HALIFAX

LAND USE BY-LAW

HALIFAX PENINSULA

Halifax Regional Municipality

LAND USE BY-LAW
HALIFAX PENINSULA
(Edition 226)

THIS COPY IS A

REPRINT OF THE

LAND USE BY-LAW

WITH AMENDMENTS TO

JUNE 2, 2018

LAND USE BY-LAW
FOR
HALIFAX PENINSULA

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Halifax Peninsula which was passed by a majority vote of the former City Council at a duly called meeting held on March 30, 1978, and approved by the Minister of Municipal Affairs on August 11, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 2nd day of June, 2018.

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

_____
Municipal Clerk

The Halifax Regional Municipality, its Officers, and Employees, accept no responsibility for the accuracy of the information contained in this (By-law, Plan, etc.)

Please note that HRM Council at its meeting on May 9, 2000, approved a motion to insert the following notation in the Land Use By-law as follows:

The provisions of the zones described in this by-law do not apply to property owned or occupied by Her Majesty the Queen in right of the Province of Nova Scotia or Canada in respect of a use of the property made by the Crown. Where a privately owned or occupied property is to be used for a federally regulated activity, the federal jurisdiction may, depending on the particular circumstances, override the requirements of this by-law.

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LAND USE BY-LAW - PENINSULA AREA

BE IT ENACTED by the Mayor and City Council of the City of Halifax under the authority of the Planning Act, Statutes of Nova Scotia 969, Chapter 6, as amended, as follows:

DEFINITIONS

1. In this by-law:

"Accessory" means naturally and normally incidental, subordinate, and exclusively devoted to.

"Accessory Building" means a building that is:

(a) not used for human habitation;
(b) located on the same lot as the main building;
(c) naturally and normally incidental, subordinate and exclusively devoted to the main use of the land or the main building; and
(d) separate from a main building, except for a connection pursuant to the requirements for this By-law.

"Flankage Yard" or a "Flanking Yard" means a side yard that abuts a streetline on a corner lot. ***(PCC/CCC: November 8, 2010; E: November 27, 2010)***

"Adult Bookstore" includes any establishment or place for the purpose of retail trade where 20% or more of the value of the total stock in trade in any such establishment or place is comprised of books, magazines, or other periodicals relating to, or portrayed as relating to, sexual activities.

"Adult Cabaret" means any premises or part thereof, whether public, semi-public, or private, wherein is provided the opportunity to feel, handle, touch, paint, be in the presence of, or be entertained by the nude body of another person, or to observe, view or photograph any such activity.

"Adult Entertainment Uses" means a massage parlour, sex-aid shop, an adult bookstore, or an adult cabaret.

"Alter" means to make any change in the size, shape, structure or materials of a building or any part thereof.

"Amusement Centre" means a commercially operated facility providing more than three (3) amusement machines.

"Amusement Machine" means any mechanical, electronic or combination of mechanical or electronic machine, device or game which may be operated or played upon the placing or depositing therein of one or more coins, counters, slugs, balls, token, or any other article or thing, or designed or normally intended to be so operated by paying, therefore, either in

advance of or after use or in exchange for credits, whether acquired on or off the premises, on which the machine is located, which does not dispense foods, wares or services, but is used as a game, contest of chance or skill, or for amusement whether or not registering a score, including but not limited to electronic or mechanical game machines, electronic video games, skill ball, bowling game machines, horse racing machine, driving games, target games, pinball machines, shuffleboard, and other similar machines or devices under whatever name they may be indicated.

"Apartment House" means a dwelling other than a double duplex dwelling house erected or converted for the purpose of providing three or more self-contained dwelling units, but does not include a townhouse building in an R-2 zone or a hotel as that term is defined in Section 1(a)(i) and (ii) of the Hotel Regulations Act, being Chapter 127 of the Revised Statutes of Nova Scotia, 1967; namely;

(i) a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the public by the furnishing of sleeping accommodation of not less than six bedrooms; or
(ii) every building, part of a building, group of buildings or place of accommodation which provides three or more rooms for the reception of transient guests.

"Areas of Elevated Archaeological Potential" means the areas of land shown on ZM-20 - Areas of Elevated Archaeological Potential Map attached to this By-law." (RC-Jun 25/14;E-Oct 18/14)

"Auditorium" means a room, hall or building for which the primary evening or weekend use is for entertainment or lectures open to the public.

"Bachelor Unit" means a dwelling unit in a multiple dwelling building, consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

"Basement" means, for the purposes of this by-law, that storey which is partly underground but having not more than half of its clear floor to ceiling height below the average grade of the land outside the building in which such basement is located, such grade being taken at the foundation walls.

"Basic Height" means the height to which a building may be built without setting back the exterior walls. (See definition of "setback" below).

"Bed and Breakfast" means a home occupation within a one family dwelling house where not more than three sleeping rooms are rented to the travelling and vacationing public, and where breakfast is served only to those who rent the sleeping rooms.

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

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

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

"Bedroom" means a room that is used or intended to be used for sleeping in.

"Billboard" means any freestanding sign and supporting structure, maintained or used for display of advertising matter, or any advertising sign displayed in conjunction with mural artwork occupying an equal or greater surface area on a building, wall or fence.

"Boarding House" means a dwelling house where meals are served regularly for a charge.

"Building" includes every structure placed on, over or under the land and every part of the same and any external chimney, staircase, porch, sign or other structure use in connection with such building and shall include any tent, awning or other covering.

"Building Line" means any line regulating the position of a building in relation to the street as shown on Building Line Plan TT18-20486.

"Canadian Geodetic Vertical Datum (CGVD28)" means the vertical datum for Canada officially adopted by an Order in Council in 1935. CGVD28 is a tidal datum defined by the mean water level at five tide gauges: Yarmouth and Halifax on the Atlantic Ocean, Pointe-au-Père on the St-Lawrence River, and Vancouver and Prince-Rupert on the Pacific Ocean. In addition, the definition includes an elevation at a benchmark in Rouses Point, NY (next to Lake Champlain) accepted as fixed by the US and Canada in 1925. The datum is propagated in land using geodetic levelling measurements. The vertical datum is accessible through benchmarks anchored to the ground and stable structures. The heights in terms of CGVD28 are in normal-orthometric system. (RC-Jun 25/14;E-Oct 18/14)

"Central Business District (Deleted - RC-Jun 16/09;E-Oct 24/09)

"Commercial Recreation Use" means a building or part of a building in which a recreational activity is performed and for which a membership or instruction fee is charged, and without limiting the generality of the foregoing, shall include weight-lifting and/or fitness centres, boxing or racquet sport clubs, martial arts schools and dance studios, but shall not, for the purpose of this by-law, include bingo halls or amusement centres.

"Community Facilities" means a building or site owned by a government agency or non-profit organization or religious institution or philanthropic institution and used as a meeting place for entertainment or education or social activities by the general public on a regular

or occasional basis and includes a church hall or a public hall.

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

"Construction and demolition materials" hereinafter referred to as C&D 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.

"Construction and demolition materials disposal site" hereinafter referred to as a C&D Disposal Site, means land and /or buildings or part of a building where C&D Materials, or Residue remaining from C&D Processing Facilities, are disposed of by land application or burying, and shall not include the use of inert C&D materials, approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia.

"**Construction and demolition materials processing facility"** hereinafter referred to as a C&D Processing Facility, means lands and/or buildings or part of a building used to sort, alter, grind, or otherwise process, C&D Materials for reuse or recycling into new products, and shall not include a Used Building Material Retail Outlet, an operation that processes inert C&D Materials on the site of generation and the material processed does not leave the site except for inert C&D Materials described in Sub-Section 9(3) of HRM C&D License By-law (L-200 and L-201), de-construction of a building on site, a municipal processing facility for used asphalt and concrete, or facilities associated with reclamation of a gravel pit or quarry operations licensed by the Province of Nova Scotia or forestry manufacturing processes.

"**Construction and demolition materials transfer station"** hereinafter referred to as a Transfer Station, means land and/or buildings or part of a building at which C&D Materials are received and sorted for subsequent transport to a C&D Disposal Site or a C&D Processing Facility.

"Converted Multiple Dwelling House" means a building located on a lot, both of which existed on September 17, 1987 and to which additions or conversions have occurred, resulting in a building containing a minimum of 5 and a maximum of 14 self contained dwelling units.

"Corner Lot" shall mean any lot situated at the junction of two or more streets which, at their point of junction, form an angle of not more than one hundred and hirty-five degrees adjacent to such corner lot.

"Coverage" means the combined area of land covered by all buildings on a lot, including land over which the buildings project, but excluding any area below the eaves of a roof. Portions of a building which are not covered by a roof such as unsheltered steps, verandah

or deck are excluded from the combined area.

"Cultural Use" means the presentation of art, motion pictures, artistic performances, musical performances, lectures, or other exhibits. (RC-Nov 18/14;E-Dec 20/14)

"Day Care Facility" means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name (and known as a 'child care centre' in the Municipal Planning Strategy), with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, seven (7) or more children not of common parentage, or nine (9) or more children not of common parentage who are all school-aged up to and including twelve (12) years of age; but does not include a place such as a hospital or school, does not include organized religious or recreational activities, and does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII. (RC-Mar 3/09;E-Mar 21/09)

"Depth of lot" shall mean depth from the street line to the rear lot line or between street lines of a through lot.

"Detached One Family Dwelling House" means the whole of a dwelling house comprised of a single dwelling unit, occupied by not more than one family, and containing five or fewer bedrooms; or six or more bedrooms where such number of bedrooms were established prior to September 17, 2005.

"Development" includes any erection, construction, addition, alteration, replacement or relocation of any building or structure and any change or alteration in the use made of land, buildings or structures.

"Double Duplex Dwelling House" means two attached duplex dwelling houses

"Duplex Dwelling" means the whole of a dwelling house that is divided horizontally into two separate dwelling units, each of which has an independent entrance, and contains six or fewer bedrooms within the whole of the dwelling house; or seven or more bedrooms where such number of bedrooms were established prior to September 17, 2005.

"Dwelling" shall mean any building or portion thereof which is designed or used for residential purposes.

"Dwelling Unit" means 2 or more rooms used or designed to be used by one or more persons as a place of abode which contains not more than one kitchen and includes but is not limited to living, sleeping and sanitary facilities.

"Erect" includes excavating ground for a foundation, laying a foundation, constructing, reconstructing, removing, or changing the location or orientation of a building or any part thereof.

"Fairview Area" – Deleted (RC-Oct 4/16;E-Oct 26/16)

"Floor Area" means that portion of a lot occupied by a building exclusive of any porch or garage.

"Floor Area Ratio" means the gross floor area, in square feet, divided by the area of the lot, in square feet, and is expressed in a ratio of gross floor area to one square foot of lot area. The floor area ratio in each zone shall be deemed to apply only to that portion of such lot which is located within that zone.

"Footprint" means the area of **a** building on a lot, including land over which the building project**s**, but excluding any area below the eaves of a roof, and any portion not covered by a roof, such as unsheltered steps, verandas or decks. **(HWCC-May 13/15;E-May 30/15)**

"Fraternity or Society House" means a building that accommodates the activities of a club whose members are university students or alumni formed or commonly known as a fraternity or university society, and which may include provision of space for residential accommodation of members and social activities of the fraternity or society.

"Front Yard" shall mean a yard extending across the full width of the lot from the street line of the lot to the front wall of the building.

"Gross Commercial Floor Area" means the floor area occupied for the purposes of storing or preparing goods, food, or services for sale, and displaying, selling or dispensing goods, food or services.

"Gross Floor Area" means the aggregate of the area of all floors in a residential building, whether at, above or below grade, measured from the exterior faces of the exterior walls, or from the centre line of the common wall separating two buildings, and including the basement floor area where the basement ceiling height is 1.95 metres or higher, but excluding any open porch/verandah, unfinished attic that is accessed by means other than a fixed staircase, and area used for a private garage, parking and loading.

"Gross Lot Area" means the area of a lot plus the area of one-half the width of any street or permanent open space abutting upon such lot, or thirty feet, whichever is the lesser.

"Habitable Room" means any room in a dwelling house, multiple dwelling, or dwelling unit, with the exception of bathrooms, storage spaces with no windows, or kitchens with a floor area of less than one hundred square feet. Combined or undivided living spaces with floor areas greater than four hundred square feet shall be deemed to be two habitable rooms.

"Height" as pertaining to any building, means, for the purpose of this by-law, the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building.

“Height Peninsula West Area 1" when applied to a building, means the vertical distance of the highest point of the roof above the mean grade of all street lines adjoining the lot on which the building is located where such building is located on a lot having the same or higher elevation than the abutting street line or the mean grade of the natural ground adjoining such building where such building is located on a lot having a lower elevation than the abutting street line. For the purpose of this section, natural grade means the grade existing on the date of adoption of this section.

"Height South-End and Peninsula Centre Areas" shall be the height shown on ZM-17, Height Map, said height being the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building between the building and the fronting street. Further, the permitted height may be exceeded to accommodate the top storey of a building if such storey extends through the maximum height permitted, provided that in the R-1 and R-2 Zones only the roof of the building may exceed the height permitted and no additional habitable space is created.

"Home Occupation" means an accessory use of a dwelling for gainful employment involving the provision or sale of goods or services or both goods and services.

"Hotel" means a building or part of a building that contains a general kitchen and dining and other public rooms, the remaining rooms of which contain no permanent provision for cooking and are usually hired to transients as places of abode and is capable of so accommodating at least fifteen persons.

“Inn” means a converted building constructed before the 11th of May 1950 which is used for overnight sleeping accommodation for the travelling public. Inns may include residential accommodation for the owner or caretaker and related services and facilities including restaurant and food service facilities, but shall not include cooking facilities in individual rooms.

"Institution" means a building used by an organized body or society for promoting a particular object or objects, usually of a non-commercial nature.

"Interior lot" shall mean any lot other than a corner lot. The width of the corner lot in excess of fifty feet distant from the street intersection and the depth in excess of one hundred feet distant from the street intersection shall be considered to be, and shall be treated, as an interior lot.

"Junk Yard" means any land used for the outdoor collection, storage, handling, processing, wrecking, dismantling, buying or selling of discarded materials, which shall include, but not be limited to scrap metal, machinery or parts thereof, dilapidated boats, waste paper, bottles, tires, bicycles, and derelict vehicles but shall not include Construction and Demolition Materials.

"Landscaped Open Space" means any outdoor landscaped area or playground for common use by the occupants of a building, but shall not include space for vehicular access, car parking, areas for the manoeuvring of vehicles, or areas covered by any

building. (PCC-Apr 14/08;E-May 5/08)

"Landscaping or Landscaped Area " means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, pavers, screening or other landscape architectural elements, all of which are designed to enhance the visual amenity of a property and /or to provide an amenity for common use by the occupants of a building. (PCC-Apr 14/08;E-May 5/08)

"Lodging House" means the whole of dwelling house comprised of a single dwelling unit in which four or more bedrooms are rented on an individual basis and/or secured through means such as locking devises, and may contain common rooms such as a living room.

"Lot" or "Property" means a parcel of land whether or not occupied by a building or structure.

"Lot line" shall mean the division line between two or more lots or between any lot and street.

"Lounge" means an establishment licensed as a lounge under the authority of the Liquor Control Act.

"Massage Parlour" includes any premises or part thereof, by whatever name designated, where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised or solicited by members of the opposite sex in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.

"Movie Theatre" means a use where motion pictures are viewed by the public, but excludes an adult theatre. (RC-Nov 18/14;E-Dec 20/14)

"Multiple Dwelling" shall include an apartment house, boarding house, and lodging house.

"Nonconforming Use" shall have the same meaning as contained in the Municipal Government Act as may be amended from time to time.

"Northwest Arm Water Access Area" means the area shown on map ZM-21 attached to this By-law. (RC-May 1/07;E-Jul 21/07)

"North West Arm Sub-Area" means the area designated as the North West Arm Sub-Area on zoning map ZM-2.

"Nude" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of a female breast with less than a full opaque covering over any portion thereof below the top of the areola of the breast.

"Occupied" shall include "designed to be occupied" or "intended to be occupied".

"Open Space" includes landscaped open space and recreational space.

"Parking Lot" means any area for which an occupancy permit has been issued for the storage of more than five (5) motor vehicles in the open air.

"Peninsula Centre Area" means the area designated as the Peninsula Centre Area Plan on zoning map Zm-2.

"Peninsula North Area" means the areas designated as the Peninsula North Secondary Planning Strategy on zoning map ZM-2.

"Peninsula North Area 1" means the area designated as Peninsula North Area 1 on zoning map ZM-2.

"Peninsula North Area 2" means the area designated as Peninsula North Area 2 on zoning map ZM-2.

"Peninsula North Area 3" means the area designated as Peninsula North Area 3 on zoning map ZM-2.

"Peninsula North Area 4" means the area designated as Peninsula North Area 4 on zoning map ZM-2.

"Peninsula North Area 5" means the area designated as Peninsula North Area 5 on zoning map ZM-2.

"Peninsula North Area 6" means the area designated as Peninsula North Area 6 on zoning map ZM-2.

"Peninsula North Area 7" means the area designated as Peninsula North Area 7 on zoning map ZM-2.

"Peninsula West Area 1" means the area designated as Peninsula West Area #1 on zoning map ZM-2.

"Permanent Open Space" means:

(i) publicly owned land, the use of which as an open space is established in perpetuity by deed of trust or otherwise; or
(ii) cemeteries; or
(iii) land permanently covered by water.

"Personal Service Use" means, in the RC-4 Zone, a use providing services for the personal needs of individuals and includes uses providing grooming, tailors, depots for collecting dry cleaning and laundry, and other similar uses. (RC-Nov 18/14;E-Dec 20/14)

"Physical Plant Building" means a building for which the primary use is maintenance of campus facilities such as, but not limited to, heating plants and maintenance vehicle storage.

"Playground" means an area of outdoor landscaped open space equipped with play equipment such as slides, swings or climbing structures or other recreational equipment. (PCC-Apr 14/08;E-May 5/08)

"Population Density" means the number of persons occupying a building(s) on a lot per one acre of gross lot area. In determining population density, the number of persons occupying a building on a lot shall be calculated on the basis of one person for each habitable room contained therein.

"Primary Window" means a window in a living room or bedroom of a dwelling.

"Professional Person" means a person who is a member of one or more of the following professions and who is licensed to practice same:

(a) Doctor, Physician or Surgeon;
(b) Dentist;
(c) Barrister or Solicitor;
(d) Architect or Engineer;
(e) Chartered Accountant;
(f) Psychologist.

"Property" - see "Lot....."

"Public Service or Utility use" shall mean the use of land or erection of structures thereon for the purpose of providing a service by a government or a public utility.

"Quinpool Road Area" means the area designated as the Quinpool Road Commercial Area Plan on zoning map ZM-2.

"Rear Yard" shall mean a yard extending across the full width of the lot between the rear wall of a building and the rear lot line and its depth shall be the distance or the mean of the distance between the rear wall of the building and the rear lot line.

