforming uses. Such replacements shall not change the location nor increase the size or area of the existing encroachment or non-conformity nor result in any increase in the habitable volume of the structure.
- 3.16 Further to Policies 1.6, 2.3 and 3.3 of Section VII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.
- 3.16.1 In entering into agreements pursuant to Policy 3.16, Council shall be guided by the policies contained in Section VII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.17 Further to Policy 9.3 of Section VIII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.
- 3.17.1 In entering into agreements pursuant to Policy 3.17, Council shall be guided by the policies contained in Section VIII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.18 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.18.1 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.19 Further to Policy 8.3 of Section X of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.
- 3.19.1 In entering into agreements pursuant to Policy 3.19, Council shall be guided by the policies contained in Section X of this Plan and shall not enter into agreements which are inconsistent with the policies of this Plan.
- 3.20 In order to encourage the establishment of child care centres in a variety of locations to meet the varied needs of families, and to allow the consideration of the specific circumstances of an individual location, a child care centre which does not meet applicable land use bylaw regulations may be permitted by development agreement.
- 3.20.1 In considering approval of such development agreements, Council shall consider the following:

- a. for a child care centre located within a dwelling, alterations to the exterior of the building shall not be such that the building no longer appears to be residential in nature. This shall not prevent facilities for physically challenged children, or playground equipment to be erected on the property.
- b. the hours of operation shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are reduced.
- c. parking shall be required on the site of the child care centre to accommodate the employees of the centre. Parking areas should, where necessary, be visually buffered from any adjacent residential uses by the use of fences, screening and/or landscaping as appropriate.
- d. site design features, including landscaping, outdoor play space, parking areas and driveways shall be designed, sized and located to provide for the needs of the users of the facility, as well as to address potential impacts on adjacent residential uses.
- e. vehicular access to and egress from the child care centre and pedestrian movement shall be accommodated in a manner which encourages safety.
- f. signs for the child care centre shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses.
- g. centres shall not be located so as to produce a concentration within a particular neighbourhood. In addition, only one centre with a licensed capacity of more than 14 children shall be permitted on any cul-de-sac.
- h. all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section.

3.21 Pursuant to the authority of the Municipal Government Act, the Land Use By-law may be amended to allow for additions to structures containing non-conforming uses. Such amendment shall be based on:

- a. Limiting the application of the by law to townhouses, buildings
- b. containing no more than two dwelling units, buildings which contain a non-conforming use in addition to a townhouse or buildings which contain a non-conforming use in addition to no more than two dwelling units;
- c. Limiting the use of such addition to residential provided that no additional dwelling units are created;
- d. In order to prevent the uncontrolled expansion of non-conforming non-residential uses, prohibiting the use of such addition for any non-residential purpose; and
- e. Requiring that, the addition comply with the requirements of the zone in which the use is permitted.

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. (RC-Aug 9/22;E-Sep 15/22)

AMENDMENTS TO THE ZONING BY-LAW

4. When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.
 - 4.1 The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.
 - 4.2 The City shall review the proposal to determine that it is not premature or inappropriate by reason of:
 - i) the fiscal capacity of the City to absorb the costs relating to the development; and
 - ii) the adequacy of all services provided by the City to serve the development.
 - 4.3 More specifically, for those applications for amendments to the zoning bylaw in Mainland South as defined on Map 1, the City shall require an assessment of the proposal by staff with regard to this Plan and the adopted Land Development Distribution Strategy, and that such assessment include the potential impacts of the proposal on: (a) the sewer system (including the budgetary implications); (b) the water system; (c) the transportation system (including transit); (d) existing public schools; (e) existing recreation and community facilities; (f) the provision of police and fire protection services; and any other matter deemed advisable by Council prior to any final approval by City Council.
 - 4.4 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the minimum lot area and continuous street frontage provisions of the Peninsula and Mainland Zoning By-laws for R-3 and R-4 uses. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided:
 - (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
 - (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;
 - (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
 - (d) the modification is consistent with Section II of this Plan; and
 - (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.
 - 4.5 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the provisions of the Peninsula and Mainland Zoning By-laws for R-4 and R-3 uses relating to the five (5) foot height requirement for a part of a proposed building not containing any windows or doors serving habitable rooms. A decision of the Council of the City of Halifax to permit

such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided that:

- (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
- (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;
- (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
- (d) the modification is consistent with Section II of this Plan; and
- (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.

4.6 For any proposed development, the City may permit modification of the yard or lot area or width provisions of the Peninsula and Mainland Zoning By-laws under the authority of Section 33(2)(b) of the Planning Act. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary and such modification shall be granted provided that:

- (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
- (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;
- (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
- (d) the modification is consistent with Section II of this Plan; and
- (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.

4.7 Pursuant to Part II, Section II, Policy 3.6 of this Plan, the City shall establish a new zone to regulate "adult entertainment uses" in commercial areas.

4.7.1 In considering applications for rezoning to such a zone, the City shall have regard to the following matters:

- (a) such zone shall be permitted only within commercial areas designated in this Plan; and
- (b) the potential effect on the amenity, convenience, character and value of neighbouring properties; and
- (c) the potential effect on the commercial area as a whole in which the use is intended to be located; and
- (d) the potential effect on the viability of public or semi-public gathering places in relation to the contiguity of their location to such an intended use.

- 4.7.2 Where, in the opinion of the Council of the City of Halifax, adverse effects will result from a decision to rezone any property to the zone established pursuant to Policy 4.7 above, based on the considerations identified in Policy 4.7.1 above, such application to rezone shall be denied.

SUBDIVISION CONTROL

5. Repealed (RC-Sep 18/19;E-Nov 30/19)

- 5.1 The City may amend this Plan and the subdivision regulations as appropriate upon review and adoption of a planned unit development or similar process and regulations as called for by Section II, Policy 2.1.2 of this Plan. The City shall ensure that the subdivision regulations and the planned unit development regulations are complementary.
- 5.2 In areas designated industrial in the Bayers and Ragged Lake areas subdivision regulations shall be adopted which permit roadway and storm drainage standards and requirements that vary from those required elsewhere in the City. More specifically, there shall be no requirement for constructing sidewalks, piped street drainage and curb and gutter.

DEVELOPMENT OFFICER

6. In accordance with Section 43(1) of the Planning Act, the City shall appoint a Development Officer to administer the Zoning By-law, subdivision regulations and by-laws, and to grant development permits.

PLAN AMENDMENTS

7. An amendment to this Plan shall be required:
- i) to change, alter, amend, revise or delete any policy of Part II;
 - ii) to undertake a proposed zoning amendment or rezoning which would otherwise not conform to the Generalized Future Land Use Map (Map 9) or to the policies of this Plan if warranted by further planning study; and
 - iii) to incorporate detailed area or functional plans into this Plan.
8. Plan amendments shall require the approval of the Minister of Municipal Affairs and shall be carried out in accordance with the provisions of Sections 16 to 18 of the Planning Act.

PLAN REVIEW

9. The City shall review this Plan in accordance with Part III, Section II of this document, and shall submit desired amendments, if any, of this Plan to the Minister of Municipal Affairs for approval. In accordance with the provisions of Section 20 of the Planning Act, the City shall submit these review reports to the Minister of Municipal Affairs each five (5) years from the date of adoption of this Plan.

