

ATTACHMENT D04

Proposed Amendments to the Land Use By-law for Bedford

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Bedford is hereby further amended as follows:

- 1 Part 2 of the By-law is amended by adding a new definition after the definition “Shared Housing with Special Care” by adding the text as shown below in **bold**:

Shared Private Driveway - includes a private road or Schedule "A" road as defined in the *Regional Subdivision By-law*, or an access created under the *Regional Subdivision By-law*.

- 2 Part 5, clause 29(a) of the By-law is amended by striking out “fifteen feet (15) feet” in subclause (iv) and replacing it with “twenty-five (25) feet (7.7 metres)” and by striking out “750 square feet in total” in subclause (v) and replacing it with “1000 square feet (93 square metres) in gross” by adding the text as shown below in **bold** and by deleting the text as shown in ~~strikeout~~:

- iv) exceed ~~fifteen feet (15) feet~~ **twenty-five (25) feet (7.7 metres)** in height in any Residential Zone;
- v) exceed ~~750 square feet in total~~ **1000 square feet (93 square metres) in gross** floor area for all accessory space on a lot in any Residential Zone, except for public buildings and uses and swimming pools;

- 3 Part 5, section 29 of the By-law is amended by adding the following clauses after clause (d) as shown below in **bold**:

- e) **Notwithstanding anything else in this by-law, an enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum floor area requirements for accessory buildings or structures.**
- f) **The accessory use building or structure may be located on a lot which directly abuts the lot containing the main building or use it is intended to serve.**

- 4 Part 5, clause 29B(a) of the By-law is amended by striking out “a duplex dwelling” in the portion before subclause (i), by striking out “total garden flat, secondary suite or backyard suite” in subclause (i) and replacing it with “secondary suite”, and by striking out “Where a residential use is a non-conforming use a secondary suite shall not be permitted” in subclause (v) and replacing it with “A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone” by adding the text as shown below in **bold** and by deleting the text as shown in ~~strikeout~~:

Secondary suites shall be permitted accessory to a single detached dwelling, a linked dwelling, a semi-detached dwelling, ~~a duplex dwelling~~ or a rowhouse/townhouse dwelling subject to the following provisions:

- (i) No more than one ~~total garden flat, secondary suite or backyard suite~~ **secondary suite** shall be permitted on a lot;

- (v) ~~Where a residential use is a non-conforming use a secondary suite shall not be permitted~~
A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.

5 Part 5, clause 29B(b) of the By-law is amended by striking out “a mobile home/mini home,”, by striking out “or” in the portion before subclause (i) and replacing it with a comma and by adding “, or an Apartment containing only 3 dwelling units” in the portion before subclause (i) after “a rowhouse/townhouse dwelling”, by striking out “total garden flat, secondary suite or” in subclause (i), by repealing subclause (iv), by striking out “Where a residential use is a non-conforming use a backyard suite shall not be permitted” in subclause (ix) and replacing it with “A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone”, by striking out “Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.” in subclause (xi) and replacing it with “A backyard suite shall have unobstructed access that (A) connects the backyard suite to a street or shared private driveway; (B) is located on the same lot on which the backyard suite is located; and (C) has a minimum width of 1.1 metres”, and by adding the new subclause (xii) after subclause (xi) by adding the text as shown below in **bold** and by striking out the text as shown below in ~~strikeout~~:

- (b) Backyard suites
Backyard suites shall be permitted accessory to a single ~~unit~~ **detached** dwelling, a ~~mobile home/mini home~~, a linked dwelling, a semi-detached dwelling, a duplex dwelling ~~or~~, a rowhouse/townhouse dwelling, **or an Apartment containing only 3 dwelling units** subject to the following provisions:
- (i) No more than one ~~total garden flat, secondary suite or~~ backyard suite shall be permitted on a lot;
- (iv) ~~The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Part 5 Section 29, whichever is less;~~
- (ix) ~~Where a residential use is a non-conforming use a backyard suite shall not be permitted~~ **A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**
- (xi) ~~Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.~~ **A backyard suite shall have unobstructed access that**
- (A) connects the backyard suite to a street or shared private driveway;**
- (B) is located on the same lot on which the backyard suite is located; and**
- (C) has a minimum width of 1.1 metres.**