"Recreational Space" means space specifically designed for recreational purposes in, on, or under any part of a building, for common use by the occupants of such building, and includes private balconies and terraces permanently open on at least one side.

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

"Recycling depot" means a building which is used for the deposit, collection and handling of waste paper, rags, tires, bottles or other materials (excluding construction and demolition materials) which are to be delivered wholesale **to other** operations for reclamation, processing or salvage, but shall not include any such salvage or processing on the same lot or within any building used as a re-cycling depot."

"Rental" means a business conducted within a principal building, with no outside display of goods which provides goods and services for temporary use, payment for which is calculated at fixed intervals and is made by the user to the owner. For the purposes of Section 85(2) (Change in Use) of the Planning Act, Chapter 9, S.N.S. 1983, "rental" shall be considered to be the same as "retail trade".

"Residential Pet Care Facility" means a home occupation within a detached one family dwelling house, which is the principal residence of the operator of such facility, for the temporary care or boarding of not more than twelve dogs or cats for gain or profit, but shall not include the breeding or sale of such animals."
(RC-Apr 21/09;E-Jun 20/09)

"Residential Zone" means a zone which permits only residential uses and their accessory uses.

"Roadway" means that portion of the street used by the public for vehicular transportation.

"Rooming House" means:

(a) A one family dwelling house, excepting that the number of bedrooms contained therein is six or more and that any number of said bedrooms are established on or following September 17, 2005.
(b) A duplex dwelling, excepting that the number of bedrooms contained therein is seven or more and that any number of said bedrooms are established on or following September 17, 2005.
(c) A semi-detached dwelling unit, excepting that the number of bedrooms contained therein is six or more and that any number of said bedrooms are established on or following September 17, 2005.
(d) A dwelling house containing two dwelling units, other than (b) or (c) above, with seven or more bedrooms within the entire residential building, where any number of said bedrooms are established on or following September 17, 2005.
(e) A dwelling house containing three dwelling units, with nine or more bedrooms within the entire residential building, where any number of said bedrooms are established on or following September 17, 2005; or

(f) A dwelling house containing four dwelling units, with eleven or more bedrooms within the entire residential building, where any number of said bedrooms are established on or following September 17, 2005.

"Salvage yard" means a lot or premises for the storage, handling or processing of and sale of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, used bicycles, vehicles, tires, metal or other scrap material or salvage but excluding construction and demolition materials."

"Schedule A" means the area designated as Schedule A on zoning map ZM-2.

"Schedule B" means the area designated as Schedule B on zoning map ZM-2.

"Schedule C" means the area designated as Schedule C on zoning map ZM-2.

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

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

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

"Schedule L" means the area designated as Schedule L on zoning map ZM-2.

"Schedule M" means the area designated as Schedule M on zoning map ZM-2.

"Schedule Q" means the area designated as Schedule Q on zoning map ZM-2.

"Schedule HA-1" means the area designated as Schedule HA-1 on zoning map ZM-2.

"Semi-detached Dwelling" means the whole of a dwelling house that is divided vertically into two separate dwelling units, each of which has an independent entrance, and each of which contains a five or fewer bedrooms or six or more bedrooms where such number of bedrooms were established prior to September 17, 2005.

"Service Station" shall mean any building or land used or intended to be used for the retail sale of gasoline and the servicing of automobiles.

"Setback" means the setting back of the exterior walls of a building which are above the basic height from the line of the exterior walls of the building which are below the basic height limit.

"Sex-Aid Shop" includes any establishment or place for the purpose of retail trade where 10% or more of the value of the total stock in trade in any such establishment or place is comprised of articles relating to or portrayed as relating to sexual activities.

"Shipping Container" means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

"Side Yard" shall mean a yard extending from the front wall of the building to the rear wall of the building and lying between the side line of the lot and the nearest side wall of the building.

"Sign" means any structure, device, light, painting or other representation or natural object which is used to identify, advertise or attract attention to any object, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which display or include any letter, work, model, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot, except any "signs" which is affixed to the inside of a window or glass door or regulated under HRM By-law S-800. (RC-Sep 26/06;E-Nov 18/06)

"Society House" see "Fraternity.....

"South End Area" means the area designated as the South End Area on zoning map ZM-2.

"Special Care Home" means a building or part of a building in which accommodation, together with nursing, supervisory or personal care is provided or is available for four or more persons with social, health, emotional, mental or physical handicaps or problems, and only such building or part thereof as is licensed by the Homes for Special Care Act, or the Children's Services Act, or operated as a community correctional centre under the provisions of the Penitentiary Act of Canada, but does not include a building or part thereof maintained by a person to whom the residents are related by blood or marriage, a public hospital, sanatorium, jail, prison, reformatory, hotel or hostel.

"Spring Garden Road Area" (Deleted - RC-Jun 16/09;E-Oct 24/09)

"Spring Garden Road Sub-Area" means the area designated as the Spring Garden Road Sub-Area on zoning map ZM-2.

"Storey" includes, for the purposes of this by-law:

(a) that portion of a building between the top of any finished floor surface and the top of the finished floor surface next above, or in the case of an attic storey, between such floor surface and the roof;
(b) a basement.

"Street" means any public street, road, highway or travelled way or portion thereof.

"Streetwall" means the wall of a building or portion of a wall facing a streetline that is below the height of a specified stepback or angular plane, which does not include minor recesses for elements such as doorways or intrusions such as bay windows. (RC-Nov 18/14;E-Dec 20/14)

"Streetwall Height" means the vertical distance between the top of the streetwall and the streetline grade, extending across the width of the streetwall. (RC-Nov 18/14;E-Dec 20/14)

"Streetwall Setback" means, in the RC-4 Zone, the distance between the streetwall and the streetline. (RC-Nov 18/14;E-Dec 20/14)

"Stepback" means a specified horizontal recess from the top of a streetwall. (RC-Nov 18/14;E-Dec 20/14)

"Street Line" means the boundary of a street.

"Structure" means everything that is built or constructed of parts joined together and includes "Building" and "Erected".

"Through Lot" means a lot bounded by two or more street lines but that is not a corner lot. ***(PCC/CCC: Nov 8/10;E-Nov 27/10)***

"Townhouse" means a dwelling unit in a townhouse building which has two or more independent entrances and a front and rear yard.

"Townhouse building" means a building which is divided vertically by common walls into three or more townhouses.

"University Commercial Facilities" means facilities wherein activities commercial in nature are primarily undertaken such as, but not limited to, dances, lounges in which alcoholic beverages are offered for sale, bookstores and restaurants.

"Use" shall mean the purpose for which a building, structure, or premises or part thereof is used or occupied, or intended to be or designed to be used or occupied. "Used" shall include "arranged to be used", "designed to be used", and "intended to be used".

"Used building material retail outlet" means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building."

"View Map" means a map entitled Map Number TT-17-20158A View Planes for the City of Halifax, Nova Scotia, January 31, 1974, which map is attached hereto and forms part of this by-law.

"View Plane" means any one of the following:

(a) View Plane 1 means the plane bordered by the sides formed by joining points B, A and B, D in the City of Halifax situate as indicated on the View Map.
(b) View Plane 2 means the plane bordered by the sides formed by joining points C, F and C, G, in the City of Halifax situate as indicated on the View Map.
(c) View Plane 3 means the plane bordered by the sides formed by joining points B, H

and B, L, in the City of Halifax situate as indicated on the View Map.

(d) View Plane 4 means the plane bordered by the sides formed by joining points C, J and C, K, in the City of Halifax situate as indicated on the View Map.

(e) View Plane 5 means the plane bordered by the sides formed by joining points B, L and B, M, in the City of Halifax situate as indicated on the View Map.

(f) View Plane 6 means the plane bordered by the sides formed by joining points R, N and R, 0, in the City of Halifax situate as indicated on the View Map.

(g) View Plane 7 means the plane bordered by the sides formed by joining points C, P and C, Q, in the City of Halifax situate as indicated on the View Map.

(h) View Plane 8 means the plane bordered by the sides formed by joining points C, S and C, T, in the City of Halifax situate as indicated on the View Map.

(i) View Plane 9 means the plane bordered by the sides formed by joining points E, U and E, V, in the City of Halifax situate as indicated on the View Map.

(j) View Plane 10 means the plane bordered by the sides formed by joining points C, W and C, X, in the City of Halifax situate as indicated on the View Map.

"Volume" means that space enclosed by the exterior dimensions of a structure. For the purposes of this by-law, volume shall not include bay windows, porches or stairways enclosed or otherwise.

"Water Control Structure" means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams. (RC-Jun 25/14;E-Oct 18/14)

"**Watercourse" means a lake, river, stream, ocean or other natural body of water. (RC-Jun 25/14;E-Oct 18/14)**

"Westmount Subdivision" means the area bounded on the south by Saunders Park, on the west by the centre lines of William Hunt Avenue and Edward Arab Avenue, on the north by Westmount School property, and on the east by the centre line of George Dauphinee Avenue joining Saunders Park via the lot line between the properties known as Civic Numbers 2739 and 2731-35 George Dauphinee Avenue. ***(PCC/CCC: Nov 8/10;E-Nov 27/10)***

"Width of lot" shall mean where the side lot lines are parallel, the distance measured at right angles from such side lot lines across each lot and where such side lot lines are not parallel, the mean distance between them.

GENERAL PROVISIONS

2(1) This by-law shall be administered by the Development Officer of the **Halifax Regional Municipality. (RC-Jun 16/09;E-Oct 24/09)**

GENERAL PROHIBITION

2(2) No person shall undertake a development without first obtaining a development permit.

DEVELOPMENT PERMIT REQUIRED

2(3) Every application for a development permit shall be accompanied by such material as required by Sections 75 to 80 inclusive of this by-law.

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

3 No person shall erect, construct, alter, or reconstruct any building or locate or carry on any industry, business, trade, or calling or use any land or building within any district without complying with the provisions of this by-law applicable thereto.

OTHER PERMITS REQUIRED

4 Nothing in this by-law shall operate to relieve any person of the obligation to obtain any license, permission, permit, authority, or approval required by this or any other by-law of the city.

4A (Deleted)

4B (Deleted)

4C In the **"Quinpool Road Commercial Plan"** notwithstanding any other provision of this by-law, a development permit may be issued by the Development Officer for a project in respect of which approval was given by Council prior to approval of this section and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time specified in the development agreement.

ACCESSORY BUILDINGS

4D **Accessory buildings shall be permitted in all zones.**

4E **Accessory buildings may be located in front yards, side yards, and flankage yards subject to the yard requirements that are applicable to main buildings.**

4F **Accessory buildings may be located in rear yards subject solely to a minimum setback from street lines that shall be equal to the minimum front yard requirement of the zone in which the rear yard is located, except as follows:**

- **(a) on a corner lot, where the rear yard of a corner lot abuts the rear yard of another corner lot and shares the same rear lot line, the minimum setback from the streetline shall be equal to the flankage yard requirement of the zone in which the rear yard is located;**
- **(b) on a corner lot, where a building or an accessory building on an abutting lot is setback from the same street line a distance that is less than that which is required by this By-law, the minimum setback from the street line shall be equal to said setback; or**
- **(c) on a through lot that has insufficient area to be subdivided to create lots with frontages that are coincident with separate street lines, pursuant to the requirements of this By-law, there shall be no minimum setback from the rear lot line.**

4G **Notwithstanding 4F(b), the minimum setback from a street line shall not be reduced to be less than 6 feet in the R-2A Zone.**

4H **The maximum height of an accessory building shall be 14 feet, measured pursuant to the definition of "Height" in this By-law.**

4I **An accessory building may be connected to a main building by a breezeway, passageway, or other similar type of connection, where such a connection is not comprised of floor area that is used for human habitation. Such connections are part of an accessory building and are subject to the requirements herein. Garages or other features that are joined to main buildings, other than as described above, are part of a main building, and are subject to the requirements for main buildings.**

4J **Notwithstanding 4G and 4H, in the Westmount Subdivision Area:**

- **(a) an accessory building may be located anywhere on a lot provided it is a minimum of 5 feet and a maximum of 60 feet from any of that lot's boundaries that coincide with a streetline; and**
- **(b) where an accessory building is located within a front yard, that yard that is adjacent to the city street, it shall be a maximum 65 square feet in area and a maximum of 8 feet in height.**

4K **In addition to other requirements of this By-law, accessory buildings related to C-1 or C-2A purposes in a C-2A Zone shall be setback a minimum of 20 feet from a rear lot line and 12 feet from a side lot line where such lot line abuts a residential zone.** ***(PCC/CCC-Nov 8/10;E-Nov 27/10)***

HEIGHT/SETBACK RATIO

5 Where setbacks are required under the provisions of this by-law in respect to a building, such setbacks shall be at the rate of one foot for each two feet that the building exceeds the permissible basic height and shall be applied to all the outer walls of the building.

PARKING

6(1) The owner of every building hereafter erected or altered for use as an **apartment house or hotel**, shall therein or upon such lands appurtenant thereto, provide and maintain accommodation for the parking or storage of motor vehicles for the use by the occupants of such apartment house, or hotel.

6(2A) For all R-1, **R-1A (RC-Sep 27/11;E-Nov 26/11),** R-2, R-2A, R-2T and RC-1 zones, such accommodation shall consist of one separately accessible parking space at least 8 feet wide and 16 feet long for each dwelling unit.

6(2B) For all other zones**, except the RC-4 Zone, (RC-Nov 18/14;E-Dec 20/14)** such accommodation shall consist of one separately accessible parking space at least nine feet wide and twenty feet long for each

(a) four bachelor units or fraction thereof contained in such apartment house if located in the area described in Schedule "B", Section 82;
(b) bachelor unit contained in such apartment house if located in an area other than described in said Schedule "B"; and
(c) other dwelling unit contained in such apartment house.

6(2C) For the RC-4 Zone, such accommodation shall consist of one separately accessible parking space at least eight feet wide and sixteen feet long for each:

(a) four bachelor units or fraction thereof contained in such apartment house;
(b) three one-bedroom units contained in such apartment house; and
(c) other dwelling unit contained in such apartment house.
(RC-Nov 18/14;E-Dec 20/14)

6(3) Such accommodation, as required by subsection (2B) of this section, shall in an R-3 Zone, be exclusive of the area of the entrance or driveway leading to such parking space; provided, however, that such parking space shall not be situated within five feet of any official street line or door or window serving a habitable room; and each such separately accessible parking space shall be marked indicating the dwelling unit to which such parking space applies.

6(4) Notwithstanding the provisions of subsections (2) and (3), the owner of any building erected or altered for use as a **senior citizens' housing** project under the provisions of Section 16 of the National Housing Act and used exclusively for the

occupancy of senior citizens, shall be required to supply and maintain accommodation for the parking or storage of vehicles for the use by the occupants thereto on the basis of one separately accessible parking space, at least nine feet wide and twenty feet long, for every five dwelling units contained in such building, exclusive of the front yard and entrance or driveway leading to such parking space.

6(5) The owner of such building shall display a copy of subsections (1), (2), and (3) of this section in a prominent location on such premises where it may be seen by all the occupants of such building.

6(6) The owners of every building hereafter erected or altered for use as a **day care facility as an R-3 (Multiple dwelling) use** shall therein or upon such lands appurtenant thereto, provide and maintain accommodation for the parking or storage of motor vehicles for the use by the employees of such **day care facility**. **(RC-Mar 3/09;E-Mar 21/09)**

6(7) Such accommodation shall consist of one separately accessible parking space at least nine feet wide and twenty feet long for every 1,200 square feet of building space actually used for a **day care facility** as an R-3 (Multiple dwelling) use exclusive of the front yard and entrance or driveway leading to such parking space. **(RC-Mar-3/09;E-Mar 21/09)**

6(8) The owner of every building hereafter erected, altered or used as a **special care home** shall therein or upon such lands appurtenant thereto, provide and maintain accommodation for the parking or storage of motor vehicles for the use by the employees of such special care home.

6(9) Such accommodation shall consist of one separately accessible parking space at least nine feet wide and twenty feet long for every three employees or fraction thereof, exclusive of the front yard and entrance driveway leading to such parking space.

6(10) Notwithstanding anything contained in this by-law, there shall be no parking of motor vehicles, trailers, campers or boats between the street line and the building line.

6(11) Notwithstanding anything contained in this by-law, except Sections 6(3), 6(10), and 13, for residential uses other than townhouses, no area of the front yard greater than 33 percent shall be used for vehicular access, manoeuvring or parking

(a) except for a driveway, not greater than 8 feet in width which provides access to a garage within the building or parking space in the side or rear yard or,

(b) a parking space not greater than 8 feet by 16 feet in the front yard for a residential building existing on 18 October 1995, provided that the parking space is perpendicular to the street on which it has its entrance. In the case of irregular shaped lots or where the side lines are not perpendicular to the street, the parking space is to be as perpendicular as possible to the street as

may be determined by the Development Officer.

6(12) For properties where 6(11) applies, excluding those to which Section 31A **and the RC-4 Zone (RC-Nov 18/14;E-Dec 20/14)** applies, at least 67 percent of the front yard must be landscaped.

6(13) For residential uses, areas used for vehicle access, manoeuvring or parking shall be of stable substance such as gravel, asphalt, concrete, bricks or paving stones.

6A **BICYCLE PARKING FACILITIES (RC-Jun 25/14;E-Oct 18/14)**

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

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	**0.5 spaces per dwelling unit** **80% Class A, 20% Class B**
Hotels/ Motels/Inns	**1 space for every 20 rooms** **80% Class A, 20% Class B** **Minimum 2 Class B spaces**
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	**1 space per 300m² GFA** **20% Class A/ 80% Class B** **Minimum 2 Class B spaces**
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	**1 space per 500m² GFA** **50% Class A/ 50% Class B** **Minimum 2 Class B spaces**
Auditoriums, Theatres, Stadiums, Halls	**1 space for every 20 seats** **20% Class A/ 80% Class B** **Minimum of 2 Class B spaces** **Maximum of 50 spaces**
Schools, Colleges, Universities	**1 space for every 250m² GFA** **20% Class A/ 80% Class B**
Recreation Facilities, Community Centres, Libraries.	**1 space per 200m² GFA** **20% Class A/ 80% Class B** **Minimum of 2 Class B spaces**
General Industrial Uses	**1 space per 1000 m² GFA** **80% Class A/ 20% Class B** **Minimum of 2 Class B spaces** **Maximum of 20 spaces**

Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	**5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces**
Any Uses Not Specified Above	**1 space per 500 m² GFA 50% Class A/ 50% Class B**

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

(a) be a minimum of 0.6m wide and 1.8m long;
(b) have a minimum overhead clearance of 2.0m;
(c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

6AB LOCATION OF BICYCLE PARKING (RC-Jun 25/14;E-Oct 18/14)

(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.

6AC SPECIAL BICYCLE PARKING FACILITY REQUIREMENTS (RC-Jun 25/14;E-Oct 18/14)

(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.

