

**AMENDMENTS TO THE  
MUNICIPAL PLANNING STRATEGY FOR TIMBERLEA/LAKESIDE/BEECHVILLE**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Deleting the words “Interim Growth Management” from the Table of Contents.
2. Deleting the section on “Interim Growth Management” including all preamble, policies IGM - 1 to IGM-18 and Map 5.

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 27th day of June, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this \_\_\_\_\_ day of July, A.D. 2006.

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Jan Gibson  
Municipal Clerk

**AMENDMENTS TO THE  
LAND USE BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville is hereby amended as follows:

1. Replacing the words “PART 20A: WC(Western Common) Zone” with the words “PART 20A: WCRPK (Western Common Regional Park) Zone ” within the “TABLE OF CONTENTS”.
2. Adding the words “PART 21E UR (Urban Reserve) Zone” immediately below the words “PART 21D: ICH (Infrastructure Holding) Zone” within the “TABLE OF CONTENTS”.
3. Adding the words “Schedule B - Areas of Elevated Archaeological Potential” and “Schedule C - Wetlands Map” immediately below the words “APPENDIX “D” AUTOBODY SHOPS” within the “TABLE OF CONTENTS”.
4. Insert the following words after the Amendment Index in the “TABLE OF CONTENTS”:

SCHEDULES

Schedule A	Timberlea/Lakeside/Beechville Zoning Map
Schedule B	Areas of Elevated Archaeological Potential
Schedule C	Wetlands Map

5. Adding the words “4.29A Bicycle Parking Facilities”, “4.29B Location of Bicycle Parking” and “4.29C Special Bicycle Parking Facility Requirements” after the words “4.29 Loading Space Requirements” within the “List of General Provisions”.
6. Adding the words “4.32 Schedule B - Areas of Elevated Archaeological Potential” within the “List of General Provisions” immediately below the words “4.31 Composting Operations”.
7. Adding the words “4.32 Schedule C - Wetlands Map” within the “List of General Provisions” immediately below the words “4.32 Schedule B - Areas of Elevated Archaeological Potential”.
8. Adding three new definitions immediately following the definition of Attached Building as follows:
  - 2.8A Bicycle Parking, Class A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

- 2.8B Bicycle Parking, Class B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.
- 2.8C Bicycle Parking, Enhanced means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space).
9. Adding the following definition after Subsection 2.11A:
- “2.11AA Conservation Use means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing.”
10. Replacing Subsection 2.52 “Recreation Use” with the following:
- “2.52 Recreation Use means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.
11. Adding following definition after section 2.69A:
- \_\_\_\_\_ “2.69AA Watercourse means a lake, river, stream, ocean or other natural body of water.”
12. Add the words “UR Urban Reserve Zone” after the section “Community Uses Zones” words in Section 3.1.
13. Adding the words “and the Regional Municipal Planning Strategy for Halifax Regional Municipality” after the word “Timberlea/Lakeside/Beechville” in sentence two of 3.6 (a).
14. Adding the following after clause (m) in section 3.6:
- As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter:
- (i) a mix of residential, associated community facilities, home-based offices, day cares, small-scale bed and breakfasts, forestry and agricultural uses on new roads up to a maximum density of one unit per hectare, as per policy S-15 of the Regional Municipal Planning Strategy;
  - (ii) a mix of residential, associated community facilities, home-based offices, day cares, small-scale bed and breakfasts, forestry and agricultural uses on

new roads up to a maximum density of one unit per 4000 square metres, as per policy S-16 of the Regional Municipal Planning Strategy.

14. Deleting Section 4.1A.

15. Deleting Section 4.19 and replacing it with the following:

4.19 Watercourse Setbacks and Buffers

- (1)
  - (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.
  - (b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.
  - (c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
  - (d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m<sup>2</sup> or a combination of an accessory structure and attached deck not exceeding 20 m<sup>2</sup>, fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure.
  - (e) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.
  - (f) Within the buffer required pursuant to clause (e), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
- (2) Notwithstanding subsection (1), where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.
- (3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to the effective date of the Regional Municipal Planning Strategy, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

- (4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.
- (5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.
- (6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section.

16. Adding the following sections after section 4.29:

4.29A Bicycle Parking Facilities

- (1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels/ Motels/Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300m <sup>2</sup> GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500m <sup>2</sup> GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces
Schools, Colleges, Universities	1 space for every 250m <sup>2</sup> GFA 20% Class A/ 80% Class B
Recreation Facilities, Community Centres, Libraries.	1 space per 200m <sup>2</sup> GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces

General Industrial Uses	1 space per 1000 m <sup>2</sup> GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 m <sup>2</sup> GFA 50% Class A/ 50% Class B

- (2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.
- (3) Each Class B bicycle parking space shall:
  - (a) be a minimum of 0.6m wide and 1.8m long;
  - (b) have a minimum overhead clearance of 2.0m;
  - (c) be located a minimum of 0.6m from any wall or other obstruction.
- (4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking. Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5m of open space.
- (5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

#### 4.29B Location of Bicycle Parking

- (1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.
- (2) Class A bicycle parking may be located up to 200m from an entrance.
- (3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
- (4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

#### 4.29C Special Bicycle Parking Facility Requirements

- (1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required

motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

- (2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.
- (3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

17. Adding the following Sections after Section 4.31:

#### 4.32 Schedule B - Areas of Elevated Archaeological Potential

Where excavation is required for a development on any area identified on Schedule B attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Tourism, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

#### 4.33 Schedule C - Wetlands Map

Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands identified on Schedule C attached to this by-law, within and adjacent to the lot. Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within any such wetland.

18. Add the following Part after Part 21D:

### PART 21E: UR (URBAN RESERVE) ZONE

#### UR USES PERMITTED

21E.1 No development permit shall be issued in any UR (Urban Reserve) Zone except for the following:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot  
Passive recreation uses  
Uses accessory to the foregoing uses

#### UR ZONE REQUIREMENTS

21E.2 In any UR Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard: 9.1m  
Minimum Side Yard: 2.5m  
Minimum Rear Yard: 2.5m  
Maximum Lot Coverage: 35%  
Maximum Height of Main Building: 11m

19. Amending Zoning Schedule A as shown on Appendix A.
20. Adding Schedules “Schedule B - Areas of Elevated Archaeological Potential” and “Schedule C - Wetlands” as shown on Appendices B and C to the by-law.
21. Adding the following section in the General Provisions Part:

Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning.

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 27th day of June, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this \_\_\_\_\_ day of July, A.D. 2006.

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Jan Gibson  
Municipal Clerk