- (xii) **Notwithstanding Subsection (iv), an accessory non-conforming structure may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres).**

6 Part 5, section 30 is repealed.

7 Part 5, clause 34(a) of the By-law is amended by striking out “Two (2)” after “A dwelling containing not more than three (3) dwelling units” and replacing it with “0” and by striking out “One and one-half (1.50)” after “All other dwellings” and replacing it with “0.33 spaces” by adding the text as shown below in **bold** and by deleting the text as shown in ~~strikeout~~:

USE

A dwelling containing not more than three (3) dwelling units

All other dwellings

PARKING REQUIREMENT

~~Two (2)~~ **0** parking spaces for each dwelling unit

~~One and one-half (1.50)~~ **0.33 spaces**

8 Part 6 of the By-law is amended by adding the new clause (aa) after clause (a) by adding the text as shown below in **bold** and by repealing clause (e) for existing two-unit dwellings by deleting the text as shown below in ~~strikeout~~:

PART 6: RESIDENTIAL SINGLE DWELLING UNIT (RSU) ZONE

No development permit shall be issued in a Residential Single Dwelling Unit (RSU) Zone except for one or more of the following uses:

- a) single detached dwelling units;
- aa) all uses permitted in the RTU Zone within the Urban Service Area, subject to the RTU Zone requirements;**
- b) neighbourhood parks;
- c) shared housing use and replacing it with 10 or fewer bedrooms in conjunction and replacing it with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)
- d) uses accessory to the foregoing uses.
- ~~e) existing two-unit dwellings as follows:~~

Address

~~11 Olive Avenue (LRIS # 419440)~~

~~37 Olive Avenue (LRIS # 419465)~~

~~65 Olive Avenue (LRIS # 487868)~~

~~24 Olive Avenue (LRIS # 40566630)~~

~~380 & 382 Hammonds Plains Road (LRIS #s 473405, 40080616)~~

~~384 & 386 Hammonds Plains Road (LRIS #s 473413, 40070765)~~

~~388 & 390 Hammonds Plains Road (LRIS #s 473421, 417345)~~

~~20 Emmerson Street (LRIS #433631) (RC-Jul 8/04;E-Jul 10/04)~~

~~23 Olive Avenue (LRIS # 41399692) (NWCC-Sep 15/14;E-Oct 11/14)~~

~~165 & 167 High Street (LRIS # 41056110) (NWCC-Sep 15/14;E-Oct 11/14)~~

9 Part 7 of the By-law is amended by striking out “all uses permitted in the RSU Zone subject to the RSU Zone requirements” in clause (a) and replacing it with “single detached dwelling units”, by

repealing clause (e), and by adding the new clause (ea) after the repealed clause (e) by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

PART 7: RESIDENTIAL TWO DWELLING UNIT (RTU) ZONE

No development permit shall be issued in a Residential Two Dwelling Unit (RTU) Zone except for one or more of the following uses:

- a) ~~all uses permitted in the RSU Zone subject to the RSU Zone requirements~~ **single detached dwelling units;**
- b) a semi-detached dwelling;
- c) a duplex dwelling;
- d) a linked dwelling;
- e) ~~a basement apartment added to a single dwelling unit so that the building contains only two dwelling units;~~
- ea) an Apartment containing 3 or 4 dwelling units within the Urban Service Area;**
- f) shared housing use and replacing it with 10 or fewer bedrooms in conjunction and replacing it with a permitted dwelling unit;
- g) neighbourhood park;
- h) uses accessory to the foregoing uses.