LOT TO ABUT ON A STREET

7 Every lot, or some part of every lot, shall abut on a street and a building shall be deemed to abut on the street opposite to its principal entrance or, if such entrance is not opposite to a street, then upon the street from which it gains its principal access, provided that:

(a) Where such street is less than sixty feet in width, no portion of any building shall be located at a lesser distance from the center line of such street than thirty feet;

(b) No building shall be erected on lands abutting or fronting on a private thoroughfare unless such building is located at least twenty feet from the center line of such thoroughfare.

SIDE YARDS

8 Except in the case of a lot of less average width than forty feet, every side yard upon which a primary window of a dwelling house to which it is appurtenant opens shall have a width of not less than four feet. In the case of other windows, the width shall be not less than two feet.

9 (Deleted)

ONE BUILDING PER LOT

10(1) Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one building on one lot or one building on more than one lot except as otherwise provided in the by-law.

10(2) Wherever more than one building has been erected on one lot prior to the coming into effect of this by-law, only such buildings so erected that have been used or occupied on each such lot for residential or commercial purposes shall continue to be so used or occupied, and no other building on any such lot shall be altered or converted for either residential or commercial purposes.

MULTIPLE BUILDINGS PER LOT PERMITTED

10(3) Notwithstanding the provisions of subsections (1) and (2) hereof, more than one residential building, excluding single-family, semi-detached and duplex buildings, may be constructed on a lot in an R-3 Zone, provided that:

(a) **FOR R-2 USES**

(i) the combined lot coverage of the buildings shall not exceed 35 percent;

(ii) the maximum height of each building shall not exceed 35 feet;

(iii) regulations respecting front, side and rear yards contained in Section 43D inclusive shall apply to each building, such regulations to be applied as if the lot were subdivided into as many sublots as there are buildings, and the regulations for each building are applied to its respective sublot;

(iv) the distance between each of the buildings shall not be less than 10 feet; and

(v) the minimum lot frontage and lot area shall be 60 feet and 6,000 square feet respectively.

(b) **FOR R-2A USES**

(i) the combined lot coverage of the buildings shall not exceed 50 percent;

(iii) the regulations respecting front, side and rear yards contained in Section 43AD shall apply to each building, such regulations to be applied as if the lot were subdivided into as many sublots as there are buildings and the regulations for each building are applied to its respective sublot;

(iv) the distance between each of the buildings shall not be less than 10 feet; and

(v) the minimum lot frontage and lot area shall be 60 feet and 6,000 square feet respectively.

(c) **FOR R-3 USES**

(i) the regulations contained in Sections 44 to 47 inclusive shall apply to each building except that the minimum lot frontage and lot area shall be 90 feet and 8,100 square feet respectively; and

(ii) the regulation contained in Section 48 shall be applied as if the occupancy is the combined occupancy of all the buildings on the lot.

STORAGE OF LUMBER, ETC.

11 Within any residential district, except as hereinafter provided, no building or land shall be used for any purpose other than that of private residence, and no building or land shall be used for the storage of lumber, junk or other goods or for any commercial purpose other than for a garden.

12 ~~**FEES**~~ **Deleted (RC-Jun 16/09; E-Oct 24/09)**

BOATS, TRAILERS, CAMPERS

13(1) For the purpose of this section, "trailer" and "camper" shall mean a trailer or camper as defined in Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the Motor Vehicle Act and the regulations thereto.

13(2) No person shall in any R-1, **R-1A (RC-Sep 27/11;E-Nov 26/11),** R-2 or R-3 Zone use any lot for the parking or storing of any boat, camper or trailer.

13(3) Notwithstanding the provisions of subsection (2) hereof, the owner or occupant of any dwelling unit or lot, building, or structure in any R-1, **R-1A (RC-Sep 27/11;E-Nov 26/11),** R-2 or R-3 Zone may store or park:

(a) one boat, which shall not exceed twenty-three feet in length, with or without boat trailer, which shall not exceed twenty-three feet in length, exclusive of hitch or tongue; and

(b) a trailer or trailers, none of which shall exceed twenty- three feet in length, exclusive of hitch or tongue upon such lot, subject to the following regulations:

A. Where lands are used for an apartment house, the boat, camper and trailers shall be located within a building and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required for the parking or storage of motor vehicles for such buildings.

B. Where lands are used for any other purpose:

(i) the boat, camper and trailers shall be located within the dwelling a garage or carport, or located to the rear of a line drawn between two adjacent buildings extending from the front wall of the building which is further from the street, such line being parallel to the street line;

(ii) where a side lot line abuts a street, any boat, camper and trailers parking or stored shall be located no closer than the established setback of the main building or ten feet from such side lot line, whichever is the greater distance;

(iii) where the rear lot line abuts a street, any boat, camper and trailers parked or stored shall be located not less than 25 ft. from such rear lot line.

13(4) Notwithstanding subsections (2) and (3) hereof, the owner or occupant of any dwelling unit or lot, building or structure in any R-1, **R-1A (RC-Sep 27/11;E-Nov 26/11),** R-2 or R-3 Zone may park for the purpose of loading and unloading not more than either one boat, or one camper or one trailer at any one time on such lot.

13(5) Notwithstanding subsections (2) and (3) hereof, where lands are used for purposes other than for apartments, the limitation imposed therein shall not restrict the number of such boats, campers or trailers that are fully enclosed within a garage or dwelling, provided the same are owned by the owner or occupant of such dwelling unit or lot, building or structure or a member of his family.

SIGNS

14 There shall be no signs erected between the street line and the building line**, except as permitted by the RC-4 Zone (RC-Nov 18/14;E-Dec 20/14)**.

15 (Deleted) - See S 99(5)

DEVELOPMENT PERMIT

16 A development permit shall not be required for the following developments:

(a) any physical alteration to an existing building which does not change the exterior dimensions or shape of said building;
(b) fences;
(c) a temporary building to be used in connection with construction work.

WATER/SEWER EXCEPTIONS

16A No development permit shall be issued unless the proposed development is on a city sewer or water system, provided, however, that this section shall not apply to:

(a) developments within a holding zone;
(b) the replacement by a similar building, or the repair, of a building which is not on city sewer and water but conforms in every other respect to the land use by-law and which is destroyed or partly destroyed by a fire or other calamity;
(c) additions which do not result in a change in use or increase in the number of dwelling units;
(d) accessory buildings.

HOME OCCUPATIONS - BED AND BREAKFAST

16B Where home occupations are permitted under this by-law, such home occupation shall comply with the following:

(1) No person who is not a resident of the dwelling unit shall be the proprietor of, or shall be employed in, a home occupation;
(2) Only one home occupation shall be permitted per lot;
(3) Such home occupation shall be confined to one storey of the dwelling and shall not occupy more than 50 percent of the floor area of such storey to a maximum of 400 gross square feet;
(4) No interior or exterior alterations or additions shall be permitted not normally associated with a dwelling;
(5) Except for articles manufactured on the premises, no stock in trade shall be displayed or sold on the premises;
(6) The home occupation shall be conducted in such a way that it shall not be apparent from the outside of the dwelling that it is used for anything other than a residence, and the home occupation shall be conducted entirely within the dwelling unit;
(7) There shall be no display of goods visible from the outside, or outside storage of equipment or materials, or use of an accessory building in

connection with the home occupation;

(8) Only one commercial vehicle, not exceeding 6,000 pounds gross vehicle weight, shall be parked on the premises in connection with the home occupation;

(9) The commercial vehicle permitted under Clause (8) may contain the name, address, telephone number and occupation, profession or trade of the proprietor of the home occupation, which information shall be non-illuminated;

(10) The home occupation shall not create any noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, traffic, or any such similar nuisance not normally associated with a dwelling;

(11) Without restricting the generality of the foregoing, the preparation and sale of food, the keeping of animals, adult entertainment uses, and taxi stands, shall be deemed not to be home occupations;

(12) Notwithstanding subsection (3), a bed and breakfast establishment shall occupy not more than three bedrooms as sleeping rooms for guests;

(13) Notwithstanding subsection (11), the preparation of food may be permitted within a bed and breakfast establishment for sale to the guests of the bed and breakfast only;

(14a) The owners of every building hereafter erected or altered for use as a bed and breakfast establishment shall therein or upon such lands appurtenant thereto, provide and maintain accommodation for the parking or storage of motor vehicles for use by the guests of such bed and breakfast;

(14b) Such accommodation shall consist of one parking space at least eight feet wide by sixteen feet long for a bed and breakfast establishment which contains one or two sleeping rooms, exclusive of the front yard;

(14c) Such accommodation shall consist of two parking spaces at least eight feet wide and sixteen feet long for a bed and breakfast establishment which contains three sleeping rooms, exclusive of the front yard.

REDUCED LOT SIZE

16C(1) Notwithstanding any section of this by-law, in the case of lots existing prior to the date of adoption of this section, the lot size and lot frontage requirements shall be reduced to **3,000 square feet and 30 feet**, respectively, for single family residential uses.

BILLBOARDS NOT BUILDING

16D (Deleted)

16D(1) For the purpose of this by-law, notwithstanding Section 10(1) a billboard shall be deemed not to be a building.

16D(2) Where billboards are permitted under this by-law, a billboard erected, maintained or used to display advertising matter which does not relate to the property or use of the property on which said billboard is placed, shall:

(a) not extend more than 25 feet (7.62 metres) at its highest point above the mean grade on which it is situated and over which it protrudes; nor shall any portion of the sign face or its associated features be located within 12 feet (3.6576 metres) of the mean grade immediately under the sign;

(b) not be located less than 15 feet (4.572 metres) from any street line or abutting lot line, nor be located less than 250 feet (76.2 metres) from a lot which is zoned or used for park, institutional, open space or residential purposes;

(c) not contain a sign face, or its associated features, exceeding 200 square feet (18.58 square metres) in area;

(d) not have more than two sign faces, and billboards containing two sign faces shall have said sign faces affixed back-to-back;

(e) not be located within 1000 feet (304.8 metres) of another billboard located on the same street;

(f) not be located in any Minor Commercial (C-2A) zone;

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

(h) not be located in the Gottingen Street Commercial Area~~, the Central Business District, or the Spring Garden Road Commercial Area~~; **(RC-Jun 16/09;E-Oct 24/09)**

(i) not be located on portions of the CN Right-of-Way between Chebucto Road and Bayers Road (PID 00339853) and Joseph Howe Drive between Bayers Road and the Highway 102 (PID 00339705);

(j) not be illuminated between the hours of 11:00 p.m. of any day and 7:00 a.m. of the following day, where such billboard abuts a lot zoned or used for residential, institutional, park or conservation purposes.

16D(3) Section 16D(2) shall not apply to mural-style advertising applied to a building, wall or fence, provided that complimentary non-commercial artwork is concurrently applied to an equal or greater portion of the remainder of the wall or fence, and provided that both the advertising and surrounding non-commercial artwork are applied and maintained to the satisfaction of the By-law Enforcement Officer.

16D(4) Section 16D(2) shall not apply to promotional street furniture or park facilities, including but not limited to bus shelters, bicycle racks, benches, kiosks, refuse containers and scoreboards which incorporate advertising permissible under other municipal by-laws.

16DA <u>GENERAL SIGN PROVISIONS</u> (RC-Sep 26/06;E-Nov 18/06)

SIGN PERMIT

16DA(1) Except as provided in Section 16DA(3), no person shall place or erect an advertising structure in the City unless the owner or occupier of the premises on which the sign is erected has obtained a permit therefor.

16DA(2) Except as provided in Section 16DA(3), an owner or occupier shall have at

all times a valid permit for each sign on any premise either owned or occupied by him.

EXCEPTIONS

16DA(3) **Under this By-law, no permit is required for:**

(a) **a canopy which encroaches on the street;**
(b) **street decorations, streamers and similar temporary non-profit advertising authorized by the Development Officer with advise from Engineer;**
(c) **a non-illuminated sign less than three hundred square millimetres (300mm2);**
(d) **an unlit construction sign of less than two square metres (2m2) identifying parties involved in construction on the premises where the sign is located; providing such sign is to be in place for less than one year. A sign so erected shall be removed within fourteen (14) days after the conclusion of the activity;**
(e) **an unlit real estate sign less than two square metres (2m2) pertaining to the sale, rental, or lease of the premises on which the sign is displayed. A sign so erected shall be removed within fourteen (14) days after sale, rental or lease;**
(f) **event signs - unlighted signs of up to three square metres (3m2) in size displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a political, civic, philanthropic, educational or religious nature, not to be erected more than thirty (30) days before the event and to be removed not more than two (2) days after the event;**
(g) **display window signs - signs on the surface of inside display windows, lighted only by building illumination and, covering no more than twenty percent (20%) of the display window area.**

LIGHTED SIGNS

16DA(4) **(a)** **An illuminated sign with coloured lights or an animated sign shall be considered by the Development Officer, for traffic safety purposes.**
(b) **Where the Development Officer is of the opinion that the illuminated or animated sign would affect traffic safety, he shall recommend changes to the sign to the Development Officer.**
(c) **The Development Officer shall require the sign to be altered in conformance with the recommendations of the Development Officer.**
(d) **No permit shall be issued unless the recommended changes are made.**

PROFESSIONAL DESIGN

16DA(5) **If the Development Officer considers professional is necessary, he may require a copy of the detailed drawings, specifications, and calculations related to the**

sign or advertising structure and the supporting building, sealed and signed by an Engineer or Architect licensed or permitted to practice in the Province of Nova Scotia by the Association of Professional Engineers of Nova Scotia or the Nova Scotia Architects' Association.

CONDITIONS

16DA(6) **Every permit issued for a sign or advertising structure shall contain the following conditions:**

- **(a) that the sign or advertising structure shall at all times be maintained in a safe condition;**
- **(b) any other condition so that the sign in the opinion of the Development Officer will not constitute a hazard to the public;**
- **(c) where a sign may affect traffic flow, control or safety, the Development Officer may impose suitable conditions on the location, size, colours, animation, lighting or other characteristics related to traffic safety or to the provisions of reasonable distance, traffic visibility and clearance between streets and travelled ways and the sign or advertising structure.**

ENCROACHMENT LICENSE

16DA(7) **In addition to the provisions within this section regarding sign permits, if a sign or advertising structure is intended to project or extend over any portion of any street, no permit for such sign or advertising structure shall be granted until the applicant obtains approval under the Encroachment By-law permitting such applicant to maintain such sign or advertising structure so projecting or extending over a portion of a street.**

SIGNS ON BUILDINGS

16DA(8) **No sign or advertising structure attached to any building shall extend more than two metres (2m) at its highest point including its supporting structures above the roof of the building.**

16DA(9) **On the roof of any building no sign or advertisement more than one-point-four metres (1.4m) high across the face shall be erected, and applicants must submit to the Development Officer drawings to scale showing method of construction and means of attachment, and the bottom of any such sign shall not be nearer than one hundred fifty millimetres (150mm) nor more than four hundred fifty millimetres (450mm) above the roof.**

16DA(10) **No sign or advertising structure beyond the building line shall be less than three metres (3m) above the surface of a vehicular passageway.**

16DA(11) **No sign or advertising structure shall overhang the street for a distance of**

more than two-thirds of the width of the sidewalk, excepting marquees or canopies.

16DA(12) **No part of a sign or structure shall be closer than nine hundred millimetres (900mm) horizontal from a curb face or the nearest edge of a vehicular passageway or traffic lane.**

ILLUMINATED SIGNS

16DA(13) **Signs shall be illuminated in such a manner not to cause a glare to motorists, pedestrians or neighbouring premises**

16DA(14) **Signs shall not be illuminated between the hours of 11:00 p.m. of any day and 7:00 a.m. of the following day unless related to an establishment operating during these hours.**

TEMPORARY SIGNAGE

16DA(15) **This By-law shall not apply to any sign regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs).**

16DA(16) **Any sign provision within this By-law referring to temporary signage, as regulated under HRM By-law S-800, is superceded."**

NON-CONFORMING RESIDENTIAL USES - FAIRVIEW AREA

16E(1) **(Deleted – RC-Oct 4/16;E-Oct 26/16)**

16E(2) **(Deleted)**

ATTICS - CONVERTED OR NON-CONFORMING BUILDINGS

16F(1) Notwithstanding any other provision of this by-law, **the pitch of a roof** of a structure containing a non-conforming use or a building converted under Sections 34E, 41, 43F, 43I, 43J, 43K, 43L, 43AK, 43AI, 48BE, 59K(1) or 89 of the land use by-law may be altered thereby increasing the volume of the structure to effect repairs, provided that the interior height between the attic floor joists and the peak of the roof shall not exceed 6 feet and no additional habitable space is created.

REPAIRS TO NON-CONFORMING STRUCTURES OR USES

16F(2) In the case of a non-conforming structure or a structure containing a non-conforming use, deteriorated stairs, decks, chimneys, fuel tanks and air conditioners may be replaced, provided that:

(i) in the case of a non-conforming front, side or rear yard, such replacements do not change the location of nor increase the area of the existing

encroachment;

(ii) in the case of a non-conforming lot coverage, the replacement does not increase the size of the non-conformity; and

(iii) that all other requirements of the by-law are adhered to.

ADDITIONS TO A STRUCTURE CONTAINING A NON-CONFORMING USE

16F(3) Additions to a structure containing a non-conforming use may be permitted, provided that:

(i) This section shall only apply to townhouses or buildings containing no more than two dwelling units;

(ii) additions shall comply with the requirements of the zone in which the residential portion of the use is listed as a permitted use;

(iii) no additional dwelling units are created; and

(iv) where the non-conforming use is other than residential, any addition permitted by this section shall not be used for any purpose other than residential.

SUBDIVISION OF MULTIPLE, OR ENCROACHING BUILDINGS

16G Notwithstanding anything in this by-law; except Section 16A:

(a) Where two or more buildings existed on one lot prior to March 25, 1982, a subdivision may be approved to place each building on its own lot, notwithstanding that the resultant lot(s) and/or building(s) will not meet the land use by-law requirements. Each lot, however, must have a minimum of 10 ft. frontage on a street;

(b) Where a building existing at the time of the adoption of this section of the by-law encroaches on a lot line, a subdivision may be approved to place the building on its own lot, notwithstanding that the resultant lot(s) and/or existing building(s) will not meet the land use by-law requirements, provided each lot has at least a 10 ft. frontage on a street.

EXISTING SEMI-DETACHED DWELLINGS

(c) Where a semi-detached dwelling existed on one lot on the effective date of this amendment, to which additions may have been constructed, which does not meet the requirements for subdivision purposes under this by-law and/or is not a permitted use in the zone in which it is located, a subdivision may be approved to place each dwelling unit on its own lot, provided that each lot has a minimum of 10 feet of frontage on a street.

QUINPOOL ROAD COMMERCIAL

16H Notwithstanding any other provision of this by-law, the area known as the

"Quinpool Road Lands" within the **"Quinpool Road Area"** shall be permitted that amount of non-residential gross floor area as allowed by the development agreement of April, 1977.

16I **SHIPPING CONTAINERS**

(a) Shipping containers may not be used as accessory buildings to a residential use. Shipping containers may be used as accessory buildings only in an industrial or commercial zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation use shall not be permitted on any property which abuts a residential, park or institutional zone.