MUNICIPAL DEVELOPMENT PLAN AMENDMENTS IN CHRONOLOGICAL ORDER OF MINISTERIAL APPROVAL

<u>Amendment Number</u>	<u>Policies/Maps</u>	<u>Subject</u>	<u>Council Adoption</u>	<u>Ministerial Approval</u>
1.	Implementation Policy 3.2.1.1; Schedule I (additions)	Schedule N	28 Dec 78	17 Jan 79
2.	Section II, Policy 2.6; Implementation Policies 4.7, 4.7.1, 4.7.2 (additions)	Massage Parlours	15 Feb 79	08 Mar 79
3.	Section II, Policy 5.4 (repealed); Policies 5.1.1, 5.1.2, 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.3.1, 5.3.1.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.8, 5.4, 5.5, 5.6, 10.3.2 (additions) Section III, Policies 4.2.1, 4.2.2, 4.2.3 (repealed, amended, renumbered), Policy 4.2.4 (repealed); Section IV, Policies 3.1, 3.1.1, 3.1.2, 3.1.3 (repealed, amended, renumbered)	Heritage Resources	03 Jul 79	28 Aug 79
4.	Map 9 (amended)	Soft Area 16 (Strawberry Hill Area)	16 Aug 79	18 Sep 79
5.	Implementation Policy 3.3 (amended)	Soft Area 4	16 Aug 79	28 Sep 79
6.	Implementation Policy 4.7 (amended)	Adult Entertainment Uses	12 Jun 80	18 Aug 80
7.	Implementation Policy 3.3.2 (amended); Map 9 (amended)	Comprehensive Development Districts	11 Dec 80	07 Apr 81
8.	Addition of Section V; Introduction (amended); Section II, Policies 1.5.2 (amended); 12.2.1 (addition); Implementation Policies 3.2.1, Schedule I (amended), 3.10, 3.10.1 (additions); Maps 3, 5, 6, 7, and 9 (amended); Section V, Map 2 (South End GFLUM) (addition)	South End Area Plan	16 Jul 81	13 Jan 83
9.	Addition of Section VI; Introduction (amended); Section II, Policy 1.5.2, Implementation Policy 3.2.1 (amended); 3.11, 3.11.1 (additions); Maps 3, 5, 6, 7, and 9 (amended); Section VI, Map 2 (Peninsula Centre GFLUM) (addition)	Peninsula Centre Area Plan	16 Jul 81	13 Jan 83
10.	Section II, Policies 2.7, 3.6 (additions); Policy 3.2 (amended); Implementation Policy 3.10 (addition); Map 9 (amended)	Soft Areas 17 & 18	15 Jul 82	24 Mar 83
11.	Section III, Area Definition, Policy 1.3.3 (amended); Maps 9, 10, 11, 13, 14 (amended); Section IV, Policy 2.2.2, Policy 5.5 (repealed)	CBD Boundary	17 Feb 83	08 Apr 83
12.	Section II, Policy 2.7 (addition); Implementation Policies 3.10, 3.10.1, 3.10.2 (additions)	Amusement Centres	27 Jan 83	12 Apr 83
13.	Section VI, Policy 3.4 (addition)	1350 Oxford Street (Case No. 4319)	28 Apr 83	25 May 83

14.	Section II, Policy 1.1.5 (addition); Implementation Policy 3.6.1 (addition); Maps 1 to 9 (amended)	Annexed Lands	28 Jul 83	11 Dec 84
15.	Addition of Section VIII; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.15, 3.15.1 (additions); Maps 3, 5, 6, 7 (amended); Section VIII, Maps 1a - 1c (Bedford Highway GFLUM) (additions)	Bedford Highway Area Plan	14 Mar 85	28 May 85
16.	Addition of Section VII; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policy 3.2.3 (repealed); Policies 3.2.4, 3.2.5 (amended); Policies 3.14, 3.14.1 (additions); Maps 3, 5, 6, 9, (amended); Section VII, Map (Fairview GFLUM) (addition)	Fairview Area Plan	31 Jan 85	05 Jul 85
17.	Section VI, Policy 8.1.4 (addition); Implementation Policy 3.11 (amended); Section VI, Map 2 (Peninsula Center GFLUM) (amended)	Spring Garden Rd./Summer Street	25 Jul 85	29 Aug 85
18.	Implementation Policy 3.14 (addition)	Non-Conforming Buildings	16 May 85	08 Nov 85
19.	Section II, Policies 5.3 to 5.6 (renumber); Policies 5.3, 5.3.1, 5.3.2, 5.3.3 (additions); Section III, Policy 7.3 (repealed); Policies 7.3, 7.3.1 (additions); Section III, Map 12a (addition)	Building Heights in area of Citadel	25 Apr 85	14 Apr 86
20.	Section II, Heritage Resources Definitions (additions); Policies 5.1, 5.1.1, 5.1.2, 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.3, 5.3.1, 5.3.1.1, 5.3.2, 5.3.3, 5.4.2, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.8, 5.4, 5.5, 5.6 (amended, repealed, renumbered, additions); Section III, Policies 4.2, 4.2.1, 4.2.2, 4.2.3, 4.3 (repealed, additions) Schedules III.2 & III.3 of Section III (repealed); Section IV, Definition of Terms, Objective 3, Policies 3.1, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 3.2.1.1, 3.3, Schedule IV.1 (repealed, amended, additions); Section V, Policies 5.1, 5.1.1 (amended); Section VI, Policies 6.1, 6.1.1 (amended); Map 15 (repealed)	Heritage Property Act	27 Feb 86	06 Jun 86
21.	Addition of Section XII; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policy 3.2.1 (amended); Maps 3, 5, 6, 7, 9 (amended); Section XII, Map 2 (Quinpool Road GFLUM) (addition)	Quinpool Road Commercial Area Plan	31 Jul 86	22 Dec 86
22.	Section VI, Policy 2.4 (amended) Policies 8.3.3, 8.3.4, 8.3.5, 8.3.6, 8.3.7, Schedule VI.1 (additions); Implementation Policy 3.11 (amended) Street)	Peninsula Centre (north side of Pepperell Street)	31 Jul 86	22 Dec 86
23.	Addition of Section IX; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policy 3.2.1 (amended) Policies 3.16, 3.16.1 (additions); Maps 3, 5, 9 (amended); Section IX, Map 1 (Spring Garden	Spring Garden Road Area Plan	15 May 86	06 Jan 87