10 Part 7 of the By-law is amended by adding “Single Detached Dwellings, Apartments,” before “Duplex Dwellings,” in the column heading, and by striking out Row “Maximum Number of Dwelling Units Per Lot (not including secondary or backyard suites)” by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

ZONE REQUIREMENTS RTU

In any Residential Two Dwelling Unit (RTU) Zone, no development permit shall be issued except in conformity and replacing it with the following requirements:

	Single Detached Dwellings, Apartments, Duplex Dwellings, & Singles with Basement Apartment	Each Semi-Detached Unit or Linked Dwelling Unit
Minimum Lot Area	6,000 Sq.Ft.	3,000 Sq.Ft.
Minimum Lot Frontage	60 Ft.	30 Ft
Minimum Front Yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial
Minimum Rear Yard	20 Ft.	20 Ft.
Minimum Side Yard	8 Ft.	8 Ft.
Minimum Common Side Yard For Link Homes	N/A	2.5 Ft
Minimum flankage yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial
Maximum Height of Building	35 Ft.	35 Ft.
Maximum Number of Dwelling Units Per Lot (not	2	4

including secondary or backyard suites)		
Maximum Lot Coverage	35%	35%

- 11 Part 9A of the By-law is amended by repealing clause (e) and by adding the new clause (e.1) after the repealed clause (e) by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

PART 9A: CUSHING HILL RESIDENTIAL (CHR) ZONE

No development permit shall be issued in a Cushing Hill Residential (CHR) Zone except for one or more of the following uses:

- a) single detached dwelling units;
- b) semi-detached dwelling;
- c) duplex dwelling;
- d) rowhouse or townhouse dwelling;
- e) ~~a basement apartment added to a single dwelling unit so that the building contains only two dwelling units;~~
- ea) Apartments containing 3 or 4 dwelling units within the Urban Service Area;**
- f) Shared housing use and replacing it with 10 or fewer bedrooms in conjunction and replacing it with a permitted dwelling unit;
- g) neighbourhood parks; and
- h) uses accessory to the foregoing uses.

- 12 Part 9A, section 1 of the By-law is amended by adding “, an Apartment” after “a semi-detached dwelling” in the portion before clause (a), by adding “Apartment ” after “9.75 metres (32 feet) for” in clause (a), and by adding “multiple unit dwellings,” after “315.9 square metres (3,400 square feet) for” in clause (b) by adding the text as shown below in **bold**.

1. Buildings to be occupied or developed as a single detached dwelling, a semi-detached dwelling, **an Apartment** or a duplex on individual lots shall conform and replacing it with the following requirements:

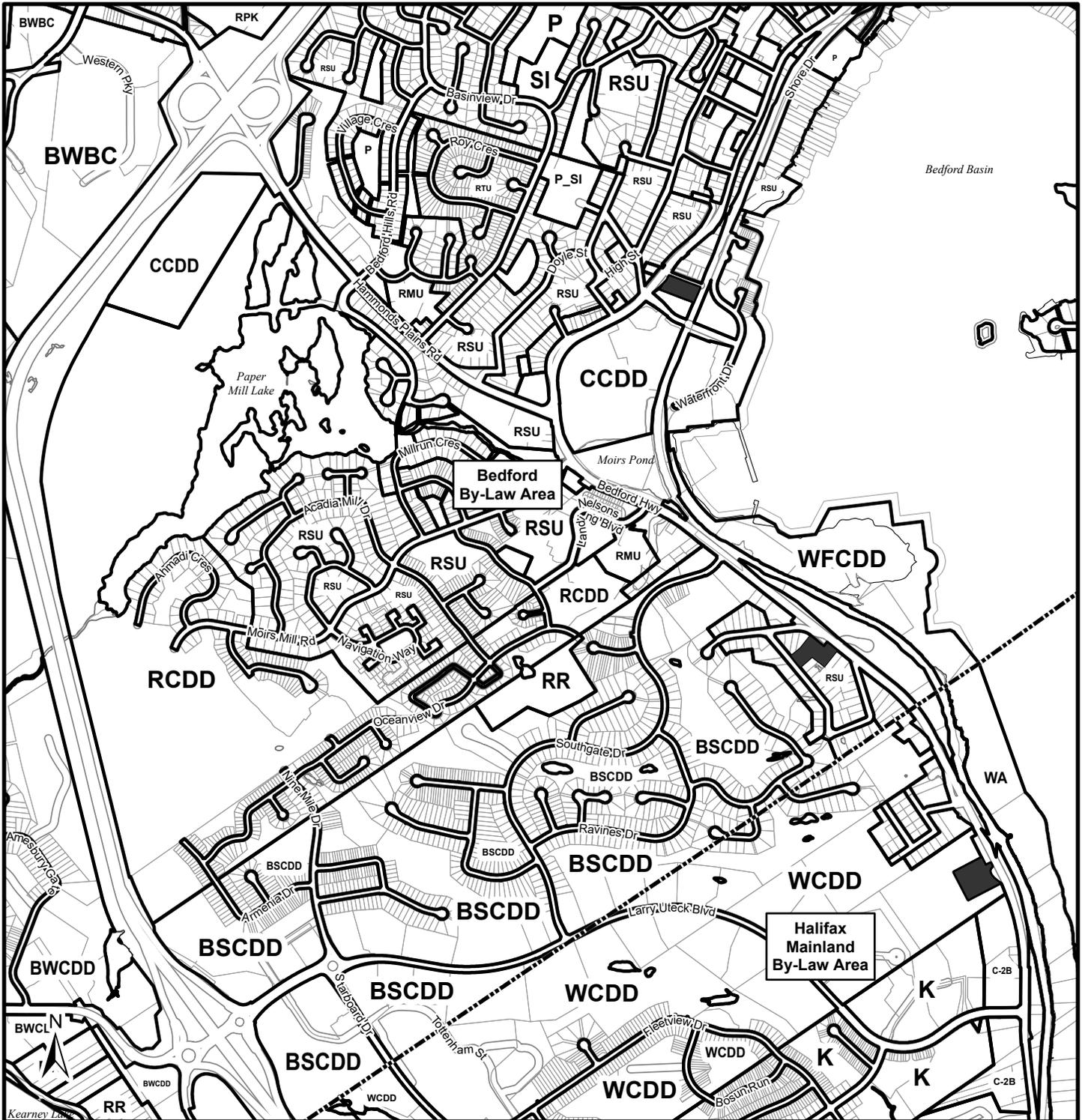
(a) Minimum lot frontage	9.75 metres (32 feet) for Apartment , single unit dwellings and duplexes 7.62 metres (25 feet) per unit for semi-detached
(b) Minimum lot area	315.9 square metres (3,400 square feet) for an Apartment, single unit dwellings and duplexes 232.3 square metres (2,500 square feet) per unit for a semi-detached dwelling

- 13 Schedule A: Bedford Zoning Map is amended by is amended by removing certain lands from the Bedford By-law Area as shown in Attachment-D04-Schedule A-1 and Attachment-D04-Schedule A-2.

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

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk



Attachment D04 - Schedule A-1

Bedford

Area to be removed from Planning Area

By-Law Area Boundary

Zone

BSCDD	Bedford South Comprehensive Development District
BWBC	Bedford West Business Campus
CCDD	Commercial Comprehensive Development District
P	Park
RCDD	Residential Comprehensive Development District
RR	Rural Residential
RMU	Multiple Dwelling Unit
RSU	Single Unit Dwelling
RTU	Two Unit Dwelling
SI	Institutional
SU	Utilities
WFCDD	Waterfront Comprehensive Development District
K	Schedule K
R-1	Single Family Dwelling
WCDD	Wentworth Comprehensive Development District