(b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.

(c) No shipping container may be used in any zone as a dwelling or other form of accommodation, including offices.

16J (1) WATERCOURSE SETBACKS AND BUFFERS (RC-Jun 25/14;E-Oct 18/14)

(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^2 or a combination of an accessory structure and attached deck not exceeding 20 m^2, 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, and water control structures.

(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.

16J(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.

16J(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 August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements**

16J(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.**

16J(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.**

16J(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.**

16J(7) **Subsection (1) does not apply to lands within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Harbour.**

16K **<u>COASTAL AREAS</u> (RC-Jun 25/14;E-Oct 18/14)**

(1) **No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).**

(2) **Subsection (1) does not apply to:**

(a) **any residential accessory structures, marine dependant uses, open space uses, parking lots and temporary uses permitted, permitted accessory building; and**

(b) **lands within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Harbour.**

(3) **Notwithstanding subsection (1), any existing dwelling situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation.**

(4) **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 elevations, contours and lot grading information to determine that the proposed building or structure will meet the requirements of this section.

<u>DEVELOPMENT AND SUBDIVISION ON THE NORTHWEST ARM</u> (RC-May 1/07;E-Jul 21/07)

16L **For any development or subdivision within the Northwest Arm Water Access Area, in addition to all other applicable requirements of this By-law, the following requirements shall apply:**

(a) Definitions:

(i) "Boathouse" means a building or structure, whether permanent or temporary, which is located on a waterfront lot, which is roofed, which does not contain toilet, bathroom, kitchen or sleeping facilities and which is used for the shelter or storage of boats, watercrafts and associated marine accessories and equipment, but not for the accommodation of persons, animals, or vehicles as defined by the Motor Vehicle Act.

(ii) "Gazebo" means a freestanding, roofed accessory building or structure, which is not enclosed, which does not contain toilet, bathroom, kitchen or sleeping facilities, and which is not used for the accommodation of animals or vehicles as defined by the Motor Vehicle Act.

(iii) "Shoreline" means the Ordinary High Water Mark as defined under the Nova Scotia Land Surveyors Regulations and as it existed on the effective date of this Section.

(iv) "Water Lot" means any part or parcel of land on the Northwest Arm located seaward of the Shoreline.

(b) In addition to all other applicable requirements of this by-law:

(i) No structure, with the exception of boathouses, public works and utilities, ferry terminal facilities, parks on public lands, wharves, docks, gazebos, municipal, provincial and national historic sites and monuments, and existing structures may be located within 9 metres (30 feet) of the Shoreline of the Northwest Arm; and,

(ii) Where boathouses and gazebos are to be located within 9 metres (30 feet) of the Shoreline of the Northwest Arm, they shall be limited to one boathouse and one gazebo per lot and each structure may have a maximum area of 121.92 square metres (400 square feet), a maximum width of 6 metres (20 feet) on the side that is most parallel to the Shoreline, a maximum depth of 7.8 metres (26 feet), a minimum roof pitch of 5/12 and a maximum height of 4.2 metres (14 feet);

(c) Notwithstanding Subsection (b), the 9-metre (30-foot) Northwest Arm Shoreline setback shall not apply to the properties identified by the

following P.I.D. numbers: 41020439, 00079020 (St. Mary's Boat Club), and 00079186 (The Waegwoltic Limited).

(d) No portion of a water lot shall:

(i) be included within the calculation of the minimum setback required by clause (b)(i);

(ii) be included within the calculation of the minimum lot area requirements of this by-law; and,

(iii) have frontage on any street not opened for vehicular use as of April 1, 2007.

(e) The requirements of this Section shall continue to apply to water lots following any subsequent consolidation with abutting land lots.

16M TEMPORARY CONSTRUCTION USES PERMITTED

(a) Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(b) A rock crusher may be used at the site of a demolition of a structure or building, the site of construction of primary or secondary services pursuant to the Regional Subdivision By-law, or at the site of development permitted pursuant to this By-law, provided a development permit has been issued for such use.

(c) A development permit may only be issued for the temporary use of a rock crusher.

(d) A development permit issued for the use of a temporary rock crusher accessory to demolition of a structure or building pursuant to this By-law or a development pursuant to this By-law shall be valid for any period specified not exceeding sixty (60) days. A development permit issued under this clause may be renewed for a period not to exceed thirty (30) days at a time, if a development officer determines that an extension of the period is necessary. No rock crusher shall be located or used within three (3) metres of any property boundary.

(e) A development permit issued for the use of a temporary rock crusher accessory to the construction of primary or secondary services pursuant to the Regional Subdivision By-law shall be valid for any period which does not exceed the construction time schedule specified in the subdivision agreement. No rock crusher for which a permit has been issued under this clause shall be located or used within sixty (60) metres of any building used for residential or institutional purposes; with the exception of fire stations, police stations, public works facilities, cemeteries, historic sites and monuments, and recreational trails where no rock crusher shall be located or used within three (3) metres of any property boundary.

(f) **Notwithstanding any other provision of this By-law, a temporary rock crusher accessory to construction in progress shall not be used to process material for export to another site nor to process material imported to the site.**

(g) **A temporary rock crusher may be used as an accessory to demolition in progress to process demolished material for export to another site subject to disposal in accordance with the requirements of this By-law and the C&D Materials Recycling and Disposal License By-law. (RC-Jan 20/09;E-Feb 7/09)**

16N **<u>WIND ENERGY FACILITIES</u> (RC-Jun 25/14;E-Oct 18/14)**

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

a) **"Habitable Building" means a dwelling unit, hospital, hotel, motel, nursing home or other building where a person lives or which contains overnight accommodations.**

b) **"Nacelle" means the frame and housing at the top of the tower that encloses the gearbox and generator.**

c) **"Nameplate Capacity" means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine;**

d) **"Total Rated Capacity" means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;**

e) **"Tower Height" means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;**

f) **"Turbine" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.**

g) **"Wind Energy Facility" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;**

i) **"Micro Facility" means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.**

ii) **"Small Facility" means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.**

iii) **"Medium Facility" means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.**

iv) **"Large Facility" means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.**

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule ZM-23 - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

i) **All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**

ii) **All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.**

iii) **All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,**

iv) **Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.**

v) **Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.**

vi) **Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.**

b) **RURAL WIND ZONE (RW-2)**

i) **All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).**

ii) **All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.**

iii) **Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:**

1) **A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;**

2) **A minimum distance of 1.0 times the tower height from any adjacent property boundary.**

iv) **Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:**

1) **A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;**

2) **A minimum distance of 1.0 times the tower height from any adjacent property boundary.**

v) **Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:**

1) **A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;**

2) **A minimum distance of 1.0 times the tower height from any adjacent property boundary.**

vi) **Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:**

1) **A minimum distance of 1000 metres (3281 feet) from any habitable building on an adjacent property;**

2) **A minimum distance of 1.0 times the tower height from any adjacent property boundary.**

c) **RESTRICTED ZONE (R)**

i) **Wind Energy Facilities shall not be permitted in the Restricted Zone.**

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

a) **a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**

b) **the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their**

generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;

c) identification and location of the properties on which the proposed Wind Energy Facility will be located;

d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;

e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act;* and,

f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:

- **i) not attached to a building and is not connected to the power grid;**
- **ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**

b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

- **i) Micro 140 metres (460 ft)**
- **ii) Small 360 metres (1180 ft)**
- **iii) Medium 500 metres (1640 ft)**
- **iv) Large 2000 metres (6560 ft) (RC-Oct 18/11;E-Oct 29/11)**

c) The notice pursuant to section b) shall include the following information:

- **i) a site plan that includes property boundaries and the location of the proposed wind energy facility;**

ii) a description of the type of wind energy facility; and

iii) the applicant's contact information which shall include a mailing address. (RC-Oct 18/11;E-Oct 29/11)

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

a) Wind Energy Facilities shall not be permitted in the following zones of the Halifax Peninsula Land Use By-law:

i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.

b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.

c) All electrical wires shall, to the maximum extent possible, be placed underground.

d) The visual appearance of the Wind Energy Facility shall at a minimum:

i) be a non-obtrusive colour such as white, off-white or gray;

ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,

iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.

b) The siting of Wind Energy Facilities is subject to the requirements for Watercourse Setbacks and Buffers as set out in the Land Use By-law.

c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

a) Schedule ZM-23 – Wind Energy Zoning.

14X PUBLIC TRANSIT FACILITIES (RC-Jun 25/14;E-Oct 18/14)

Public transit facilities shall be permitted in all zones with frontage on minor and major collector roads, arterial roads and expressways and shall not be required to conform to any zone requirements.

CONTRACT PROVISIONS

16AA (Deleted)

16AB (Deleted)

16AC (Deleted)

16AD(1) (Deleted)

16AD(2) (Deleted)

16AE(a) (Deleted)

16AF (Deleted)

16AG (Deleted)

16AH (Deleted)

16AI (Deleted)

(See page 134)

ZONES, ZONING MAPS AND BUILDING LINE PLAN (RC-Apr 2/07;E-Jul 21/07)

CLASSES OF ZONES

17 For the purpose of this by-law and of the maps entitled ZM-1, ZM-2, and ZM-17 Height Precinct Map annexed hereto, hereinafter referred to as "zoning maps", the following classes of zones are hereby established:

	Not Within View Plane	Within View Plane
Single Family Dwelling Zone	R-1	R-1-V
Single Family Dwelling A Zone (RC-Sep 27/11;E-Nov 26/11)	**R-1A**	**R-1A-V**
General Residential Zone	R-2	R-2-V
Townhouse Zone	R-2T	R-2T-V
General Residential Conversion Zone	R-2A	R-2A-V
Multiple Dwelling Zone	R-3	R-3-V
Neighbourhood Commercial Zone	RC-1	RC-1-V
Residential Minor Commercial Zone	RC-2	RC-2-V
High Density Residential Minor Commercial Zone	RC-3	RC-3-V
South Barrington Residential/Minor Commercial Zone (RC-Nov 18/14;E-Dec 20/14)	**RC-4**	**RC-4-V**
Local Business Zone	C-1	C-1-V
General Business Zone	C-2	C-2-V
Minor Commercial Zone	C-2A	C-2A-V
Minor Commercial - Quinpool Road	C-2C	C-2C-V
General Business Zone - Spring Garden Road–**Deleted (RC-Jun 16/09;E-Oct 24/09)**		
Business Service Zone	C-3A	C-3A-V
Industrial Zone	C-3	C-3-V
Professional Zone	C-4	C-4-V
Harbour-Related Industrial Zone	C-5	C-5-V
Adult Entertainment Zone	C-6	C-6-V
Park and Institutional Zone	P	P-V
Bakery Zone	B	B-V
Low-Density University Zone	U-1	U-1-V
High-Density University Zone	U-2	U-2-V
Hotel Zone-**Deleted (RC-Jun 16/09;E-Oct 24/09)**		
Canadian Forces Base Zone	CFB	CFB-V
Brunswick Comprehensive Development District	BCDD	BCDD-V
C&D Materials Transfer Stations Zone	CD-1	CD-1-V
C&D Materials Processing Facilities Zone	CD-2	CD-2-V
C&D Materials Disposal Sites Zone	CD-3	CD-3-V
Infrastructure Charge Holding Zone	ICH	ICH-V

Regional Park Zone (RC-Jun 25/14;E-Oct 18/14)	**RPK**	**RPK-V**
Water Access Zone (RC-May 1/07;E-Jul 21/07)	**WA**	**WA-V**

18 **The uses of buildings and land permitted by this by-law in such zones may be referred to as R-1, R-1A (RC-Sep 27/11;E-Nov 26/11), R-2, R-2T, R-2A, R-3, RC-1, RC-2, RC-3, *RC-4 (RC-Nov 18/14;E-Dec 20/14),* C-1, C-2, C-2A, C-2C, C-2D (Deleted RC-June 16/09;E-Oct 24/09), C-3A, C-3, C-5, C-6, P, B, U-1, U-2, CFB, BCDD, CD-1, CD-2, CD-3, ICH , HZ (Deleted RC-Jun 16/09;E-Oct 24/09), RPK (RC-Jun 25/14;E-Oct 18/14), and WA uses, respectively. (RC-May 1/07;E-Jul 21/07)**

19 The City of Halifax is hereby divided into the districts herein referred to as "use zones" delineated on the zoning maps aforesaid, which maps and the notations, references and other information shown thereon are hereby incorporated in and declared to form part of this by-law to the same extent as though fully described herein.

DETERMINING BOUNDARY LINES OF USE ZONES

20 Where the position of the boundary line of a use zone or any boundary line as shown on Zoning Maps ZM-2 and ZM-17, as shown on any zone map is not coincident with the limit of a street, but parallel thereto, and the distance from such street line is not indicated, such boundary line shall follow the rear lot lines of the properties fronting on such street as such lines exist at the date of the coming into effect of this by-law; excepting that where a rear lot line is at a greater distance than one hundred and fifty (150) feet from such street line, the boundary line shall be deemed to be a distance of one hundred and twenty (120) feet therefrom, provided that this exception shall not apply to residential zones.

20A Upon the closing of a street or portion of a street to public use, the land comprising such former street or portion of such street shall be zoned as follows:

(a) where the use zone of the abutting lands are the same, the land comprising the former street shall have the same zoning as the abutting lands;
(b) where the use zone of the abutting lands are different, the center line of the former street shall be the boundary line and the lands on either side of the boundary line shall have the same zoning as the abutting lands;

21 Where a zone map indicates that the permissible uses of lots fronting on intersecting streets are not the same, the use permissible for a corner lot shall be the same as that applicable to the street upon which the proposed building or other use is intended to front, regardless of the other unless the zone map distinctly shows it otherwise.

21A Where the boundary line of a use zone is coincident with a shoreline, the boundary line will follow any change in the shoreline.

21B **Notwithstanding Subsection 21A, the boundary of the WA Zone is deemed to coincide with the Shoreline of the Northwest Arm as defined in Section 16L. (RC-May 1/07;E-Jul 21/07)**

SPECIAL BUILDING LINE

22(1) A building line plan shall form part of this by-law and shall be annexed hereto.

22(2) All land situated between the street line and the building line as shown on the building line plan shall be landscaped.

EXCEPTION - VIEW PLANE

23 Sections 20 and 21 shall not apply in determining the location of the boundary lines for a View Plane.

PROTRUSIONS THROUGH VIEW PLANES

24 Notwithstanding any provision of this by-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to protrude through a View Plane except in the following circumstance:

(a) Where an existing building protrudes through a View Plane, a new building may be erected and may protrude through the View Plane, provided such new building or structure shall not enlarge upon the existing protrusion through the View Plane when viewed:
   (i) in the case of View Planes 1, 3 and 5 from viewing position B;
   (ii) in the case of View Planes 2, 4, 7, 8 and 10 from viewing position C;
   (iii) in the case of View Plane 9 from viewing position E; and
   (iv) in the case of view Plane 6 from viewing position R.

ZONES WITHIN VIEW PLANES

25(1) The properties and portions of properties in use zones under a view plane shall form new use zones to be known as View Zones. The View Zones shall have the letter "V" added to the use zone designation applicable to the property at the time of the adoption of the view planes amendment (i.e., R-1 Zone becomes R-1-V Zone; C-2 Zone becomes C-2-V Zone; P Zone becomes P-V Zone; etc.). The requirements of a View Zone shall be identical to its previous use zone requirements with the additional provision that a building or structure on the land shall not protrude through any View Plane.

25(2) When a property or portion of a property in a View Zone is rezoned, the property or portion of property shall continue to be in a View Zone but with the new use zone designation (i.e. R-3-V Zone may become C-1-V Zone).

26 (Deleted)

26A **BAND "A" Deleted (RC-Jun 16/09;E-Oct 24/09)**

CITADEL RAMPARTS

26B In addition to all other provisions of this by-law, no development permit shall be issued for any development within Schedule A that is greater than 90 ft. in height, unless such development will not be visible above the topmost line of the earthworks of the Citadel ramparts from an eye level 5.5 ft. above ground level at any of the specified viewing positions in the Parade Square of the Citadel. Elevations and coordinate values for the viewing positions in the Parade Square of the Citadel and elevations to the topmost line of the earthworks on the Citadel ramparts are shown on ZM-17 (Height Precinct Map).

26BC **ZM-20 - Areas of Elevated Archaeological Potential**
(RC-Jun 25/14;E-Oct 18/14)

Where excavation is required for a development on any area identified on ZM-20 attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

MAXIMUM RESIDENTIAL GROSS FLOOR AREA

26D The maximum residential gross floor area for dwellings within the R-1**, R-1A (RC-Sep 27/11;E-Nov 26/11)** and R-2 Zones shall be as follows:

Lot Size	GFA Requirement
<=3,500	The maximum GFA shall be a FAR of 0.75
>3,500 to 4,000	The maximum GFA shall be 2,625 sq. ft. or a FAR of 0.70, whichever is greater.
>4,000 to 4,500	The maximum GFA shall be 2,800 sq. ft. or a FAR of 0.65, whichever is greater.
>4,500 to 5,500	The maximum GFA shall be 2,925 sq. ft. or a FAR of 0.60, whichever is greater.
>5,500 to 7,000	The maximum GFA shall be 3,300 sq. ft. or a FAR of 0.55, whichever is greater.
>7,000 to 9,000	The maximum GFA shall be 3,850 sq. ft. or a FAR of 0.50, whichever is greater.

>9,000 to 11,000	The maximum GFA shall be 4,500 sq. ft or a FAR of 0.45, whichever is greater.
>11,000 to 13,000	The maximum GFA shall be 4,950 sq. ft. or a FAR of 0.40, whichever is greater.
>13,000	The maximum GFA shall be 5,200 sq. ft. or a FAR of 0.35, whichever is greater.

GFA: Gross Floor Area
FAR: Floor Area Ratio"

FAIRVIEW AREA (HWCC-May 13/15;E-May 30/15)

26 E (Deleted – RC-Oct 4/16;E-Oct 26/16)

R-1 ZONE

SINGLE FAMILY ZONE

27(1) The following uses shall be permitted in any R-1 Zone:

(a) a detached one-family dwelling house;
(b) the office of a professional person located in the dwelling house used by such professional person as his private residence;
(ba) a home occupation;
(c) a public park or playground;
(d) church or church hall;
(e) a **day care facility** for not more than 14 children in conjunction with a dwelling; **(RC-Mar 3/09;E-Mar 21/09)**
(f) a special care home containing not more than ten persons including resident staff members;
(g) uses accessory to any of the foregoing uses.

27(2) No person shall, in any R-1 Zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

27(3) No person shall, in any R-1 Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

28 Buildings erected, altered or used for R-1 uses in an R-1 Zone shall comply with the following requirements:

Lot frontage minimum	40 ft. except when a lot faces on outer side of a curve in the street, in which case the minimum frontage may be reduced to 25 ft.
Lot area minimum	4,000 sq.ft.
Height maximum	35 ft.
Lot coverage maximum	35 percent

HEIGHT AND LOT COVERAGE - ATLANTIC, BRUSSELS AND MCLEAN STREETS

For those properties zoned R-1 on Atlantic Street (east 5660 Atlantic Street), Brussells Street and McLean Street, the maximum permitted height shall be the height shown on ZM-17 and such height shall be determined by the definition "Height" instead of the definition "Height South-End and Peninsula Centre" and the maximum lot coverage shall be 30 percent.