	Road GFLUM) (addition)			
24.	Section V, Policy 1.4.3.2 (repealed)	Residential- Commercial Mix Designation	28 Jun 84	03 Feb 87
25.	Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.15, 3.15.1 (additions); Maps 3, 5, 6, 7, 9 (amended)	Bedford Highway Area Plan (incorporation amendments)	14 Mar 85	02 Mar 87
26.	Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.2.3 (repealed); 3.2.4, 3.2.5 (amended); 3.14 (addition); Maps 3, 5, 6, 9 (amended)	Fairview Area Plan (incorporation amendments)	31 Jan 85	02 Mar 87
27.	Section II, Policies 6.2.2, 6.2.2.1 (additions)	Community Facilities	28 Jun 84	13 Apr 87
28.	Section V, Policies 7.5.5, 7.6.1 (additions); Implementation Policy 3.10 (amended); Section V, Map 2 (South End GFLUM) (amended)	5561-65 and 5560-62 Morris St.	15 Jan 87	22 Apr 87
29.	Section I, Overall Objectives (amended); Section II, Policy Set 1 (renumbered); Policy Set 1 (addition); Policy Sets 2 to 12 (renumbered); Policies 2.1.3, 2.1.4, 2.5.2, 2.5.5, 2.5.6, 3.1.1, 3.3, 3.4, 3.5, 3.5.1, 3.5.2, 3.7, 4.1.1, 4.1, 4.2, 4.2.1, 4.5, 4.6, 5.2, 5.2.1, 5.3, 7.7, 7.8 to 7.14, 8.1, Review 8.3, 9.2.2, 9.6.8, 11.2, 11.3, 11.4, Committees 13.2.1 (amended, repealed, renumbered, additions); Section III, Context, Policies 1.1.3, 1.3 to 1.3.4, 1.4 to 1.5.1, 2.2.1, 3.1, 3.3, 3.3.2, 7.5.1 (amended, repealed, renumbered); Section IV, Context (amended); Section V, Content, Policies 2.2, 5.1 (amended); Section VI, Context, Policies 2.2, 2.3, 6.1 (amended); Section VII, Policy 2.2 (amended); Section VIII, Policies 5.1.1, 6.2 (amended); Section IX, Context, Policies 1.1, 2.5 (amended); Section XII, Policy 2.1 (amended); Implementation Policies 3.1, 3.1.1, 3.2, 3.2.1, 3.2.2, 3.3, 3.3.2, 3.3.3, 3.3.4, 3.4, 3.6, 3.6.1, 3.8, 3.9, 3.12, 3.13, 4.7, 5.1 (amended, repealed, renumbered, addition); Maps 1, 3, 4, 5, 6, 7, 9 (amended, repealed)	Residential Environments and Economic Development Subcommittees of Municipal Development	13 Nov 86	06 May 87
30.	Addition of Section X; Introduction (amended); Section II, Policies 2.5.2, 3.2.2, 3.2.4, 3.2.5, 3.6, 3.17, 3.17.1 (amended, repealed, additions); Maps 3, 9 (amended)	Mainland South Area Plan	28 May 87	29 Jun 87
31.	Section II, Map 9 (amended)	Lady Hammond Road Area (Bridge Commission Lands)	30 Apr 87	30 Jun 87
32.	Section II, Policies 3.7, 4.6 (amended); Map 9 (amended)	Commercial/ Industrial Policy Sets and redesignation of lands at Kearney Lake	16 Jul 87	9 Oct 87

		Road and Bicentennial Drive (Case No. 5085)		
33.	Map 4 (Mainland South) (amended)	26 Alton Drive (Case No. 5362)	11 Feb 88	25 Jul 88
34.	Section VI, Policy 2.1 (amended)	Neighbourhood Commercial (Case No. 5068)	25 Feb 88	31 Aug 88
35.	Map 9 (amended)	Lacewood and Dunbrack (Case No. 5614)	29 Jun 88	17 Oct 88
36.	Section II, Map 9 (amended); Section VIII, Map 1 (amended)	Bedford Highway Properties (Case No. 5544)	15 Sep 88	25 Jan 89
37.	Section V, Policy 5.1.1 (repealed); Section II, Policy 6.8 (addition)	Heritage Property Amendments (Case No. 5735)	13 Oct 88	13 Feb 89
38.	Section V, Policies 7.6.2, 7.6.3 (additions)	Permit Offices of Non-Profit Organization of a Medical Nature on South Street (Case No. 5221)	04 Jan 89	10 Mar 89
39.	Section X, Policies 2.2.3, 2.2.4 (additions)	Specialty Automobile Shops (Case No. 5750)	27 Apr 89	29 Jun 89
40.	Section X, Map 4 (amended); Map 9 (amended)	Community Park Graves-Oakley and Tremont Plateau Parks (Case No. 5783)	06 Sep 89	05 Oct 89
41.	Section V, Policies 1.2, 2.4 (amended); Section VI, Policy 2.2.2 (amended); Section X, Policy 2.4 (amended); Section XII, Policy 2.3 (repealed); Implementation Policy 10 (repealed)	Implementation Policy 10 (Case No. 5529)	06 Sep 89	12 Oct 89
42.	Section II, Policies 2.1.5, 4.3.1, 4.4 (amended); Implementation Policies 3.6.1 (repealed); 5.2 (addition); Maps 1, 4, 9 (amended)	West Side Bicentennial Drive at Bayers Lake Interchange (Case No. 5751)	23 Aug 89	26 Oct 89
43.	Section VII, Policies 1.3, 1.3.1, 1.3.2 (repealed and replaced)	Ability to rezone greater than 4 units (Case No. 5780)	17 Jan 90	15 Feb 90
44.	Section V, addition of Policy 7.4.1 to District IV Policy Set	South Bland area (Case No. 5829)	11 Apr 90	17 May 90
45.	Section II, Policies 2.4.2, 2.5.4, Maps 2, and 4 (repealed); Map 9 (amended), Implementation Policies 3.1 and 3.4 (repealed) and 3.3 (amended)	Chebucto/Beech Area and Soft Areas (Case No. 5822)	29 Mar 90	06 Jun 90
46.	Section VI, Policy 8.2.1 (amended); Map 2 (amended)	Former Police Club (Case No.	26 Apr 90	12 Jul 90

		5930)		
47.	Section VI, Policies 8.3.4, 8.3.5, 8.3.6, Schedule VI.I (repealed); Implementation Policy 3.11 (amended)	Pepperell Street Parking Lots (Case No. 6081)	26 Jul 90	07 Sep 90
48.	Section X, Map 4 (GFLUM) (amended)	Sobey's - Herring Cove at Spry Avenue (Case No. 5944)	13 Dec 90	25 Feb 91
49.	Section VII, Policy 1.3.3 (addition)	12 & 14 Vimy Avenue (Case No. 6033)	17 Jan 91	27 Mar 91
50.	Section IX, Policy 1.2 (addition)	Lounges in association with restaurants (Case 6198)	30 May 91	4 July 91
51.	Section II, Policy 4.3.2 (addition)	Outdoor Storage (Case 5505)	30 Jan 92	26 Mar 92
52.	Section X, Subsection 6 of Schedule I (amended)	Stanley Park (Case 6285)	16 Jan 92	26 Mar 92
53.	Section V, Policy 2.6 (new) Section VII, Policy 2.3 (new) and 2.3.1 (repealed); and Implementation Policy Set, Policy 3.14 (new) and Policies 3.14 to 3.17.1 (renumbered)	Nonconforming Uses (Case 6272)	30 Jan 92	2 Apr 92
54.	Section V, Policy 7.1.2 (new)	Oakland Road between Robie Street and Beaufort Avenue (Case 6370)	14 May 92	24 June 92
55.	Section VII, Policy 1.7 and 1.7.1 (new)	Former Titus Smith School (Case 6451)	30 Jul 92	29 Oct 92
56.	Section II, Policies 3.3, 3.3.1, 3.3.2, 3.3.2.1, 3.3.2.2, 3.3.3, 3.3.3.1, 3.3.3.2, 3.3.4 (new), Map 9 (GFLUM) (amended).	Business Campus (Case 6505)	1 Oct 92	2 Dec 92
57.	Section II, addition of Policies 2.10 and 2.11 (Case 6012)	Front Yard Parking	12 Nov 92	15 Feb 93
58.	Map 9 (GFLUM) (amended)	Bayers Lake Area (Case 6545)	11 Feb 93	22 Mar 93
59.	Amendment to Generalized Future Land Use Map for Bedford Highway	Dakin Drive Area (Case 6585)	16 Feb 93	31 Mar 93
60.	Addition of Section XI and Generalized Future Land Use Map 9Ga, addition of Policies 2.5.2.1, 2.4.2, 2.4.2.1 and 3.9 of Section II; repeal and replacement of Implementation Policy 3.2.1.1 and Schedule I; and Map 9 (GFLUM) amended.	Peninsula North Area 1 (Case 6011)	25 Feb 93	13 Apr 93
61.	Amendment to Schedule I of Section X	Mainland South Commercial Development in Residential Development Districts (Case 6564)	25 Feb 93	13 Apr 93