HALIFAX

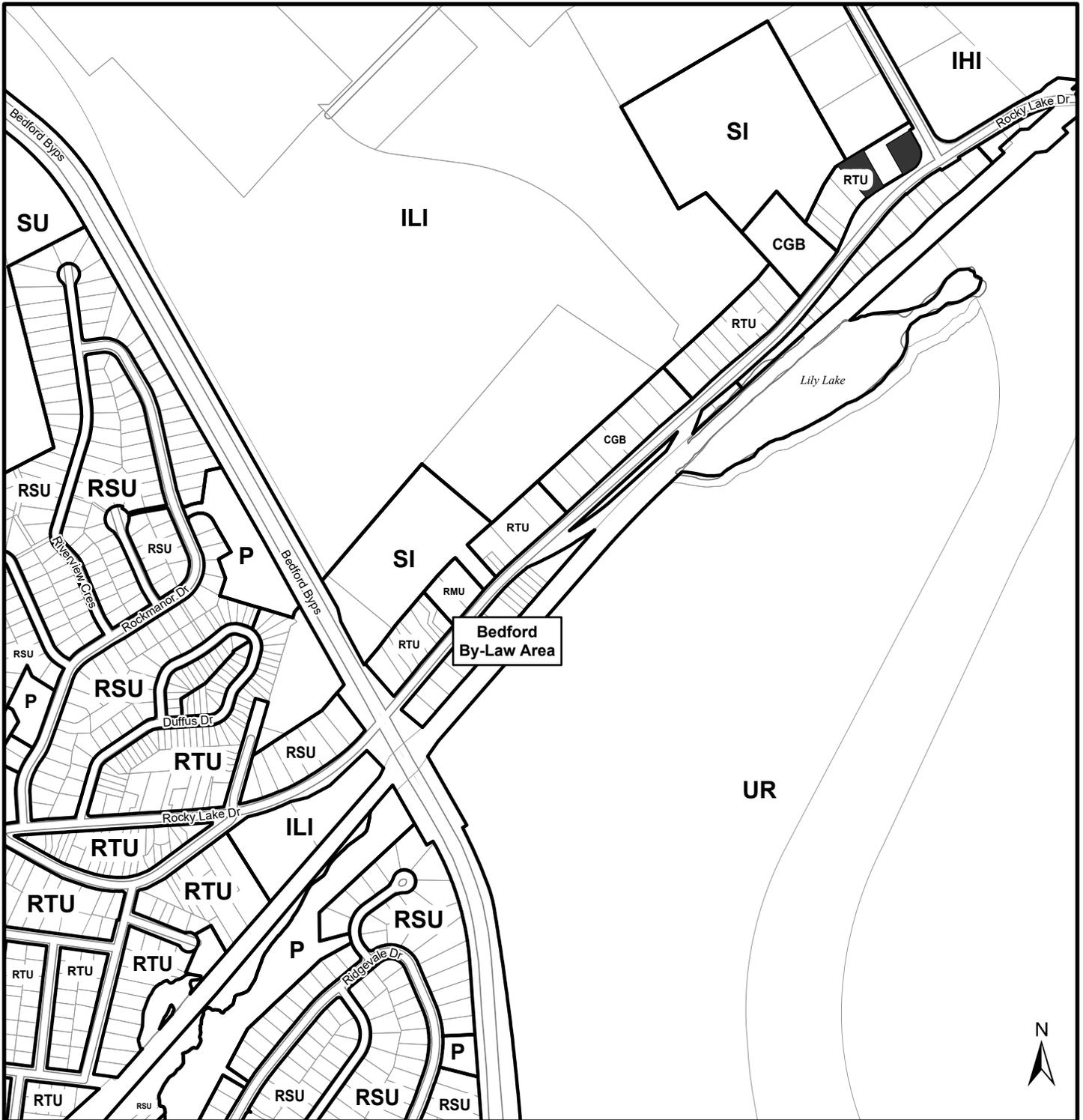


This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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

Bedford Land Use By-Law Area

Halifax Mainland



Attachment D04 - Schedule A-2

Bedford

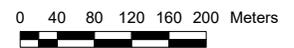


Area to be removed from Planning Area

Zone

CGB	General Business District
IHI	Heavy Industrial
ILI	Light Industrial
P	Park
RMU	Multiple Dwelling Unit
RSU	Single Unit Dwelling
RTU	Two Unit Dwelling
SI	Institutional
SU	Utilities
UR	Urban Reserve

HALIFAX



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Bedford Land Use By-Law Area