LOT COVERAGE - PENINSULA WEST AREA 1

For those properties zoned R-1 within Peninsula West Area 1, the maximum lot coverage shall be 30 percent.

28A(1) **LOT SIZE - YOUNG AVENUE (HWCC-Sep 12/17;E-May 11/18)**

Notwithstanding the lot frontage and lot area requirements of Section 28, for those properties with frontage on Young Avenue, within the bounds of the area shown on Map ZM-24, the following requirements shall apply:

Lot frontage minimum	**80 ft. (24.4 m) of lot frontage on Young Avenue**
Lot area minimum	**8,000 sq. ft. (743.2 sq. m)**
Lot width minimum	**80 ft. (24.4 m)**
Lot depth minimum	**100 ft. (30.48 m)**

28A(2) **EXISTING LOTS – YOUNG AVENUE (HWCC-Sep 12/17;E-May 11/18)**

Notwithstanding Subsection 28A(1), for those properties with frontage on Young Avenue, within the bounds of the area shown on Map ZM-24, a lot that was created prior to June 10, 2017 and has a minimum lot area of 4,000 sq. ft. and a minimum lot frontage of 40 ft., may be developed provided all other requirements of this by-law are met.

28A(3) **SIDE YARD SETBACKS – YOUNG AVENUE**
(HWCC-Sep 12/17;E-May 11/18)

For those properties with frontage on Young Avenue, within the bounds of the area shown on Map ZM-24, a side yard shall be provided on each side of the building of not less than 10 percent of the width of the lot, provided that the maximum width of any side yard need not exceed 10 feet (3.048 m) and the provisions of this subsection shall apply to both sides of the building.

29 With the exception of those streets shown on the attached building line plan, a **front yard** shall be provided of not less than 15 feet in depth. In the case of those streets shown on the "Building Line Plan" (see appendix), the front yard requirements shall be as indicated on that plan.

30 A rear yard shall be provided of not less than 20 feet in depth.

31 A side yard shall be provided on each side of the building of not less than 10 percent of the width of the lot, provided that the maximum width of any side yard need not exceed 6 feet and the provisions of this clause shall apply to both sides of the building.

WESTMOUNT SUBDIVISION AREA

31A In the Westmount Subdivision, the front yard shall be identified as that **yard that is** adjacent to the city street, and the rear yard as that **yard that is** adjacent to the walkway. ***(PCC/CCC-Nov 8/10;E-Nov 27/10)***

CORNER LOT - YARD REQUIREMENT

32 In the case of a corner lot at the rear of which (whether a lane intersects or not) is a lot fronting on a street which flanks such corner lot, the width of the side yard on the corner lot along the flanking street shall not be less than 6 feet nor less than half the depth of the front yard on the lot in the rear of such corner lot. This regulation shall not, however, where the provisions of the next preceding clause are complied with, reduce the buildable width of a corner lot to less than 26 feet. ***(PCC/CCC-Nov 8/10;E-Nov 27/10)***

BOARDERS AND LODGERS - BED AND BREAKFAST

33(a) The keeping of not more than three boarders or lodgers in a one family dwelling house shall be permitted but no window display or sign of any kind in respect to the use permitted by this clause shall be allowed.

33(b) The provision of the bed and breakfast accommodation shall not be permitted simultaneously with the keeping of boarders and lodgers.

SIGNS

34 Within the said district, it shall be unlawful to utilize any portion of the exterior of the building or other structure for the purpose of advertising or to erect or maintain any billboard or sign except:

(1) One sign board not exceeding six square feet in area appertaining to the sale or rent of the building or lot.
(2) One non-illuminated trespassing, safety, or caution sign not exceeding one square foot in size.
(3) One non-illuminated sign not exceeding one square foot in area, indicating the name and occupation, profession or trade of the occupant of the building.
(4) A bulletin board for a church or church hall.
(5) A sign not exceeding two square feet in size for any **day care facility**. **(RC-Mar 3/09;E-Mar 21/09)**
(6) One sign not exceeding two square feet in size which can be illuminated only by reflected light, for any bed and breakfast establishment.

DAY CARE FACILITIES

34A Building erected, altered or used for a **day care facility** shall comply with the following requirements:

(a) Except for outdoor play space, any **day care facility** shall be wholly contained within a dwelling which is the principle residence of the operator of the facility;
(b) One off street parking space, other than that required for the dwelling, shall be provided. The required parking space shall be eight feet wide by sixteen feet long, and be exclusive of the front yard.
(c) The **day care facility** shall be limited to a maximum of one full storey of the dwelling; this storey may be the basement.
(d) Only one **day care facility** shall be permitted to be located on any lot.
(RC-Mar 3/09;E-Mar 21/09)

34B Notwithstanding the provisions of Sections 27(1)(e) and 34A (a-c) **day care facility** may be operated as an accessory use to a church or church hall. The parking provisions contained in Sections 6(6) and 6(7) would apply. **(RC-Mar 3/09;E-Mar 21/09)**

34C (Deleted)

SPECIAL CARE HOME

34D Where any building is altered or used as a special care home in an R-1 Zone, such building, in addition to the requirements hereinbefore set out, shall comply with the following requirements:
(i) 100 square feet of landscaped open space shall be provided for each person occupying such home;
(ii) recreational indoor space may account for 25% of the landscaped open space;
(iii) the building is a minimum of 1000 feet distance from any other building used for or as a special care home;
(iv) parking requirements as contained in Subsections (8) and (9) of Section 6.

CONVERSIONS - SOUTH END AND PENINSULA CENTRE

34E Any residential building which was in existence on 14 October 1982 within the "South End" and "Peninsula Centre Areas", with the exception of the "North West Arm Sub Area", may be permitted to convert to a maximum of 3 units, provided that:
(a) there is no increase in height or volume and that the external dimensions of the building have not changed since 14 October 1982;
(b) where a conversion is to two dwelling units, one of the dwelling units shall be a minimum of 1,000 square feet, and where the conversion is to three dwelling units, two of the dwelling units shall be a minimum of 1,000 square feet (the external dimensions of the building shall not be enlarged after the conversion);
(c) where the conversion is to two dwelling units, there shall be six or fewer bedrooms within the entire residential building;
(d) where the conversion is to three dwelling units, there shall be eight or fewer

bedrooms within the entire residential building; and

(e) where a conversion has occurred prior to September 17, 2005, there shall be no further increase in the number of bedrooms beyond that which is specified in (c) or (d); and,

(f) one separating accessible parking space at least 8 feet wide and 16 feet long per dwelling unit is provided.

NORTHWEST ARM SUB-AREA

34F(1) In the North West Arm Sub-Area the following additional requirements shall apply to lots which abut the Northwest Arm. R-1 uses shall be required to have a minimum lot area of 743.2 square metres (8,000 square feet) and a minimum distance of 9 metres (30 feet) between **main** buildings. This section shall not apply to lots 6 and 7 of the Thornvale Subdivision as shown on Plan P200/7591 filed in the Municipality's Community Development Department as Case No. 3356. (RC-May 1/07;E-July 21/07) ***(PCC/CCC-Nov 8/10;E-Nov 27/10)***

34F(2) (Deleted)

OAKLAND ROAD LOT SIZES

34G Notwithstanding the minimum lot frontage requirement specified in Section 28, the minimum lot frontage requirement for lots fronting on Oakland Road, between Robie Street and Beaufort Avenue shall be 50 feet, excepting those lots in existence on 14 May 1992

PENINSULA NORTH AREA

34H Notwithstanding Section 28 and Section 31, a building erected, altered, or used as a detached one-family dwelling house, office of a professional person or home occupation in an R-1 Zone in the **"Peninsula North Area"** shall comply with the following requirements:

(1)	Lot Frontage minimum	30 feet
(2)	Lot area minimum	3,000 square feet
(3)	Height maximum	35 feet
(4)	Lot Coverage maximum	35 percent
(5)	Side Yards	4 feet

FRONT YARD SETBACKS - PENINSULA NORTH AREA

34I(1) Notwithstanding the provisions of Section 29, for any R-1 use constructed after 03 June 1993 in the **"Peninsula North Area"** the minimum front yard shall be the front yard of the majority of residential buildings fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot;

34I(2) Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be that of the residential building on the adjacent lot on either side of the proposed development which is closer to the street line; and where there is no residential building on either adjacent lot the minimum front yard shall be 10 feet.

R-1A ZONE

SINGLE FAMILY A ZONE (RC-Sep 27/11;E-Nov 26/11)

34J(1) **The following uses shall be permitted in any R-1A Zone:**

- **(a) a detached one-family dwelling house;**
- **(b) the office of a professional person located in the dwelling house used by such professional person as his/her private residence;**
- **(c) a home occupation;**
- **(d) a public park or playground;**
- **(e) church or church hall;**
- **(f) a day care facility for not more than 14 children in conjunction with a dwelling;**
- **(g) a special care home containing not more than ten persons including resident staff members;**
- **(h) uses accessory to any of the foregoing uses.**

34J(2) **No person shall, in any R-1A Zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).**

34J(3) **No person shall, in any R-1A Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).**

LOT, HEIGHT AND COVERAGE REQUIREMENTS

34K(1) **Buildings erected, altered or used for R-1A uses in an R-1A Zone shall comply with the following lot, height and coverage requirements;**

- **(a) The minimum lot frontage shall be 50 ft. except when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 30 ft.**
- **(b) The minimum lot area shall be 5,000 sq. ft.**
- **(c) The maximum height shall be 35 ft.**
- **(d) The maximum lot coverage shall be 35 percent.**

34K(2) **A lot that was created and registered at the Land Registry Office by September 10, 2011 and has a minimum lot area of 4,000 sq. ft. and a minimum lot frontage of 40 ft., or 25 ft. for a lot facing on the outer side of a curve in the street, may be developed provided all other requirements of this by-law are met.**

34K(3) **Maximum height shall be measured as defined on map ZM-17.**

YARD REQUIREMENTS

34L(1) **The minimum front yard requirement shall be as shown on map ZM-22. In the case of lots fronting on a cul-de-sac, the minimum front yard requirement shall be 15 feet in depth.**

34L(2) **Every part of the required front yard shall be open and unobstructed by any structure except to permit uses or encroachments subject to the following provisions:**

(a) **Uncovered decks, stairways, and steps not encroaching more than five (5) feet into the required front yard and not covering more than fifty (50) square feet in area; and,**

(b) **Access ramps for the mobility disabled.**

34M **A rear yard shall be provided of not less than 20 feet in depth.**

34N **A side yard shall be provided on each side of the building of not less than 10 percent of the width of the lot, provided that the maximum width of any side yard need not exceed 6 feet and the provisions of this clause shall apply to both sides of the building.**

34O **In the case of a corner lot at the rear of which (whether a lane intersects or not) is a lot fronting on a street which flanks such a corner lot, the width of the side yard on the corner lot along the flanking street shall not be less than 6 feet nor less than half the depth of the front yard on the lot in the rear of such corner lot. This regulation shall not, however, where the provisions of clause 34N are complied with, reduce the buildable width of a corner lot to less than 26 feet.**

BOARDERS AND LODGERS – BED AND BREAKFAST

34P(a) **The keeping of not more than three boarders or lodgers in a one family dwelling house shall be permitted but no window display or sign of any kind in respect to the use permitted by this clause shall be allowed.**

34P(b) **The provision of the bed and breakfast accommodation shall not be permitted simultaneously with the keeping of boarders and lodgers.**

SIGNS

34Q **Within the R-1A Zone, it shall be unlawful to utilize any portion of the exterior of the building or other structure for the purpose of advertising or to erect or maintain any billboard or sign except:**

(a) **One sign board not exceeding six square feet in area appertaining to the sale or rent of the building or lot;**

(b) **One non-illuminated trespassing, safety, or caution sign not exceeding one square foot in size;**

(c) **One non-illuminated sign not exceeding one square foot in area, indicating the name and occupation, profession or trade of the occupant of the building;**

(d) **A bulletin board for a church or church hall;**

(e) **A sign not exceeding two square feet in size for any day care facility;**

(f) **One sign not exceeding two square feet in size which can be illuminated only by reflected light, for any bed and breakfast establishment.**

DAY CARE FACILITIES

34R **Where any building is erected, altered or used for a day care facility in an R-1A Zone, such building shall comply with the following requirements:**

(a) **Except for outdoor play space, any day care facility shall be wholly contained within a dwelling which is the principal residence of the operator of the facility;**

(b) **One off street parking space, other than that required for the dwelling, shall be provided. The required parking space shall be eight feet wide by sixteen feet long, and be exclusive of the front yard;**

(c) **The day care facility shall be limited to a maximum of one full storey of the dwelling; this storey may be the basement;**

(d) **Only one day care facility shall be permitted to be located on any lot.**

34S **Notwithstanding the provisions of Sections 34J(1)(f) and 34R(a-c), a day care facility may be operated as an accessory use to a church or church hall. The parking provisions contained in Sections 6(6) and 6(7) would apply.**

SPECIAL CARE HOME

34T **Where any building is altered or used as a special care home in an R-1A Zone, such building, in addition to the requirements hereinbefore set out, shall comply with the following requirements:**

(a) **100 square feet of landscaped open space shall be provided for each person occupying such home;**

(b) **Recreational indoor space may account for 25% of the landscaped open space;**

(c) **The building is a minimum of 1000 feet distance from any other building used for or as a special care home;**

(d) **Parking requirements as contained in Subsection (8) and (9) of Section 6.**

CONVERSIONS

34U **Any residential building which was in existence on 14 October 1982 may be permitted to convert to a maximum of 3 units, provided that:**

(a) **There is no increase in height or volume and that the external dimensions of the building have not changed since 14 October 1982;**

(b) **Where a conversion is to two dwelling units, one of the dwelling units shall be a minimum of 1,000 square feet, and where the conversion is to three dwelling units, two of the dwelling units shall be a minimum of 1,000 square feet (the external dimensions of the building shall not be enlarged after the conversion);**

(c) **Where the conversion is to two dwelling units, there shall be six or fewer bedrooms within the entire residential building;**

(d) **Where the conversion is to three dwelling units, there shall be eight or fewer bedrooms within the entire residential building; and**

(e) **Where a conversion has occurred prior to September 17, 2005, there shall be no further increase in the number of bedrooms beyond that which is specified in (c) or (d); and,**

(f) **One separate accessible parking space at least 8 feet wide and 16 feet long per dwelling unit is provided.**

R-2 ZONE

GENERAL RESIDENTIAL ZONE

35(1) The following uses shall be permitted in any R-2 Zone:

(a) R-l uses as hereinbefore set out;
(b) semi-detached or duplex dwelling;
(c) buildings containing not more than four apartments;
(d) (Deleted)
(e) (Deleted)
(f) uses accessory to any of the foregoing uses
(g) The reconstruction of an apartment building containing 12 or fewer dwelling units at the South-East corner of Creighton and Buddy Daye Streets (PID 40877292) (RC-Aug 1/06;E-Aug 12/06)

35(2) No person shall in any R-2 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (l).

35(3) No person shall in any R-2 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (l).

SIGNS

36 No person shall, in any R-2 Zone, erect, place or display any billboard or sign except those permitted in R-l Zones.

REQUIREMENTS

37 Buildings erected, altered, or used for R-1 and R-2 uses in an R-2 Zone shall comply with the following requisites:

	Lot Frontage Ft.	Lot Area Sq.Ft.	Side Yard Ft.
R 1 Uses	40	4000	4
duplex	50	5000	5
3-unit and 4-unit apartment building	80	8000	6

38 Front and Rear Yards - The requirements of Sections 29 and 30 inclusive above shall apply.

39 Lot coverage - Maximum lot coverage shall be 35 percent.

40 Maximum height - Maximum height shall be 35 feet.

ACCESSORY STRUCTURES ***(deleted PCC/CCC-Nov 8/10;E-Nov 27/10)***

40A ***(deleted PCC/CCC-Nov 8/10;E-Nov 27/10)***

TWO UNIT CONVERSION

41 A building in existence on or before the 11th of May, 1950 may be converted into a duplex dwelling provided that the building, after conversion, complies with the following:

(a) A duplex dwelling containing not more than a total of six habitable rooms be permitted on a lot containing an area of not less than 3,300 square feet.
(b) A duplex dwelling containing not more than a total of eight habitable rooms be permitted on a lot containing an area of not less than 4,000 square feet.
(c) There is no increase in height or volume and that the external dimensions of the building have not changed since 25 October 1985.
(d) One separately accessible parking space at least 8 feet by 16 feet shall be provided on the lot for each of the two dwelling units.

42 (Deleted)

SEMI-DETACHED DWELLING

43 (a) For each unit of a semi-detached dwelling, there shall be at least 25 feet of lot frontage and 2,500 square feet of lot area. A minimum side yard of 5 feet shall be required for a semi-detached dwelling provided however that where a lot containing a semi-detached dwelling is to be or has been subdivided so that each unit is on its own lot, there shall be no setback required from the common lot boundary.
(b) Front yards and rear yards for a semi-detached dwelling - the requirements of Sections 29 and 30 shall apply.
(c) Lot coverage for a semi-detached dwelling - maximum lot coverage shall be 35 percent.
(d) Maximum height for a semi-detached dwelling - maximum height shall be 35 feet.

43A (Deleted)

THREE AND FOUR UNIT BUILDING

43A(1) In addition to other R-2 Zone requirements, there shall be:

(a) Eight or fewer bedrooms within the whole of a three dwelling unit

apartment house; and

(b) Ten or fewer bedrooms within the whole of a four dwelling unit apartment house.

DAY NURSERY

43B (Deleted)

ADDITIONAL CHILDREN PROVISION

43C (Deleted)

43D (Deleted)

PENINSULA CENTRE AND SOUTH END AREA

43E Notwithstanding the provisions of Sections 37 to 43, buildings erected, altered or used for R-1 or R-2 uses in the R-2 Zone in the **"Peninsula Centre"** and **"South End Areas"** shall comply with the following requisites:

(a)

	Minimum Lot Frontage (Feet)	Minimum Lot Area (Sq.Ft.)	Side Yards (Feet)
R-1	30	N/A	4
Duplex	33	3,300	5
Semi-detached dwelling	50	5,000	5
Three Unit Building	45	5,000	6
Four Unit Building	60	6,000	6

(b) **UNIT MIX:**

(i) duplexes or semi-detached dwellings shall contain at least one unit of a minimum of 800 sq.ft.;

(ii) 3 or 4 unit apartment buildings shall contain at least two units of a minimum of 800 sq.ft.

(c) Lot coverage: Maximum lot coverage shall be 35 percent.