62.	Addition of Policy 1.3.4 to Section VII (Fairview)	9 and 11 Alma Crescent (Case 6638)	25 Mar 93	28 May 93
63.	Addition of Policies 1.2, 1.2.1, 1.2.2, 1.3.2, 1.4.4, 1.4.5, 2.3, 2.3.1, 2.3.2, 2.3.3 and 3.3 and Generalized Future Land Use Map 9Gb to Section XI; and Map 9 (GFLUM) amended.	Peninsula North Area 2 (Case 6714)	3 Jun 93	24 Jun 93
64.	Addition of Policies 1.6 and 2.2.2 and Generalized Future Land Use Map 9Gc to Section XI; and Map 9 (GFLUM) amended.	Peninsula North Area 3 (Case 6715)	3 Jun 93	5 Jul 93
65.	Addition of Policy 2.12 to Section II	Private Roads (Case 6463)	13 May 93	19 Aug 93
66.	Addition of Policy Set 7 <u>Canadian Forces Base Stadacona</u> ; Amendment to Map 1 "Boundary"; addition of Generalized Future Land Use Map 9Gd of Section XI and Map 9 (GFLUM) of Section II.	Peninsula North Area 4 (Case 6716)	30 Sep 93	25 Oct 93
67.	Addition of Policy 2.1.6 to Section II.	Development of Land Adjacent to Kearney Lake (Case 6698)	28 Oct 93	18 Jan 94
68.	Replacement of Implementation Policy 3.15.	Additions and Changes to Non-conforming Structures and Uses (Case 6536)	28 Oct 93	18 Jan 94
69.	Amendment to the GFLUM and addition of Policy 2.4 to Section VII.	3763-71 Dutch Village Road (Case 6431)	16 Dec 93	7 Feb 94
70.	Addition of Policy 8.4 to Section XI (Peninsula North)	Ability to consider amendments to development agreement at 2571 Windsor St. (Case 6770)	3 Mar 94	31 Mar 94
71.	Addition of Policies 1.5.3, 1.5.3.1, 1.5.3.2, 1.5.3.3 and 1.5.3.4 and Map 1 of Schedule I to Section X (Mainland South)	Melville Ridge (Case 6738)	30 Mar 94	16 Jun 94
72.	Addition of Policies 1.3.3, 1.3.3.1, 2.4 and addition of Section 8 and Policy 8.1; Amendment to Map 1 "Boundary"; addition of Generalized Future Land Use Map 9Ge of Section XI and Map 9 (GFLUM) amended	Peninsula North Area 5 (Case 6717)	12 May 94	22 Jun 94
73.	Addition of Policies 1.8 and 1.8.1 to Section VII	35 Coronation Avenue (Case 6670)	26 May 94	25 Jul 94
74.	Amendment to Mainland South Generalized Future Land Use Map	75 and 75A Herring Cove Road (Case 6870)	17 Aug 94	1 Sep 94

75.	Amendment to Mainland South Generalized Future Land Use Map	132 Purcell's Cove Road (Case 6957)	17 Aug 94	1 Sep 94
76.	Amendment to Fairview Generalized Future Land Use Map	Lot B-1 (Evans Avenue) Former Titus Smith School Site	17 Aug 94	1 Sep 94
77.	Amendment to Peninsula North Area 5 Generalized Future Land Use Map	Peninsula North Area 5	12 Jan 95	6 Feb 95
78.	Addition of Policies 1.1.4, 1.3.4, 1.3.4.1, 1.3.5, 1.4.6 and addition of Section 9 Heritage Resources. Amendment to Map 1 - "Boundary" Addition of GFLUM Map 96g of Section XI and Map 9 (GFLUM) of Section II amended	Peninsula North Area 7 (Case 6719)	30 March 95	20 April 95
79.	Section IX, Amendments to area definition; replacement of policies 1.2 (ii),(iii); amendments to policy 1.2, 1.4, 1.5.1, 2.2, 2.4 2.5.1, Map 3, and Map 9E, 5.2 (repealed)	Spring Garden Road Area (Case 6663)	30 March 95	27 April 95
80.	Addition of Policies 1.3.6, 1.3.7, 1.3.8, 1.4.7, 2.2.3, 2.5, amendment to Map 1 - "Boundary" Addition of GFLUM - Maps 9Gf (north) and 9Gf (south) of Section XI and Map 9 (GFLUM) of Section II amended	Peninsula North Area 6 (Case 6718)	11 May 95	23 June 95
81.	Amendment to Map 9B Area	Peninsula Centre (Case 7066)	27 July 95	5 Sept. 95
82.	Amendment to Map 9	Kearney Lake Rd. at Bicentennial Drive (Case 6579)	19 July 95	5 Sept. 95
83.	Section X, Amendments to policies 2.1, 2.2, 2.3, 2.4; Map 4	South Centre Mall (Case 7157)	19 July 95	5 Sept. 95
84.	Section II, Addition of policies 4.1.1.1, 4.1.1.2	Development Agreements in C-5 Zone (Case 7006)	27 July 95	6 Sept. 95
85.	Section II, Addition of policy 2.13, amendment to Maps 9, 9Da, 9Db, 9Dc, 9Dd, 9De	Bedford Highway Plan (Case 6882)	20 Sept 95	11 Oct 95
86.	Section V, Map 9A	1079 Queen Street/ 5459-73 Victoria Road (Case 7084)	26 Oct 95	6 Dec 95
87.	Section VI, Map 9b	West Side of Oxford Street between Norwood Street and Coburg Road	20 Mar 96	29 Mar 96
88.	Section V, Map 9a, and Section X, Map 9f	Housekeeping Amendments (Case 7175)	20 Mar 96	29 Mar 96
89.	Section X, addition of Policies 1.5.4, 1.5.5 and Map 2 of Schedule I	Regatta Point (Case 7065)	28 Mar 96	29 Mar 96
90.	Amendment to Peninsula North Area 2 Generalized Future Land Use Map	Halifax Forum (Case 7271)	20 Mar 96	23 Apr 96

91.	Section II, addition of Policy 2.4.3	Inns in Residential Neighbourhoods	13 May 96	19 Jun 96
92.	Section II, addition of Policies 3.1.2.1., and 3.1.2.2. Amendment to Generalized Future Land Use Map for 5651 Kaye Street	Service Stations and Kaye Street	10 Feb. 97	1 Apr. 97
93.	Section II, amendment of Policy 2.4.2 and addition of IMP Policies 3.20, 3.20.1.	Dev. Agreements for Child Care Centres	15 July 97	12 Aug.
94.	Section II, addition of Policy 2.14 and 2.14.1.	St. Andrews. Dev.Ag	17 June 97	12 Aug.
95.	Section V, Map 1, Map 9a, addition of Policy 3.2.1 and amendment to 7.8.3	Barrington/Inglis	21 Oct. 97	4 Dec. 97
96.	Section XI, Policy 1.4.5 (repealed); Section 2.2 (amended); Section 2.2.4 (addition); Peninsula North Amendment Generalized Future Land Use Map 9Gb	2614/16 & 2618/20 Windsor Street Case 7424	20 Jan. 98	19 Mar. 98
97.	Section XI, Policy 9.7, 9.7.1, 9.7.2, (addition); Peninsula North Amendment to Generalized Future Land Use Map 9Gg; Peninsula North Amendment to Brunswick Street Heritage Area Map 3	Peninsula North Area 7 (Case 7437)	14 April 98	23 June 98
98.	Section X, Policy 1.5.3, (amended); Addition of Policies 1.5.3.1.1; 1.5.3.5; 1.5.3.5.1; 1.5.3.5.2; 1.5.3.5.3; 1.5.6.4	Lot 4 Ramsgate Lane (Case 7504)	30 June 98	5 Aug. 98
99.	Section II, Policy 2.5.2 (amended); Policy 2.5.2.1 (Deleted); Map 3 and Map 9 (amended); Section XI, Map 1 (amended); Map 9GH (added) Policy 1.3.4, 1.3.7, 1.3.8 (Amended); Addition of Policies 1.4.8, 1.4.9, 1.4.10, 2.6, 2.6.1, 2.7, 2.8, 2.8.1, 2.8.2, 2.9, 2.10, 2.11, 2.11.1, 2.12, 2.13, 2.14, 2.14.1, 2.14.2, 2.15, 2.15.1	Peninsula North Area 8 (Case 6720)	22 June 99	18 Sept. 99
100.	Section II, Part II, Addition of Policy 1.8, Policy 3.1.2 (amended)	Billboards (Case 00151)	22 Sept 99	4 Dec 99
101.	Section II, Policy 3.3, 3.3.1, 3.3.2, 3.3.2.1, 3.3.2.2, 3.3.3, 3.4 (amended)	Commercial Facilities (Case 00122)	13 Dec 99	8Jan 00
102.	Section XI, Policy 1.4.8 (amended); Generalized Future Land Use Map (Map Gh) (amended)	Peninsula North Area 8 (Case 00220)	4 July 00	22 July 00
103.	Addition of Section XIII and Schedule IV; Addition of Map 1:Area Plan Boundary and Map 9I:Western Common Conceptual Land Use Plan; Map 9 (GFLUM) amended	Western Common Master Plan (Project 00112)	4 July 00	5 Aug 00
104.	Section V, Policy 7.4.2 (addition); Section V, Policy 7.4.1 (amended); Amendment to Map 9A and Map ZM-1	Atlantic/Brussels/ McLean Streets (Case 00212)	24 Oct 00	20 Dec 00
105.	Section IX, Policy 1.1.5 (amended); Map 9E of Section IX (amended)	Parking - Spring Garden Road Area; redesignation - 1469 Birmingham Street (Case 00197)	17 Apr 01	2 Jun 01
106.	Implementation Policy 3.21 (added)	Non-Conforming Uses (Case 7350)	1 May 01	9 June 01
107.	Section II, Policy 2.15 (addition); Implementation Policy 3.2.2 (addition)	Petro Canada Lands (Case 00213)	17 July 01	15 Sept 01
108.	Section XI, Policy 1.7 (addition); Section XI, Policy 1.7.1 (addition)	Robie/West/Cunard Streets (Case 00318)	9 Oct 01	3 Nov 01

109.	Section V, Policy 7.6.4 & 7.6.4.1 (addition); Map 9a (amended)	5515/17/19 & 5523 Inglis St (Case 00123)	6 Nov 01	1 Dec 01
110.	Table of Contents (amended); Part II (addition); Implementation Policies (amended)	Capital Cost (00423)	2 July 02	17 Aug 02
111.	Section II, Part XIV (addition)	The Wentworth Secondary Planning Strategy (Case 00086)	9 July 02	28 Aug 02
112.	Section II, Part XIII (addition); Table of Contents (amended); Policies (amended)	Construction and Demolition (Case 00082)	10 Sept 02	9 Nov 02
113.	Section V, Policy 7.7.4 (addition); Section V, Policy 7.7.5 (addition)	1252-56 Hollis Street (Case 00455)	11 Feb 03	22 March 03
114.	Section II, Policy 2.16 & 2.16.1 (addition)	7,9,11 & 13 Springvale Avenue (Case 00435)	20 May 03	14 June 03
115.	Map 9 (GLUM) amended	Connolly & Chester (Case 00540)	20 May 03	21 June 03
116.	Section VI, Policy 3.5 & 3.5.1 (addition)	1270 Oxford Street (Case 00461)	27 May 03	21 June 03
117.	Section V, Policy 7.6.5 & 7.6.5.1 (addition)	5251 South Street (Case 00494)	26 Aug 03	6 Sept 03
118.	Section X, Policy 1.2.3 & 1.2.3.1 (addition)	Kelly Street (Case 00062)	17 June 03	25 Oct 03
119.	Section VI, Policy 1.5.5 & 1.5.5.1	6038-40 Cedar St. (Case 00594)	21 Oct 03	15 Nov 03
120.	Section V, Policy 7.5.6 & 7.5.7 (Addition); South End GFLUM (amended)	TowerRoad/ University Avenue	16 Dec 03	24 Jan 04
121.	Section II, Policy 15 (addition) Map 8a (addition)	Interim Growth Management (Case 00664)	13 April 04	22 April 04
122.	Section II, Generalized Future Land Use Map (amended)	Western Common (Case 00562)	04 May 04	19 June 04
123.	Section XI, Map 9Gf north (amended); Policy 1.8, 1.8.1 & 1.8.2 (addition)	Peninsula North (Case 00628)	13 July 04	7 August 04
124.	Section V, Policy 7.6.6, 7.6.6.1 & 7.6.6.2 (addition)	South End Area Plan (Case 00614)	13 July 04	7 August 04
125.	Section V, Policy 1.1.1.3 (repealed); Policy 1.4, 1.4.2, 1.4.3, 2.3, 4.3, 4.4 & 4.5 (amended); Map 2-1 to 2-8 inclusive (addition); Policy 7.0 to 7.0.5 (addition); Policy 7.2.2.1 (amended); Policy 7.2.5.1 (amended); Policy 7.5.3 (amended); Policy 7.5.4.1 (amended); Policy 7.8.2 (amended); Policy 9.1 (amended)	South End Height Precincts (Case 00572)	09 Nov 04	18 Dec 04
126.	Section X, Policy 1.2.4 (addition); Map 9 (amended)	Williams Lake Road (Case 00143)	21 June 05	6 Aug 05
127.	Section VI, Policy 8.2.1.3 & 8.2.1.3.1 (addition)	Peninsula Centre Area Plan (Case 00733)	28 June 05	6 Aug 05
128.	Section XIV - Policy RN-3 (addition); Schedule I: Community Concept Plan (amended)	Wentworth (Case 00738)	5 July 05	9 Aug 05
129.	Inserted Section XV and GFLUM revised regarding Bedford West.	Bedford West (Case 00382)	20 June 06	29 July 06