(d) Parking and Open Space: For each unit which is 800 sq.ft. or greater, one parking space at least 8 feet wide and 16 feet long and 300 sq.ft. of open space shall be required, and for dwelling units less than 800 sq.ft., one parking space at least 8 wide and 16 long shall be required for each two dwelling units, and 50 sq.ft. of open space for each unit.

(e) Maximum Height: The maximum height shall be 35 ft.

(f) **A rear yard shall be provided of not less than 20 ft. in depth.** ***(PCC/CCC-Nov 8/10;E-Nov 27/10)***

(g) ***(deleted PCC/CCC-Nov 8/10;E- Nov 27/10)***

(h) Semi-detached building: A lot containing a semi-detached dwelling may be subdivided so that each unit is located on a separate lot provided that the lot for each unit contains a minimum frontage of 25 ft. and a minimum area of 2,500 sq.ft. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

CONVERSIONS ON ROBIE STREET OR COBURG ROAD

43F Notwithstanding any other provision of this by-law, for any building which existed on the date of adoption of this by-law, located in the **"Peninsula Centre Area"**, and which is located on a lot which abuts Coburg Road between Oxford Street and Robie Street, or on a lot which abuts Robie Street between Pepperell Street and South Street interior conversions shall be permitted, provided that there is no change in the height or volume of the building and that the minimum size of each dwelling unit shall be 600 square feet.

43G (Deleted)

FRONT YARD SETBACK

43G(1) For any R-1 or R-2 use constructed after 14 October 1982 in the **"Peninsula Centre", "South End", or "Peninsula North Areas"**, the minimum front yard shall be the front yard of the majority of residential buildings fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot.

43G(2) Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be:

(g) that of the residential building of the adjacent lot on either side of the proposed development which is closer to the street line; and

(b) where there is no residential building on either adjacent lot

(i) 10 feet in all zones except in the U-1 zone

(ii) 0 feet in the U-1 zone

PENINSULA NORTH AREA

43H Notwithstanding Section 37 a building erected, altered, or used as a detached one-family dwelling house, office of a professional person located in the dwelling house used by such professional person as his private residence or home occupation in an R-2 Zone in the **"Peninsula North Area"** shall comply with the following requirements:

(1)	Lot Frontage minimum	30 feet
(2)	Lot Size minimum	3,000 square feet
(3)	Side Yards	4 feet

TWO UNIT CONVERSION - PENINSULA NORTH

43I Notwithstanding Sections 37 to 40 a building, excluding accessory buildings, in existence on the date of adoption of this section in the **"Peninsula North Area"** may be converted to a maximum of two units provided that:

(i) there is no increase in height or volume of the building,
(ii) one unit contains two or more bedrooms; and
(iii) there is one parking space at least 8 feet wide and 16 feet long for each dwelling unit.

FOUR UNIT CONVERSION - PENINSULA NORTH #5

43J Notwithstanding Sections 6(1), 6(2A) and 37 to 40, a building, excluding an accessory building, in existence on 14 July 1979, in **"Peninsula North Area #5**, and located south of Russell Street **(NIP III)**, may be converted to a maximum of four units provided that:

(i) there is no increase in the height or volume of the building;
(ii) at least one of the units in the converted building contains two or more bedrooms.

FOUR UNIT CONVERSION - PENINSULA NORTH - NIP I

43K Notwithstanding Sections 6(1), 6(2A) and 37 to 40, a building, excluding an accessory building, in existence on 14 July 1979, in the area bounded by North, Gottingen, Cogswell, North Park and Agricola Street, may be converted to a maximum of four units provided that:

(i) there is no increase in the height or volume of the building; and
(ii) at least one of the units in the converted building contains two or more bedrooms.

MULTIPLE UNIT CONVERSION - SCHEDULE HA-1

43L Notwithstanding Sections 6(1), 6(2A) and 37 to 40 a building, excluding an accessory building or a registered heritage building, in existence on the date of adoption of this Section, located in **"Schedule HA-1"**, may be converted into an apartment house provided that:

(i) there is no increase in the height or volume of the building;
(ii) the following features on the building facing the street(s) are not altered:
    (a) the number, location, size and shape of the windows, bays and dormers;
    (b) the size, shape and location of the entrance way including the door; and
    (c) the size and location of any existing verandas, porches or stairways.

(iii) at least one unit for every five units, or fraction thereof, in the converted building contains two or more bedrooms.

SFD REQUIREMENTS - PENINSULA NORTH AREA #6

43M Notwithstanding Sections 37 and 39, a building erected, altered or used as a one family dwelling house, in an R-2 zone in "Peninsula North Areas 6 and 8", shall comply with the following requirements:

(1)	Lot Frontage Minimum	20 feet
(2)	Lot Size Minimum	2000 sq.ft.
(3)	Side Yard Minimum	0 feet
(4)	Maximum Lot Coverage	50 percent

43MA Notwithstanding Section 43M (1,2,3) of this by-law, in the case of lots existing on the date of adoption of this Section, in Peninsula North Areas 6 and 8 respectively, the lot size, lot frontage and side yard requirements shall be waived for one family dwelling houses.

APARTMENT BUILDINGS - PENINSULA WEST AREA 1

43MB Within Peninsula West Area 1, a lot which did not exist prior to the date of adoption of this section shall not be used for a three or four unit apartment building.

43N Notwithstanding any other provision of this By-law, the apartment building that is referred to in Section 35 (g) may be reconstructed to the same or lesser size and the same location upon its lot as that which existed immediately before its demolition on March 3, 2006. (RC-Aug 1/06;E-Aug 12/06)

R-2T ZONE

TOWNHOUSE ZONE

43R(1) The following uses shall be permitted in any R-2T zone:

(a) R-1 and R-2 uses;
(b) townhouse building;
(c) uses accessory to any of the foregoing uses.

43R(2) No person shall in any R-2T zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

43R(3) No person shall in any R-2T zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection(1).

SIGNS

43S No person shall in any R-2T zone erect, place or display any billboard or sign except those permitted in R-1 zones.

REQUIREMENTS

43T(1) Buildings erected, altered or used for R-1 or R-2 uses in an R-2T zone shall comply with the requirements of the R-1 and R-2 zones respectively.

43T(2) Buildings erected, altered, or used as a townhouse building shall comply with the following requirements:

(a)	Minimum lot frontage	18 feet per townhouse, plus 20 feet
(b)	Minimum lot area	1,800 sq.ft. per townhouse plus 2,000 sq.ft.
(c)	Maximum lot coverage	40 percent, provided that this regulation shall be applied as if the lot was subdivided into as many lots as townhouses
(d)	Minimum side yard	10 feet
(e)	Minimum front yard	15 feet
(f)	Mean rear yard	20 feet
(g)	Maximum height	35 feet

43U SUBDIVISION OF TOWNHOUSE BUILDING

(a) A townhouse building may be subdivided so that each townhouse is on its own lot, provided that the minimum requirements of Section 43T(2) are

met. Furthermore, no side yard shall be required along the common lot boundary dividing the townhouse building.

(b) Notwithstanding Section 43T(2)(a), for townhouse buildings existing on the date of adoption of this provision, the townhouse building may be subdivided so that each townhouse is on its own lot, provided that each lot has at least 10 feet of frontage on a street. Furthermore, no side yard shall be required along the common boundary dividing the townhouse building.

ACCESSORY BUILDINGS ***(deleted PCC/CCC-Nov 8/10;E-Nov 27/10)***

43V ***(deleted PCC/CCC-Nov 8/10;E-Nov 27/10)***

R-2A ZONE

GENERAL RESIDENTIAL CONVERSION ZONE

43AA(1) The following uses shall be permitted in any R-2A Zone:

(a) R-1, R-2 and R-2T uses;
(b) converted multiple dwelling house;
(c) uses accessory to any of the foregoing uses.

43AA(2) No person shall in any R-2A Zone carry out, or cause or permit to be carried out any development for any purpose other than one or more of the uses set out in subsection (1).

43AA(3) No person shall in any R-2A Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

SIGNS

43AB No person shall in any R-2A Zone erect, place or display any billboard or sign except those permitted in R-1 Zones.

REQUIREMENTS

43AC Buildings erected, altered, or used for R-1, R-2 and R-2T uses in an R-2A Zone shall comply with the requirements of their respective zones, with the following exceptions:

		Lot Frontage (Ft.)	Lot Area (Sq. Ft.)	Side Yard (Ft.)	Lot Coverage %
i)	R-1 uses	40	4000	4	40
ii)	Duplex	40	4000	4	40
iii)	3-unit and 4-unit apartment building-	40	4000	4	40
iv)	Semi-detached dwelling	50	5000	4	40

v) For any R-1, R-2 or R-2T uses constructed after 14 October 1982 in the **"South End Area"**, the minimum front yard shall be the front yard of the majority of the residential buildings fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot.

vi) Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be that of the residential building of the adjacent lot on either side of the proposed development which is closer to the street line; and where there is no residential building on either adjacent lot the minimum front yard shall be 10 feet.

43AC(1) Buildings erected, altered or used for R-2 uses in an R-2A zone shall comply with the requirements of Section 26D. (HWCC-May 13/15;E-May 30/15)

R-2A USES

43 AD Buildings altered or used for R-2A uses in the R-2A zone shall comply with the following requirements:

i)	Dwelling Units	50% of the dwelling units shall be a minimum of 800 square feet in area
ii)	Minimum Lot Frontage	40 feet
iii)	Minimum Lot Area	4000 square feet
iv)	Minimum Side Yard for Additions	6 feet
v)	Minimum Rear Yard	20 feet
vi)	Maximum Lot Coverage	40%
vii)	**Maximum Footprint of Addition**	**The footprint of an addition shall be no greater in size than the footprint of the existing main building (HWCC-May 13/15;E-May 30/15)**
viii)	Additions and Structural Changes	Permitted to the rear of the building and the rear two-thirds of the side of the building (See Sketch 1); and Prohibited in any front, side or rear yard abutting a street (See Sketch 2).
ix)	Maximum Height	**The maximum height of an addition shall match the roof line and pitch of the existing building, as it existed as of May 30, 2015, (HWCC-May 13/15;E-May 30/15)** to a maximum height of 35 feet; and Height shall be determined by the definition "Height" instead of the definition "Height South-End and Peninsula Centre"
x)	Minimum front yard	Shall be the front yard of the majority of the residential buildings

		fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot; and. Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be that of the residential building of the adjacent lot on either side of the proposed development which is closer to the street line; and where there is no residential building on either adjacent lot the minimum front yard shall be 10 feet.
xi)	Accessory Buildings	***(deleted PCC/CCC-Nov 8/10;E-Nov 27/10)***
xii)	Open Space	**In the "South End Area"** for each dwelling unit which is 800 sq. ft. or greater, there shall be a minimum of 300 sq. ft. of open space; **In the "South End Area"** for each dwelling unit which is less than 800 sq. ft., there shall be a minimum of 150 sq. ft. of open space and Required open space shall not include "recreational open space"
xiii)	**Maximum Habitable Room Count (HWCC-May 13/15;E-May 30/15)**	**There shall be a maximum of 5 habitable rooms per dwelling unit**
xiv)	**Maximum Habitable Room Count per lot (HWCC-May 13/15;E-May 30/15)**	**There shall be a maximum of 45 habitable rooms for any R-2A zoned property**
xv)	**Notwithstanding Section 43AD xiii) one unit, in existence as of May 30, 2015, may contain a maximum of 10 habitable rooms. (HWCC-May 13/15;E-May 30/15)**	
xvi)	**Storage Rooms**	**Notwithstanding the definition of a habitable room, a maximum of 1 storage room per unit will be exempt from the habitable room count. Any storage rooms in excess of one per unit will be**

considered a habitable room. (HWCC-May 13/15;E-May 30/15)

R-2A SPECIAL CONDITIONS

43AE(1) **Deleted (HWCC-May 13/15;E-May 30/15)**

(2) **Deleted (HWCC-May 13/15;E-May 30/15)**

43AF **Deleted (HWCC-May 13/15;E-May 30/15)**

43AG **Deleted (HWCC-May 13/15;E-May 30/15)**

PARKING

43AH For R-2A uses and for three and four unit apartment buildings;

i) one parking space shall be required for every two dwelling units, each of which is less than 800 square feet, and one parking space shall be required for each dwelling unit 800 square feet or greater; and
ii) shall not be located within the footprint of an R-2A use unless enclosed on all sides.

INTERNAL CONVERSION

43AI A building which was in existence on September 17, 1987 may be converted to R-1, R-2, or R-2A uses provided:

i) there is no increase in building volume; and
ii) in the case of R-2A uses fifty percent (50%) of the dwelling units contain a minimum of 800 square feet of floor area.

PENINSULA NORTH AREA #7 - SCHEDULE HA-1

43AK A building, excluding an accessory building or a registered heritage building, in existence on March 30, 1995 in **"Schedule HA-1"**, may be converted into an apartment house provided that:

(i) there is no increase in the height or volume of the building;
(ii) the following features on the building facing the street(s) are not altered:
  (a) the number, location, size and shape of the windows, bays and dormers;
  (b) the size, shape and location of the entrance way including the door; and
  (c) the size and location of any existing verandas, porches or stairways.
(iii) at least one unit for every five units, or fraction thereof, in the converted

building contains two or more bedrooms.

PENINSULA NORTH AREA #7 - SFD REQUIREMENTS

43AL A building erected, altered or used as a detached one-family dwelling house, in an R-2A zone in **"Peninsula North Area #7"**, shall comply with the requirements of the R-1 Zone with the following exceptions:

(1)	Lot Frontage Minimum	30 feet
(2)	Lot area Minimum	3000 square feet
(3)	Side Yards	4 feet
(4)	Lot Coverage	40 percent

(5) The minimum front yard shall be the front yard of the majority of the residential buildings fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot.

(6) Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be that of the residential building of the adjacent lot on either side of the proposed development which is closer to the street line; and where there is no residential building on either adjacent lot the minimum front yard shall be 10 feet.

PENINSULA NORTH AREA #6 - SFD REQUIREMENTS

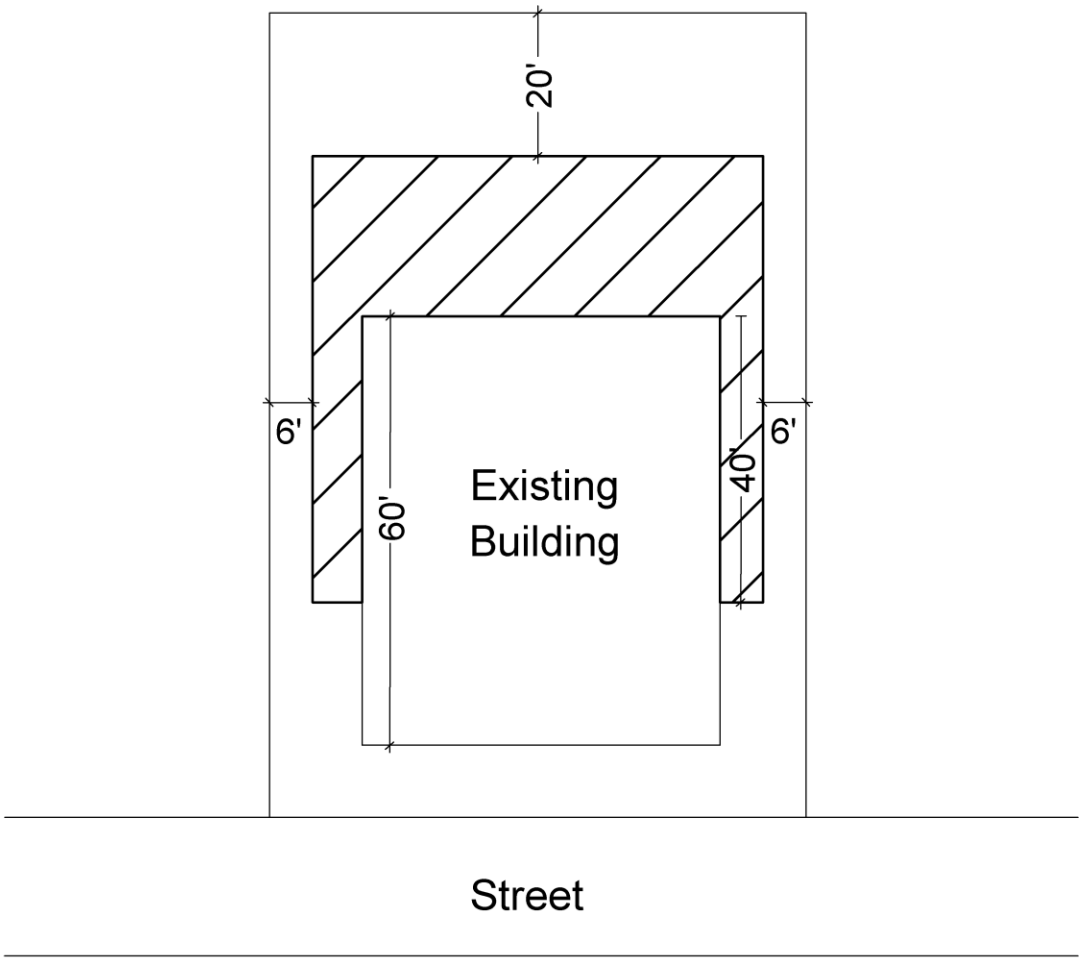
43AM A building erected, altered or used as a detached one-family dwelling house, in an R-2A zone in **"Peninsula North Area #6"**, shall comply with the requirements of the R-1 Zone with the following exceptions:

(1)	Lot Frontage Minimum	20 feet
(2)	Lot Area Minimum	2000 sq. ft.
(3)	Side Yard Minimum	0 feet
(4)	Maximum Lot Coverage	50 percent

(5) The minimum front yard shall be the front yard of the majority of the residential buildings fronting on the same side of the same block in which the building is to be constructed. For the purposes of measuring, existing front yard dimensions shall be rounded to the nearest foot.

(6) Where there is no majority of buildings with the same front yard on the block, the minimum front yard shall be that of the residential building of the adjacent lot on either side of the proposed development which is closer to the street line; and where there is no residential building on either adjacent lot the minimum front yard shall be 10 feet.

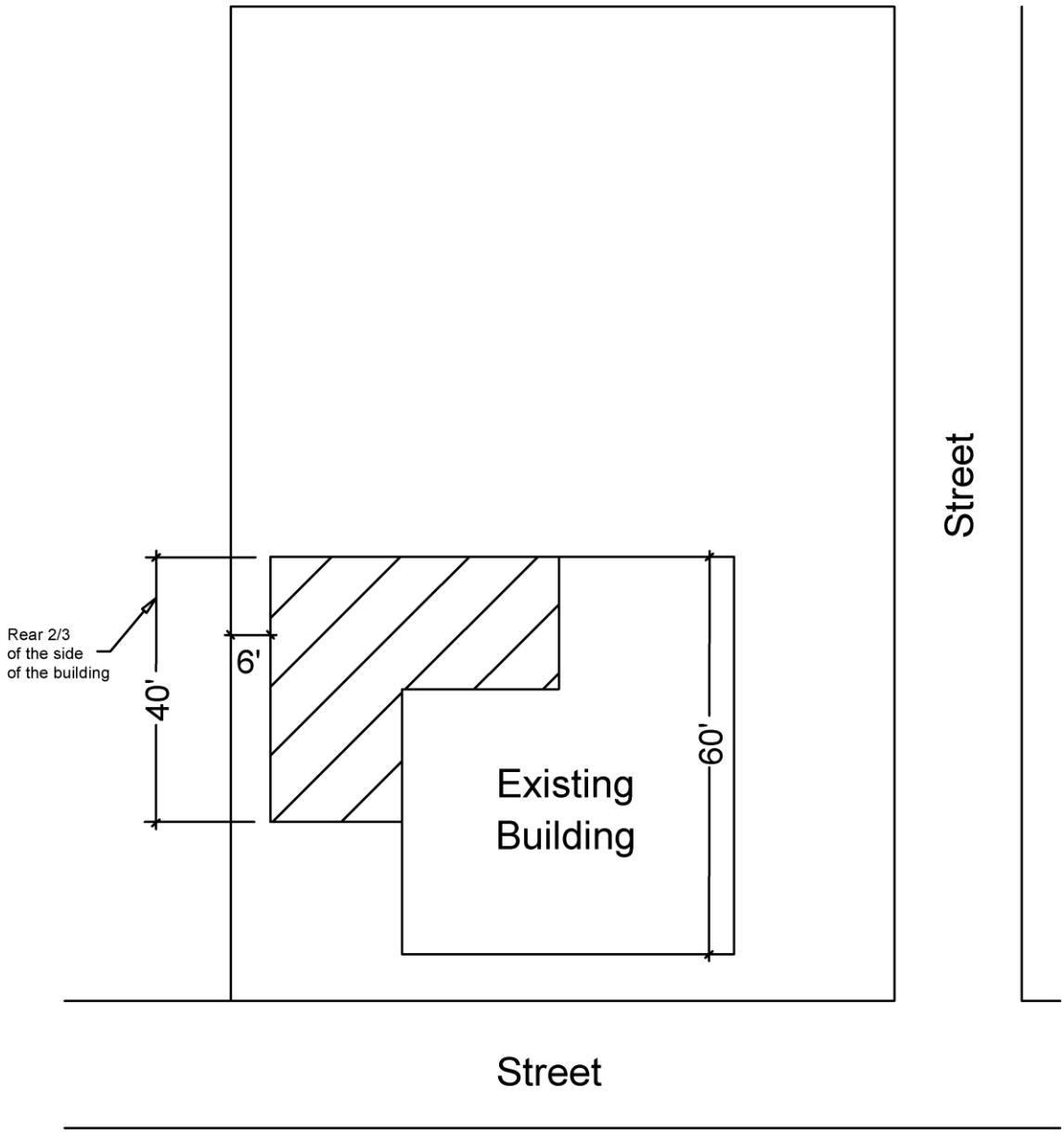
43AN Deleted (HWCC-May 13/15;E-May 30/15)



Sketch 1

Section 43AD(viii)

Additions and structural changes permitted to the rear of the building and the rear 2/3s of the side of the building



Sketch 2

Section 43AD(viii) -Additions and structural changes prohibited in any front, side or rear yard abutting a street.

Addition permitted

15 June 1999 F:\Specproj\resopp\blddwg.dwg (AKT) Planning Services

R-3 ZONE

MULTIPLE DWELLING ZONE

44(1) The following uses shall be permitted in any R-3 Zone:

(a) R-1 and R-2 and R-2T uses;
(aa) R-2A uses in **"South End Area"**;
(b) boarding house;
(c) lodging or rooming house;
(d) apartment house;
(e) uses accessory to any of the foregoing uses, if not specifically prohibited;

OTHER USES:

(f) in any one building one office for rendering professional or personal services, provided that the net area for such purposes does not exceed 700 square feet;
(g) special care home;
(h) greenhouse;
(i) the office of a Consulate located in a single family dwelling provided such dwelling is used by the Consulate as his private residence;
(ia) **day care facility**; **(RC-Mar 3/09;E-Mar 21/09)**
(ib) parking lots and parking structures existing on the date of adoption of this Section, in Area 8 of the "**Peninsula North Area**".

COMMERCIAL USES:

One each of the following uses only if located in an apartment house which contains not less than one hundred self-contained dwelling units and located in **"Schedule B"**;

(j) retail foodstuff store of not more than 600 square feet;
(k) restaurant of not more than 900 square feet of dining area, exclusive of kitchen, storage, washroom, staff areas, and the like;

One each of the following uses only if located in an apartment house which contains not less than one hundred self-contained dwelling units and which is erected on a lot of more than one acre:

(l) barber shop;
(m) beauty parlour;
(n) dry cleaning distribution station;
(o) valet service;
(p) restaurant;
(q) florist shop;
(r) newsstand;

(s) health club;
(t) coin-operated vending machines;
(u) retail foodstuff store of not more than 600 square feet;

Provided that:

(i) these uses shall be for the exclusive use of the residents of such apartment house or their guests;
(ii) there shall be no advertising or identification of the uses on the outside of the building;
(iii) there shall be no visible indication from the exterior of the building that the commercial uses described in this section are carried on;
(iv) there shall be no direct access from the exterior of the building to any of the commercial uses described in this section other than emergency access places in case of fire.

44(2) No person shall in any R-3 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

44(3) No person shall in any R-3 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

DISPLAY WINDOW

44(4) Where any building is used in an R-3 Zone for any of the purposes described in clause (f) of subsection (1) of this section, no display window shall be permitted, nor shall any evidence of the use of such building for such purposes be visible from the exterior of such building; PROVIDED, however, that nothing contained herein shall prohibit the display of a sign not exceeding one square foot in area, which bears the name and profession as set forth in clause (f) of subsection (1) of this section, of any person occupying such building.

SOUTH END

44A Notwithstanding the provisions of subsections 44(1) and 44(4), an apartment house in the **"South End Area"**, and which contains 100 or more self-contained dwelling units may include those commercial uses which are permitted in Section 59A(1), except a bowling alley, a motion picture theatre and a service station, provided that such uses are located on the ground floor of the apartment house and are separately accessible from the building exterior.

SIGNS/ADVERTISING

44B Exterior advertising of the commercial uses described in Section 44A shall be permitted, provided that such advertising is non-illuminated.

UNIT MIX

44C An apartment house in the **"South End Area"** shall, of the total amount of dwelling units, be required to include at least one dwelling unit of a minimum of 800 square feet in floor area for every three dwelling units, each of which is less than 800 square feet in floor area.

44D An apartment house in the **"Peninsula Centre Area"** area shall, of the total amount of dwelling units, be required to include at least one dwelling unit of a minimum of 800 square feet in floor area for every two dwelling units, each of which is less than 800 square feet.

SPECIAL PARKING

44E Notwithstanding any other provision of this by-law, an apartment house in the **"South End" and "Peninsula Centre Areas"**, shall be required to provide one parking space for each dwelling unit which is 800 square feet or greater, and one parking space for every two dwelling units, each of which is less than 800 square feet.

44F A lot which abuts a street at more than one location or which abuts two or more streets shall not be used for R-3 uses in the **"South End Area"**, except for corner lots which abut at least two streets on a continuous uninterrupted line. For greater certainty, a corner lot may be subdivided and developed for R-3 uses in accordance with the requirements of this by-law, notwithstanding that a through lot may be created.

R-1, R-2, AND R-2T USES IN R-3 ZONE

45 Buildings erected, altered, or used for R-1, R-2 and R-2T uses in an R-3 Zone shall comply with the requirements of their respective zones.

45(2) Buildings erected, altered or used for R-2A uses in an R-3 Zone in the **"South End Area"** shall comply with the requirements of the R-2A Zone with the exception of Sections 43AD (vii) and viii), 43AE and 43AG.

SIGNS

46(1) No person shall erect or display any billboard or illuminated sign in an R-3 Zone.

46(2) A non-illuminated sign may be erected in an R-3 Zone if, in the opinion of the Inspector of Buildings, such sign is of reasonable proportion and will not constitute a hazard to the public or a nuisance to the owners of the property in the area.

47 Where any building is erected or altered or used for R-3 uses in an R-3 Zone, such building shall comply with the following requirements:

MINIMUM LOT AREA

47(1) (a) The minimum lot area upon which such building is located shall be 8,100 square feet with a minimum continuous street frontage of at least 90 feet on one street;

(b) (Deleted)

DISTANCE FROM LOT LINE - 80° ANGLE

47(2) (a) The distance from any part of such building and any official street line or lines abutting upon such lot shall be no less than 20 feet measured at right angles to any such official street line or lines; provided, however, that such distance may be reduced to not less than 10 feet measured at right angles to any such official street line or lines if that part of the building which is less than 20 feet from any such official street line or lines is entirely contained within the arms of an 80 degree horizontal angle as determined in subsection (3) of this section.

(b) The distance from any part of such building and any lot line of such lot other than an official street line shall be not less than 10 feet measured at right angles to such lot line.

(c) All windows and doors serving habitable rooms in such building shall be located not less than 10 feet from any lot line of such lot measured at right angles to such lot line.

(d) Notwithstanding the provisions of clauses (a) and (b) of this subsection, the distance from any part of such building, not containing any windows or doors serving habitable rooms, to any official street line or lot line, may be less than the distance prescribed in said clauses (a) and (b) or may extend to any such official street line or lot line of the lot upon which such building is located, provided that:

(i) the height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any official street line abutting such lot and extending for a horizontal distance of 10 feet measured at right angles to any such official street line;

(ii) the height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any lot line of such lot other than an official street line; and

(iii) the building is so designed that it does not interfere with traffic safety.

(e) (Deleted)

SIZE OF BUILDING - 60° ANGLE

47(3) (a) Subject to the provisions of subsection (2), such building or any part thereof shall not project beyond the angular planes determined by constructing such angular planes over such lot

(i) from each lot line at natural or finished ground level, whichever is the lower, at a vertical angle of 60 degrees above the horizontal and

measured perpendicular to such lot line or, in the case of a curved lot line, perpendicular to the tangents of all points of such lot line; provided, however, that where the natural ground at the lot line is more than 5 feet above the finished ground level established at any point on the wall opposite the lot line and where the horizontal distance to the face of any part of such wall or its vertical projection is less than 50 feet, the angular planes shall be constructed over the lot from all points on the intersections of the vertical projections of the lot line and the horizontal projection of the finished ground level; or

(ii) in the case where a lot line of such lot coincides with an official street line, from the center line of such street or from any intervening line parallel to such center line; provided, however, that

(A) the distance from the line on which the plane is constructed and the lot line does not exceed 30 feet; and

(B) the vertical angle of 60 degrees is constructed perpendicular to the line on which the plane is constructed or, in the case of a curved line, perpendicular to the tangents of all points of the curved line.

(b) Notwithstanding the provisions of clause (a) of this subsection and subject to the provisions of subsection (2), any part of such building may project beyond any prescribed 60 degree angular plane if:

(i) the projection through the plane subtends a horizontal angle not exceeding 80 degrees formed by lines drawn from a point on the line on which the 60 degree angular plane is constructed opposite to the center of the projection; and

(ii) the extremities of the projection are enclosed by the arms of such 80 degree horizontal angle.

DISTANCE BETWEEN EXTERNAL WALLS - 85 ANGLE

47(4) (a) For the purposes of this subsection:

(i) "base line" means, in the case of a wall rising from the ground, the natural or finished level of the ground adjoining the base of the wall, whichever is lower, and in all other cases means the lowest line of the wall above the natural or finished level of the ground, whichever is lower;

(ii) a wall supported by construction above posts, pillars, or other open construction shall be deemed to rise from the ground and the base line of the wall shall be deemed to be the line on which the projection downward of the face of the wall meets the natural or finished level of the ground, whichever is lower;

(iii) where external walls are not parallel to each other but the angle of divergence does not exceed 85 degrees, such walls shall be deemed to face each other.

65 ANGLE

(b) The provisions of this subsection (4) shall only apply if any part of such building is erected within the arms of horizontal angles of 65 degrees constructed outwards at the natural level of the ground, from the nearest extremities of external walls that face each other; provided, however, that where the two extremities of one such wall are, respectively, equidistant from the opposite extremities of the other wall or where the two extremities of one wall are equidistant from the nearest extremity of the other wall, the 65 degree horizontal angle may be constructed from either pair of equidistant extremities.

40 ANGLE

(c) The distance between any external walls of such building that face each other shall be not less than 50 feet, and any part of such building shall not project beyond any of the angular planes determined by constructing such angular planes outwards from the base line of each such external facing wall of each part of such building at a vertical angle of 40 degrees above the horizontal and measured perpendicular to such base line or, in the case of a curved base line, perpendicular to the tangents of all points of such curved base line.

(d) Where two external walls of such building face each other and neither wall contains any door or window serving a habitable room, the provisions of clause (c) of this subsection shall not apply but the distance between such walls shall not be less than six feet.

BALCONIES, CORNICES, EAVES, AND CANOPIES

47(5) Notwithstanding the provisions of subsections (3) and (4) of this section, separate individual balconies, which are open on three sides, cornices, eaves, and canopies may project through the angular planes as determined in such subsections; provided, however, that any part of such projection shall be not less than 10 feet from any lot line of such lot.

48 Where any building is erected, altered, or used as a **boarding house, lodging or rooming house, an apartment house or special care home** in an R-3 Zone, such building, in addition to the requirements hereinbefore set out in Section 47, shall comply with the following requirements:

POPULATION DENSITY

48(1) The population density of such building shall not exceed:

(a) 250 persons per acre if located in **"Schedule A"**; and
(b) 125 persons per acre if located in an area other than that described in Schedule "A".

OPEN SPACE

48(2) (a) The lot upon which such building is located shall contain a minimum of:

(i) 120 square feet of open space for each person occupying such building in a dwelling unit containing two or more bedrooms, of which at least 100 square feet shall be landscaped open space; and

(ii) 80 square feet of open space for each person residing within such building in a dwelling unit containing one bedroom, of which at least 70 square feet shall be landscaped open space; and

(iii) 50 square feet of landscaped open space for each person residing within such building in a bachelor unit if located in **"Schedule B"**; and

(iv) 80 square feet of open space, of which at least 70 square feet shall be landscaped open space, for each person residing within such building in a bachelor unit if located within an area other than **"Schedule B"**.

(b) The occupancy of such building shall be calculated on the basis of one person for each habitable room contained therein.

(c) For the purpose of this subsection, the roof, or any portion thereof, of any part of such building that has no residential accommodation included below such roof or portion thereof may be calculated as landscaped open space; provided that:

(i) no part of such roof is more than 5 feet above the ground level of at least one lot line of such lot; and

(ii) such roof, or portion thereof, is capable of being used as landscaped open space.

(d) Notwithstanding the provisions of Subsection 48(2)(c) above, a maximum of 40% of the landscaped open space requirement for dwelling units containing two or more bedrooms may be transferred to the building rooftop, including rooftops greater than 5 feet above the ground level; provided that:

(i) the rooftop landscaped open space is contiguous and not less than 600 square feet (56 m^2) in area; and

(ii) the rooftop landscaped open space is fully accessible for the common use of the occupants of the building. (PCC-Apr 14/08;E-May 5/08)

OPEN SPACE FOR SPECIAL CARE HOME

48A A minimum of 35 percent of the lot area of any lot on which a building is erected, altered or used as a special care home, shall consist of landscaped open space.

RC-1 ZONE

NEIGHBOURHOOD COMMERCIAL ZONE

48AA(1) The following uses shall be permitted in any RC-1 Zone:

(a) R-1 and R-2 uses;
(b) an apartment house containing not more than four dwelling units excepting that the maximum number of dwelling units is six in the **"South End Area"**;
(c) a grocery store or drug store;
(d) any use accessory to any of the foregoing uses.

48AA(2) No person shall in any RC-1 Zone carry out or cause or permit to be carried out any development for any purpose other than one or more of the uses set out in Subsection (1).

48AA(3) No person shall in any RC-1 Zone use or permit to be used any land or building in whole or in part for any purpose other than Subsection (1).

REQUIREMENTS

48AB Buildings erected, altered or used for RC-1 uses in an RC-1 Zone shall comply with the following requisites:

(a) a minimum lot frontage of 40 feet;
(b) a minimum lot area of 4,000 square feet;
(c) a minimum side yard of 4 feet; and
(d) a maximum height of 35 feet.

SIGNS

48AC Any persons carrying on a business may place upon and parallel to the front of the building a non-illuminated sign board not exceeding 3 feet in height and limited to the space immediately above the ground floor store windows extending the length of such front and appertaining solely to the ownership of the business conducted therein. Illuminated signs may be erected, provided that they do not constitute a nuisance or hazard to the public.

48AD A building line laid down for adjacent residential buildings shall also apply to those buildings hereafter erected or altered to RC-1 uses.

48AE Buildings erected, altered or used for R-1 and R-2 uses in an RC-1 Zone shall comply with the requirements of the R-1 and R-2 Zones respectively.

48AF The maximum lot coverage shall be 45 percent.

48AG **Commercial Uses** shall comply with the following:

(a) Commercial uses shall be restricted to the ground floor;
(b) Maximum gross commercial floor area of 1,000 square feet for grocery stores;
(c) Maximum gross commercial floor area of 1,400 square feet for drug stores; and
(d) Separate exterior access from any access to residential uses.

RC-2 ZONE

RESIDENTIAL/MINOR COMMERCIAL ZONE

48BA(1) The following uses shall be permitted in any RC-2 Zone:

(a) R-1, R-2 and R-2T uses;
(b) R-2A uses in the **"South End Area"**;
(c) minor commercial uses as set out in the C-2A Zone, Section 59A(1)(b) to (m) inclusive, excluding (la) (billboards), provided that such uses are located at grade or below grade;
(d) **Deleted (RC-Jun 16/09;E-Oct 24/09)**
(e) **Deleted (RC-Jun 16/09;E-Oct 24/09)**
(f) uses accessory to the foregoing uses.
(g) Inns

48BA(1A) Deleted

48BA(2) No person shall in any RC-2 Zone, carry out or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in Subsections (1) and (1A).

48BA(3) No person shall in any RC-2 Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in Subsections (1) and (1A).

REQUIREMENTS

48BB(1) Buildings erected, altered or used for RC-2 uses in an RC-2 Zone shall comply with the requirements of the R-2A Zone excluding the requirements as they relate to family type units, insofar as dwelling units are concerned, and the C-2A Zone insofar as commercial uses are concerned, all excepting that additions to the building fronts where such buildings existed on date of adoption of this by-law for commercial uses shall not be permitted. The maximum building height permitted shall be 45 feet and separate access for commercial and residential uses respectively to the exterior of the building shall be required.

48BB(2) Notwithstanding the provisions of Section 48BA(1)(c) above, minor commercial uses may be permitted to extend throughout a building where such building was in existence on the date of adoption of this section of this by-law.