130.	Amendments to Section XII, Part II, by adding Policies 2.8 and 2.81 Amendments to Section XI by adding Policy 1.84	6273 Quinpool Road (Case 00839) Creighton & Buddy Daye Streets	August 1/06 August 1/06	Aug 12/06 Aug 12/06
	Deleting Interim Growth Management, including Map 8a; Adding section following Area Definition in Section IX	Regional Plan	June 27/06	Aug 26/06
131.	Adding “Temporary signage” section to Section II	Project 00327	Sept 26/06	Nov 18/06
132.	Added Policy 2.16&2.16.1 to Section X1	Case 00895 2594 Agricola St	June 12/07	Jun 23/07
133.	Amend Section II, Part II, by adding Policies 8.12, 8.12.1, 8.12.2 and 8.12.3; Amend Section II, Part II, Map 9	Case 00596 North West Arm	May 1/07	July 21/07
134.	Added Policy 1.9 & 1.9.1 to policy 1.8.3	Case # 00870 5784 Charles	Nov 13/07	Dec 15/07
135.	Amended Policy 1.5.3.5 of section 10	Case # 01005 11 Ramsgate Ln.	Feb 19/08	Mar 29/08
136.	Added Policy 1.5.7 of section X	Case # 01004 B.C. Silver	Feb 19/08	Mar 29/08
137.	Added Section IX, Subsection 1.6 to 1.6.7	Case #01046 South Park and Brenton Place	June 10/08	Aug 9/08
138.	Amendments to Section III, by clarifying area definition, also adding Section 2.4 - 2.4.5 to Section IV.	Case # 00971 Keith’s Brewery	June 24/08	Aug 16/08
139.	Amend 2.14 and 2.14.1 of Section II - 6955 Bayers Rd	Case 00930	Aug 12/08	Oct 11/08
140.	Amend Halifax MPS plan area boundary -Map 9	Case 01121	Jan. 20/09	Mar. 28/09
141.	Added Policy to Section II, 2.17 & 2.17.1 (a to h)	Case 01095	April 21/09	June 20/09
142.	Replacing Schedule BW-4 of Bedford West Secondary Planning Strategy	Case 01148	June 2/09	June 27/09
143.	Deletion of all policies relating specifically to areas within Downtown Halifax Secondary Plan Area	HRM by Design	June 16/09	Oct 24/09
144.	Amend Map 9Gb - GFLUM for Peninsula North - Area 2	Case 01240	Oct 20/09	Dec 5/09
145.	Amendment to Halifax MPS Plan area boundary and GFLUM map 9 in regards to the expansion of Bayers Lake Business Park	Case # 01332	Jan 12/10	Apr 17/10
146.	Amendment to Mainland South Secondary Planning Strategy by adding Policies 1.5.5.1 - 1.5.5.3 (Re Regatta Point)	Case # 01003	Jan 19/10	Apr 17/10
147.	Amendment to Mainland South Secondary Planning Strategy by adding Policies 1.3.4 (21 & 23 Mayor Ave. Hfx)	Case # 01130	Feb 2/10	Apr 17/10
148.	Amendment to the Halifax MPS concerning Cedar Street infill	Case # 01248	Mar 30/10	May 1/10
149.	Amendment to the Bedford Highway Secondary Planning Strategy	Case # 01205	Apr 20/10	May 29/10
150.	Added Policies 2.5 and 2.5.1 to Section VII (Fairview Area Second Planning Strategy)	Case #01302	Aug 10/10	Sept 25/10
151.	Replaced Policy 10.4 of the Peninsula North Secondary Planning Strategy GFLM Map	Case # 01356	Sept 14, 2010	Oct 30/10

152.	Replaced Policy 2.8 and 2.8.1 of the Quinpool Road Commercial Area Plan – Commercial Facilities	Case # 16038	Oct 19, 2010	Dec 11/10
153.	Amended Section VIII, Part 1 - Residential Environments by adding Policy 1.7, 1.7.1, 1.7.2 (a-m), 1.7.3 (a-f); Amended Section VIII, Part 2 - Commercial Facilities by replacing Section 2.3.1; Amended Section VIII, Part 5 - Community Facilities by adding Section 5.1.2, 5.1.3, 5.3, 5.4; Amended Section VIII, Part 6 - Environment by adding Section 6.4, 6.4.1, 6.4.2, 6.4.3; Amended Map 9 of Section II, Part 16 GFLUM to show new areas designated as Water Access; and Amended Map 9D of Section VIII, Part 9 GFLUM to show new areas designated as Highway Commercial and adjustments to the secondary plan boundaries.	Case #01251	Jan 11/11	Mar 12/11
154.	Amended Section V, Part 1 - Residential Environments by adding 7.7A and 7.7A.1 Re: Fenwick Towers; Amend Map 9A GFLUM of South End Area Plan to include PID #41030735 within the High Density Residential Designation.	Case #15937	Feb 1/11	Mar 26/11
155.	Map BW-6 replaced; Map BW-7 replaced; Added Policy BW-16A and BW-16B; Added Policy BW-20A; Added Policy BW-21A, BW-21B, BW-21C, BW-21D and BW-21E .	Case Nos. 16104/16106	Mar 15/11	May 28/11
156.	Amend Map 1, Planning Areas; Map 3, Areas for Detailed Planning; Map 8, Principal Streets; Map 9, Generalized Future Land Use; to remove subject Lands, Drysdale Bog, Goodwood, from the Halifax Plan Area.	Case No. 01213	Aug 9/11	Oct 8/11
157.	Add Policy 1.4.1.2: amend to reflect the character of the area bounded by Oakland Road, Bellevue Avenue, Inglis Street and Beaufort Avenue; Added “ R-1A and ” to Policy 7.0.1; Amend Map 2-1: Height Precincts – District 1 of South End Area Plan.	Case No. 16376	Sep 27/11	Nov 26/11
158.	Add Policy 3.4, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6, 3.4.7, 3.4.8, 3.4.9, 3.4.10, 3.4.11, 3.4.12, 3.4.13, and 3.4.14.	Case No. 01325 (16028)	Sep 27/11	Dec 10/11
159.	Add Policy 1.9 and 1.9.1 to Section VII: Fairview Secondary Planning Strategy, Residential Environments.	Case No. 01254	Nov 15/11	Jan 14/12
160.	Add Policy 6.3A and 6.3A.1 under Heritage Resources	Case No. 16655	Mar 20/12	May 26/12
161.	Amend Map 1 (Planning Districts – South End Area Plan of Section V); Amend Map 2-6 (Height Precincts District 6 of Section V); Amend Map 9 (South End Area Plan Generalized Future Land Use of Section V)	Case No. 16773 (Second Annual Review)	Mar 26/13	June 1/13
162.	Add Policies 1.14 and 1.14.1 to Section VI; and Add Policies 2.9 and 2.9.1 to Section XII.	Case No. 17195	June 25/13	Aug 17/13
163.	Add Policies 2.6 and 2.6.1 to Section VII (Fairview Area SPS, Commercial Facilities Section)	Case No. 17795	Sep 10/13	Nov 9/13
164.	Add Policy 3.2.7 to the Implementation Section	Case No. 18462	Apr 1/14	May 17/14
165.	Add Policy 1.2.5, 1.2.6, 1.2.7, 1.2.8, 1.2.9, 1.2.10, 1.2.11, 2.3.1, and 2.3.2; Add Map 4 Schedule I.	Case No. 16367	Jun 10/14	Jul 16/14
166.	Add Policy 2.12A; Repeal/Readopt Policy 6.3A and 6.3A.1 in Section II	RP+5	Jun 25/14	Oct 18/14
167.	Add Section V, Policy 2.3.4; Amend Section V, Policy 7.0.2; Section V, Map 9A; Replace Section V, Part 7, Map 2-8.	Case 18950	Nov 18/14	Dec 20/14

168.	Add Section XIV, Policy MUBC-3; Section XV, Policy, BW-21F, Schedule V and BW-8 – Larry Uteck Interchange Node.	Case 18514	Nov 18/14	Jan 10/15
169.	Add Section V, Policy 7.7B.1 and 7.7B.2	Case 19326	Jan 13/15	Feb 28/15
170.	Add Section V, Part 1, Policy 1.4.1.3 and 1.4.1.4; Part 7, Policy 7.1.3.	Case 17174	Mar 31/15	May 16/15
171.	Add Section VII, Policy 2.7 and 2.7.1	Case 18510	June 16/15	July 18/15
172.	Add Section II, Policy 2.18, 2.18.1 and 2.18.2	Case 18464	April 5/16	May 14/16
173.	Add Section VI, Policy 1.15	Case 18322	April 5/16	May 21/16
174.	Add Section X, Policies 1.2.12 and 1.2.12.1	Case 18120	August 2/16	Sept 3/16
175.	Delete Section 2 (Commercial Facilities); Add Section 2A (Plan Dutch Village Road), Map 9C(1) – Plan Dutch Village Road Overview Map; Amend Map 9C - Fairview Secondary Planning Strategy GFLUM	Plan Dutch Village Road	Oct 4/16	Nov 26/16
176.	Add Section II, Part 5, Policy 5.4 and 5.5 a) to u)	Case 19531	Jan 10/17	Mar 4/17
177.	Add Section VI, Policy 1.16, 1.16.1 – Peninsula Area Plan	Case 19858	Jan 24/17	Mar 11/17
178.	Amend Map 9A of Section V to redesignate 915, 921, 967 and a portion of 945 Tower Road from MDR to INS; Amend Map 2-4 of Section V, Part 7 – Height Precincts – District 4	Case 20405	Mar 28/17	May 6/17
179.	Add Section X, Policies 1.5.3.1	Case 19722	Sept 19/17	Nov 11/17
180.	Remove lands show on Schedule B from Schedule Hfx-A2, Map 1 Area Plan Boundary and Hfx-A3, Map 9I The Western Common Conceptual Land Use Plan; Amend map 9, Generalized Future Land Use of the HMPS by redesignating lands at 61 Evergreen Place to Industrial	Case 21209	March 27/18	May 26/18
181.	Added Section VIII, Sub-Section 8A – Seton Ridge Neighbourhood Plan; Map 9DF – Seton Ridge Neighbourhood Plan; Replace Map 9Dd – Bedford Highway SPS	Case 19514	July 17/18	July 28/18
182.	Added Section XII – Quinpool Road Commercial, Area Plan, Policy 2.10, 2.10.1, 2.10.2, 2.10.3, and 2.10.4.	Case 18966	Jun 19/18	Aug 4/18
183.	Amend Map 9F – Mainland South Secondary Planning Strategy GFLUM – Kelly St. and Brewer Ct., Halifax	Case 20151	Jul 31/18	Sep 15/18
184.	Added section XVI – Site-Specific Policies for Development at Robie street/ Pepperell Street/ Shirley Street	Case 20148	Jul 31/18	Sep 15/18
185.	Added Section X, Policy 1.5.8 – Lots N1, N2 and N3A, Long Lake Village	Case 20936	Oct 2/18	Nov 3/18
186.	Added/amended several areas of sections II and V Including maps.	Case H00445	Jul 17/18	Nov 3/18
187.	Added/Amended policies in section VI, to permit Development of the Ben's Bakery lands	Case 20323	Nov 27/18	Jan 12/19
188.	Added section 2.3.3 to Section X	Case 20102	Nov 27/18	Jan 12/19
189.	Amend Map 9C, 9C1 and Section VII Fairview Area Secondary Planning Strategy by adding text.	Case 21336	Feb 12/19	Apr 13/19
190.	Amend Section XVI to add development at Chebucto/Elm Street/Beech Street; amend Section XVI to add subsection 3.2.1.	Case 20267	Feb 12/19	Apr 13/19

192.	Amend Section XVI subsection 2 and 4.2.1 to add 6. Development at Robie Street / Compton Street / Cunard Street	Case 20577	May 21/19	July 6/19
193.	Amend Section XVI subsection 2 and 4.2.1 to add Subsection 8 - A development at Quinpool Rd, Pepperell St, near Preston St	Case 20632	June 18/19	July 20/19
194.	Amend Section XVI subsection 2 and 4.2.1 to add 7 - A development at Wellington Street	Case 20774	July 10/19	July 20/19
195.	Amend Section XVI subsection 2 and 4.2.1 to add 9 - A development at Victoria Road and South Park Street	Case 20159	July 10/19	July 20/19
196.	Amend Section XVI subsection 2 and 4.2.1 to add 11 - A development at Bayers Road / Young Street	Case 20658	July 10/19	July 20/19
197.	Amend Section XVI subsection 2 and 4.2.1 to add 12 - A development at Spring Garden Road/ Robie Street/ Carleton Street and by adding Map A Following that section	Case 20218	July 15/19	July 20/19
198.	Amend Section XVI subsection 2 and 4.2.1 to add 13 – A development at Robie Street / College Street /Carlton street and by adding Map A following that section	Case 20761	July 15/19	July 20/19
199.	Amend Section XVI subsection 2 and 4.2.1 to add 10 - A development at Quinpool Road / Pepperell Street, between Oxford Street and Preston Street	Case 20520	July16/19	July 20/19
200.	Amend Section XVI subsection 2 and 4.2.1 to add 5 – A development at Quinpool Road / Pepperell Street, near Preston St	Case 21115	July16/19	July 20/19
201.	Amend all maps and schedules to remove areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Noes and Downtowns, Section I, Introduction, Schedule II.1, Section V/Part II/Policy 4.5.5.1, Section XI/Part II/Policy 1.4.7, Section V/Part II/Map 9A: South End Plan GFLUM, Section V/Part II/Map 2-2: Heights Precincts – District 2; Repeal Section II/Part II/Policy 2.5.2 / 2.5.3 / 2.4 / 2.14.1 / 2.15 / 5.4 / 5.5, Section V/Part II/Policy 2.3.4 / 2.5 / 2.6 / 2.6.1 / 4.5.5.1 / 7.5.2.1 / 7.5.6 / 7.5.7 / 7.6.2 / 7.6.3 / 7.6.4 / 7.6.4.1 / 7.6.5 / 7.6.5.1 / 7.6.6 / 7.6.6.1 / 7.6.6.2 / 7.7A / 7.7A.1 / 7.7B.1 / 7.7B.2, Section VI/Part II/Policy 1.14 / 1.14.1 / 1.15 / 1.16 / 1.16.1 / 2.2.1 / 3.4 / 3.5 / 3.5.1 / 8.1 / 8.1.1 / 8.1.2 / 8.1.3 / 8.1.4 / 8.3 / 8.3.1 / 8.3.2 / 8.3.7, Section XI/Part II/Policy 1.4.2 / 1.4.3 / 1.4.4 / 1.4.8 / 1.4.9 / 1.4.10 / 1.5 / 1.5.1 / 1.5.2 / 1.5.3 / 1.5.4 / 1.7 / 1.7.1 / 1.8 / 1.8.1 / 1.8.2 / 1.9 / 1.9.1 / 2.1 / 2.2.2 / 2.3 / 2.3.1 / 2.3.2 / 2.3.3 / 2.4 / 2.6 / 2.6.1 / 2.7 / 2.8 / 2.8.1 / 2.8.2 / 2.9 / 2.10 / 2.11 / 2.11.1 / 2.12 / 2.13 / 2.14 / 2.14.1 / 2.14.2 / 2.15 / 2.15.1 / 2.16 / 2.16.1 / 3.2 / all of 3.4 / 9.7 / 9.7.1 / 9.7.2 / 10.4, Section XII/Part II / Policy 2.2 / 2.2.1 / 2.3 / 2.4 / 2.5 / 2.5.1 / 2.6 / 2.7 / 2.8 / 2.8.1 / 2.9 / 2.9.1 / 2.11 / 2.11.1 / all of 3.0, all of Section XVI, Implementation/Part II/Policy 3.2 / 3.2.1 / 3.2.1.1 / 3.2.4 / 3.2.5 / 3.2.6 / 3.2.7 / 5.0.	Regional Centre Plan – Pkg A	Sep 18/19	Nov 30/19
202.	Add Policy 2.3.6, 2.3.6.1 to 2.3.6.4 (205 Bedford Highway)	Case 21730	Jan 14/20	Mar 7/20
203.	Amend Section VII (Fairview Area Secondary Planning Strategy Objectives and Policies), Policy 2A.7(a), (b), (f), (g) – maximum streetwall height	Case 21916	Jul 7/20	Aug 22/20
204.	Add Section XI, Subsection 2, Policy 2.17 – Bilby and Isleville Streets, Halifax	Case 22682	Jul 21/20	Aug 29/20
205.	Add Section X, Policies 1.2.13, 1.2.13.1, 1.2.13.2, 1.2.13.3; Map 5: Parkmoor Ridge Subdivision			

	(Schedule I)	Case 22050	Sep 29-30/20	Dec 5/20
206.	Amended Map 9 to re-designate certain lands from Residential Environments to Dunbrack Multi Unit Designation; Added Section 2.19.1 in Section II – City-wide Objectives and Policies	Case 22332	Feb 23/21	May 08/21
206.	Amended: all maps and schedules to remove those areas located within the Regional Centre Secondary Municipal Planning Strategy Area, as shown on Map 1. Deleted: TOC; Section V; Section VI; Section XI; Section XII; Implementation Policies (3.0) Amended Part II: Introduction to deleted words and commas, and Add six (6) Amended: Section 1 – Basic...Objective to deleted a series of words and Add Regional Centre Secondary Municipal Planning Strategy Plan Area. Amended: Part II (2.1); Part II (6.2) to remove a series of words. Repealed in its entirety: 2.1.1; 2.5.5; 2.17; 2.17.1; 2.18; 2.18.1; 3.7; 4.1; 4.1.1; 4.1.1.1; 4.1.1.2; 4.6; 6.3A; 6.3A.1; 6.3.2; 6.3.3; 9.2.2; Section V (maps inclusive); Section VI (all maps inclusive); Section XI (maps inclusive); Section XII (maps inclusive); 3.0; 3.10; 3.10.1; 3.11; 3.11.1.	Regional Centre Plan: Package B	Oct 26/21	Nov 27/21
207.	Amended: Policy BW-27; Policy BW- 28; Schedule BW-7A & Schedule BW-5 Added: Part7(A) SUB-AREA 10 & 11	Case 20401	Dec 14/21	Feb 12/22
208.	Amended: Map 9Df – Seton Ridge Neighbourhood Plan	Case 23746 & 22896	Feb 8/22	Mar 19/22
209.	Amended: Map 9F to re-designate certain lands on McIntosh Street	Case 23166	Apr 12/22	May 16/22
210.	Amended Section II, Residential Environments, Policy 2.4.2; Section VII, Residential Environments, 1.7; Section X, Residential Environments, Policy 1.2.3, 1.2.3.1, 1.5.3.1.1, 1.5.3.5. Add Implementation Policies Section, Policy 11	Case RP16-16 (Shared Housing)	Aug 9/22	Sep 15/22
211.	Amended Heritage Resources - Section 6.8; Policy BW-21K, Subsection 27	Case 22257 (Regional Plan – Phase 3)	Oct 11/22	Nov 16/22
212.	Amended Map 9C to re-designate certain lands along Westerwald St and on the corner of Main Ave/Titus St from MDR to COM; Section 2A.2 Deleted/Replaced Map 9C(1) to include certain lands along Westerwald St and on the corner of Main Ave and Titus St into Area D.	Case 22816 & 23245	Apr 4/23	May 19/23
213.	Amended Section XV, Sub-section 7, Policy BW-21H(1), BW-21K, BW-21L(1); Schedule BW-7A (remove PID 00289215 from Sub-Area 10 and PID 00289207 from Sub-Area 10B and include it in Sub-Area 10C)	Case 2023-00370 (Bedford West Sub-Area 10)	Nov 21/23 (MA-Housing)	Dec 20/23
214.	Amended Section 8.12 added text; Section 8.12.3 added text. Added Section 8.12.4 was added.	Case 2023-01544	Jan 9/24	Feb 12/24