R-1, R-2, R-2T AND R-2A USES IN RC-2 ZONE

48BC Buildings erected, altered or used for:

i) R-1, R-2 and R-2T uses in an RC-2 zone shall comply with the requirements of their respective zones.

ii) R-2A uses in an RC-2 zone shall comply with the requirements of the R-2A zone with the exception of Sections 43AD (vii) and (viii), 43AE and 43AG.

48BD **~~LOUNGES - SPRING GARDEN ROAD AREA~~ Deleted (RC-Jun 16/09;E-Oct 24/09)**

INNS

48BE Inns shall comply with the requirements of the C-2 Zone with the following exceptions:

(a) there shall be no increase in volume except pursuant to section 16F(1) or for structures necessary for public safety purposes such as fire escapes.

RC-3 ZONE

HIGH DENSITY-RESIDENTIAL/MINOR COMMERCIAL ZONE

48CA(1) The following uses shall be permitted in any RC-3 Zone:

(a) R-1, R-2, R-2T, R-2A, RC-1 and RC-2 uses;
(b) R-3 uses as herein before set out;
(c) minor commercial uses, excluding billboards, as set out in the C-2A Zone, provided that such uses are located below grade or up to three (3) feet above grade and that there shall not be more than two stories of commercial uses in the building; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along any official street line abutting such lot;
(ca) parking lots and parking structures existing on the date of adoption of this section, in Area 8 of the "**Peninsula North Area**";
(cb) buildings containing more than one storey of minor commercial uses above grade and existing on the date of adoption of this Section, in Area 8 of the "**Peninsula North Area**";
(d) uses accessory to the foregoing uses.

48CA(1A) **In the portion of the Area 8 of the "Peninsula North Area" on Gottingen Street, a lounge with a seating area not exceeding 600 square feet shall be permitted in association with a restaurant, provided that such seating area shall be less than the seating area of the restaurant." (RC-Jun 16/09;E-Oct 24/09)**

48CA(2) No person shall in any RC-3 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in Subsections (1) and (1A).

48CA(3) No person shall in any RC-3 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in Subsections (1) and (1A).

REQUIREMENTS

48CB(1) Buildings erected, altered or used for RC-3 uses in an RC-3 Zone shall comply with the requirements of the R-3 Zone excluding the requirements as they relate to family type units, insofar as dwelling units are concerned and the C-2A Zone insofar as commercial uses are concerned all excepting that additions to building fronts where such buildings existed on the date of adoption of this section of this by-law for commercial uses shall not be permitted and separate access for commercial and residential uses respectively to the exterior of the building shall be required.

EXTEND COMMERCIAL THROUGHOUT BUILDING INTERIOR

48CB(2) Notwithstanding the provisions of Subsection 48CA(1)(c) above, minor commercial uses may be permitted to extend throughout a building in existence on the date of adoption of this section of this by-law except that this provision shall not apply in the "**Peninsula North Area**".

48CB(3) Buildings erected, altered or used for:

i) R-1, R-2, R-2T, RC-1 or RC-2 uses in an RC-3 zone shall comply with the requirements of their respective zones.

ii) R-2A uses in an RC-3 zone shall comply with the requirements of the R-2A zone with the exception of Sections 43AD (vii) and (viii), 43AE and 43AG.

48CB(4) Notwithstanding Section 48CB(1), R-3 uses shall comply with the requirements of the R-3 zone except as follows:

DISTANCE FROM LOT LINE

(a) The distance from any part of the residential portion of such building and any lot line of such lot other than official street line shall be not less than 10 feet measured at right angles to such lot line. There shall be no setback required for such building from an official street line.

SIZE OF BUILDING - 60° ANGLE

(b) Notwithstanding Section 47(3)(a)(i), where there is a residential component contained within the building which is constructed above a commercial level, the residential portion of such building or any part thereof shall not project beyond the angular planes determined by constructing such angle of planes over such lot from each lot line (other than official street line) at the level of the horizontal projection of the roof level of the commercial component over such lot line, at a vertical angle of 60 degrees above the horizontal and measured perpendicular to such lot line or, in the case of a curved lot line, perpendicular to the tangents of all points of such lot line.

(c) The provisions of Section 47(3) and of clause (b) above shall not apply to lot lines which are official street lines.

DISTANCE BETWEEN EXTERNAL WALLS - 85° ANGLE

(d) For the purpose of this subsection:

(i) "base line" means, in the case of a wall rising from the ground, the natural or finished level of the ground adjoining the base of the wall, whichever is lower, and in all other cases means the lowest line of the wall above the natural or finished level of the ground, whichever is lower; unless the portion of the building being considered is a

residential component constructed above a commercial component, in which case base line means the roof level of the commercial component.

(ii) a wall supported by construction above posts, pillars, or other open construction shall be deemed to rise from the ground and the base line of the wall shall be deemed to be the line on which the projection downward of the face of the wall meets the natural or finished level of the ground, whichever is lower unless the portion of the building being considered is a residential component constructed above a commercial component in which case base line means the roof level of the commercial component.

(iii) where external walls are not parallel to each other but the angle of divergence does not exceed 85 degrees, such walls shall be deemed to face each other.

65 ANGLE

(e) The provisions of this subsection (4) shall only apply if any part of such building is erected within the arms of horizontal angles of 65 degrees constructed outwards at the level of the base line, from the nearest extremities of external walls that face each other; provided, however, that where the two extremities of one such wall are, respectively, equidistant from the opposite extremities of the other wall or where the two extremities of one wall are equidistant from the nearest extremity of the other wall, the 65 degrees horizontal angle may be constructed from either pair of equidistant extremities.

45 ANGLE

(f) The distance between any external walls of such building that face each other shall be not less than 35 feet, and any part of such building shall not project beyond any of the angular planes determined by constructing such angular planes outwards from the base line of each such external facing wall of each part of such building at a vertical angle of 45 degrees above the horizontal and measured perpendicular to such base line or, in the case of a curved base line, perpendicular to the tangents of all points of such curved base line.

(g) Where two external walls of such building face each other and neither wall contains any door or window servicing a habitable room, the provisions of clause (f) of this subsection shall not apply but the distance between such walls shall not be less than six feet.

OPEN SPACE

(h) The lot upon which such (use) building is located shall contain a minimum of:

(i) 60 square feet of open space for each person occupying such

building in a dwelling unit containing two or more bedrooms of which at least 20 square feet shall be landscaped open space;

(ii) 40 square feet of open space for each person residing within such building in a dwelling unit containing one bedroom, of which at least 15 square feet shall be landscaped open space;

(iii) 25 square feet of landscaped open space for each person residing with such building in a bachelor unit in **"Schedule B"**;

(iv) 40 square feet of open space, of which at least 15 square feet shall be landscaped open space, for each person residing within such building in a bachelor unit if located with an area other than **"Schedule B"**.

(i) The occupancy of such building shall be calculated on the basis of one person for each habitable room contained therein.

(j) For the purpose of this subsection, the roof, or any portion thereof, of any part of such building that has no residential accommodation included below such room or portion thereof may be calculated as landscaped open space; provided that such roof, or portion thereof, is capable of being used as landscaped open space.

PENINSULA NORTH - AREA 8 - GOTTINGEN STREET:

48CC(1) In the **Peninsula North Area - (Area 8),** all buildings constructed for minor commercial uses, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.

48CC(2) In the **Peninsula North Area - (Area 8),** the maximum setback for the first storey of: (1) buildings constructed for minor commercial uses, or (2) additions to buildings used for minor commercial uses, shall be 2 feet from the official street line of Gottingen Street.

48CC(3) In the **Peninsula North Area - (Area 8),** buildings of over 50 feet width measured parallel to Gottingen Street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet. In addition, one third of the surface area of the face of the ground floor of the building shall be comprised of windows.

48CC(4) In the **Peninsula North Area - (Area 8)** the following applies:

(1) for buildings constructed for minor commercial purposes which are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area.

(2) for additions to existing buildings used for minor commercial purposes that are 50 percent or more of the gross commercial floor area of the existing building, are on a lot greater than 20,000 square feet in area, parking shall

be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area of the addition.

48CC(5) In the **Peninsula North Area - (Area 8),** all parking areas shall comply with the following requirements:

(i) Where minor commercial parking abuts a residential zone, an opaque fence a minimum of five feet of height, shall be erected to visually screen abutting properties.

(ii) Parking areas abutting a street shall be set back a minimum of 5 feet from any street line; the setback area shall be landscaped with natural ground cover to reach a height of no more than 2 feet upon maturity, or other materials, along that part of the street not required for any parking or pedestrian entrance.

(iii) Parking shall be constructed with a stable surface such as asphalt or concrete.

(iv) Lighting for parking area shall be directed away from any adjacent residential properties and from the street.

RC-4 ZONE (RC-Nov 18/14;E-Dec 20/14)

SOUTH BARRINGTON RESIDENTIAL/MINOR COMMERCIAL ZONE

48DA(1) **The following uses shall be permitted in the RC-4 Zone:**

- **(a) apartment house;**
- **(b) uses permitted by Section 48DB(1); and**
- **(c) any use accessory to any of the foregoing uses.**

48DA(2) **No person shall in any RC-4 zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection 48DA(1).**

48DA(3) **No person shall in any RC-4 zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection 48DA(1).**

COMMERCIAL USES

48DB(1) **Notwithstanding subsection 48DA(1), one or more of the following uses shall be located on the ground floor of a building immediately abutting the streetline, and shall comprise a minimum of 40 percent of the building's ground floor frontage:**

- **(a) The following commercial uses:**
  - **Banks and related uses;**
  - **Licensed alcohol establishments;**
  - **Personal service uses;**
  - **Eating establishments;**
  - **Movie theatres;**
  - **Commercial recreation uses; and**
  - **Retail uses; and**
- **(b) Cultural uses.**

48DB(2) **Notwithstanding subsection 48DB(1), an apartment house entrance shall face and have direct access onto a public street.**

REQUIREMENTS

48DB(3) **Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:**

- **(a) The minimum lot frontage shall be 40 metres (131.2 feet); and**
- **(b) The minimum lot area shall be 2,500 square metres (26,910.7 square feet).**

LOT COVERAGE

48DC(1) **Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:**

(a) **The maximum lot coverage shall be 75 percent, except that enclosed parking below grade or extending no more than an average of 1 metre (3.3 feet) above grade along side and rear lot lines may cover 100 percent of the lot area.**

HEIGHT

48DD(1) **Height shall not exceed a maximum of 21.3 metres (70 feet).**

48DD(2) **Notwithstanding Section 71, elevator enclosures and mechanical penthouses shall be setback from the facing front yard roofline a minimum of 5 metres (16.4 feet) and shall be limited to 5 metres (16.4 feet) above the building height. Elevator enclosures and mechanical penthouses shall be limited to a maximum of 30 percent of the roof area.**

RESIDENTIAL UNIT MIX

48DE(1) **Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall include a mixture of dwelling unit types. A minimum of 20 dwelling units within a building shall contain two or more bedrooms.**

PARKING

48DF(1) **Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:**

(a) **Vehicular parking shall be enclosed in a building and provided as required by Section 6(2C); and**
(b) **Bicycle parking shall be provided as required by Sections 6A, 6B, and 6C.**

SIGNS

48DG(1) **Any persons carrying on a use permitted by Section 48DB(1) may place upon and parallel to the front of the building signage that comply with the following:**

(a) **No sign that encroaches into a street shall be less than 3.1 metres (10 feet) above the surface of a sidewalk;**
(b) **No part of a sign shall be closer than 3.1 metres (10 feet) horizontal from a curb face or the nearest edge of a vehicular passageway or traffic lane;**
(c) **Where signs are illuminated, they shall be illuminated in such a manner not to cause a glare or hazard to motorists, pedestrians or neighbouring**

premises;

(d) Fascia signs shall not extend beyond the extremities of a wall on which they are affixed;

(e) Maximum combined size of fascia signs on the wall of a building shall be no greater than 10 percent of the total area of said wall;

(f) Aggregate area of all window signs shall not exceed 25 percent of the window, or glass area of a door, to which they are affixed;

(g) Signs on awnings shall not cover more than 25 percent of the area of the awning and the length of the text shall not exceed 80 percent of the length of the front valance; and

(h) No signs shall be permitted on the roof of a building.

BUILDING SETBACKS AND STREETWALLS

48DH(1) Buildings erected, altered or uses for RC-4 uses in an RC-4 Zone shall comply with the following requirements:

(a) A minimum setback of 6 metres (19.7 feet) between side and rear lot lines and the portion of the building above enclosed parking. Where a side lot line abuts a RC-4 Zone, the minimum setback from that lot line may be reduced to 5.5 metres (18.0 feet);

(b) A minimum setback of 4 metres (13.1 feet) between side and rear lot lines and balconies. This does not include patios for dwelling units at grade. Where a side lot line abuts a RC-4 Zone, the minimum setback from that lot line for balconies may be reduced to 3.5 metres (11.5 feet);

(c) No setback is required on the side lot line shared with PID 40722381 for the length of 25 metres (82 feet) from the streetline. Beyond this distance the setback required by subsections 48DH(1)a and 48DH(1)b shall apply;

(d) A maximum setback of 4 metres (13.1 feet) between the streetwall and the streetline for a minimum of 50 percent of the lot frontage;

(e) A setback between 6 metres (19.7 feet) and 8 metres (26.2 feet) between the streetwall and the streetline for a minimum of 20 percent of the lot frontage;

(f) A maximum streetwall height of 17 metres (55.8 feet);

(g) A minimum streetwall height of 11 metres (36.1 feet);

(h) The streetwall shall extend a minimum of 65 percent of the lot frontage; and

(i) A minimum stepback of 2 metres (6.6 feet) above the streetwall.

MAIN FLOOR AND ENTRANCES

48DI(1) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:

(a) The ground floor of the streetwall shall be comprised of 75 percent glazing and shall have a minimum height of 3.7 metres (12.1 feet); and

(b) Commercial uses shall have separate exterior access from any access to residential uses.

BUILDING MATERIALS

48DJ(1) The following external cladding materials shall be prohibited:

(a) vinyl;
(b) plastic;
(c) plywood;
(d) concrete block;
(e) exterior insulation and finish systems where stucco is applied to rigid insulation; and
(f) darkly tinted or mirrored glass (not including spandrel panels)

LANDSCAPING AND BUFFERING

48DJ(2) For any lot developed abutting a railway corridor, a concrete wall with a minimum height of 1.83 metres (6 feet) above average grade shall be provided along the entire rear lot line abutting the corridor. Between the concrete wall and the portion of the building above the enclosed parking, landscaped open space, a minimum of 3 metres (9.8 feet) in width, shall be provided. The wall shall be designed and constructed to ensure structural stability and be architecturally detailed on the side facing the development.

OPEN SPACE

48DK(1) A minimum of 35 percent of the lot area shall be comprised of at grade unit patios, unit balconies and terraces, above grade exterior building amenity space and interior amenity space. Interior amenity space shall include the following common elements:

(a) lobby;
(b) fitness room; and
(c) community room.

48DK(2) A minimum of 15 percent of the lot area shall be comprised of landscaped open space, which shall be provided at the grade established above enclosed parking.

C-1 ZONE

LOCAL BUSINESS ZONE

49(1) The following uses shall be permitted in any C-1 Zone:

(a) R-1, R-2, R-2T and R-3 uses;
(b) stores for the purpose of retail trade and rental excluding:
  (i) motor vehicle dealers;
  (ii) motor vehicle repair shops
  (iii) adult entertainment uses; and
  (iv) amusement centres.
(c) **restaurant**, bank, public hall, office, municipal building, hairdresser, beauty parlour; receiving office of a dry cleaner or dyer; **(RC-May 11/09;E-May 30/09)**
(d) any use accessory to any of the foregoing uses.

49(2) No person shall in any C-1 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

49(3) No person shall in any C-1 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

50 Buildings erected, altered, or used for C-1 uses in a C-1 Zone shall comply with the following requisites:

Lot Frontage (Ft.)	Lot Area (Ft.)	Side Yard (Ft.)
40	4000	4

SIGNS

51 Any persons carrying on a business may place upon and parallel to the front of the building a non-illuminated signboard not exceeding 3 feet in height and limited to the space immediately above the ground floor store windows extending the length of such front and appertaining solely to the ownership of the business conducted therein.

Illuminated signs may be erected provided that they do not constitute a nuisance or hazard to the public.

HEIGHT

52 The basic height of buildings in this zone shall not exceed 35 feet.

FRONT YARD SETBACK

53 The building line laid down for the adjacent residential buildings shall also apply to those buildings hereafter erected or altered to C-1 uses. If, however, it is intended to erect or alter a building for C-1 uses between two existing buildings of C-1 uses, neither of which encroach over the street line, then such erections or alterations may be carried out in line with the two adjacent existing buildings.

REAR YARD SETBACKS: PENINSULA NORTH

53A Any building erected, altered or used for C-1 purposes in the C-1 zone in the **Peninsula North Area**, shall be set back a minimum of 20 feet from a rear lot line.

R-1, R-2, R-2T AND R-3 USES IN C-1 ZONE

54 Buildings erected, altered or used for R-1, R-2, R-2T and R-3 uses in a C-1 Zone shall comply with the requirements of their respective zones.

55 Lot coverage - maximum lot coverage shall be 35 percent.

RESTAURANTS (RC-May 11/09;E-May 30/09)

55A Notwithstanding Section 49 (1)(c), restaurants may be permitted provided that:

(a) they do not exceed a gross floor area of 1,000 square feet;
(b) an opaque fence having a minimum height of five feet is constructed abutting any residentially zoned property;
(c) lighting facilities, if provided, are directed away from any abutting residentially zoned property;
(d) any commercial refuse container is enclosed in a structure which visually screens it from the street and any abutting residentially zoned property;
(e) any commercial patio is not located in yards abutting any residentially zoned property;
(f) any take-out area does not exceed ten (10) percent of the gross floor area of the restaurant; and
(g) vehicle drive through order and pick up windows are not permitted.

C-2 ZONE

GENERAL BUSINESS ZONE

56(1) The following uses shall be permitted in any C-2 Zone:

(a) R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses;
(b) Any business or commercial enterprise except when the operation of the same would cause a nuisance or a hazard to the public and except adult entertainment uses, junk yards and amusement centres;
(c) Billboards not to exceed twenty-eight square meters (28 m2) in area and not to extend more than eight meters (8 m) above the mean grade on which it is situated.
(d) Uses accessory to any of the foregoing uses.

56(2) No person shall in any C-2 Zone, carry out, cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

56(3) No person shall in any C-2 Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

57(1) No front, side or rear yards are required for C-2 uses in C-2 Zones.

57(2) (Deleted)

58 The height of a building in a C-2 Zone shall not exceed a height of eighty (80) feet, but for each foot that the building or that portion of the building which would exceed eighty (80) feet in height is set back from the property line, two (2) feet may be added to the height of the building.

R-1, R-2, R-3, C-1, R-2T AND C-2A USES IN C-2 ZONE

58A(1) Buildings erected, altered or used for R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses in a C-2 Zone shall comply with the requirements of their respective zones.

58A(2) (Deleted)

58A(3) (Deleted)

CENTRAL BUSINESS DISTRICT

58B(1) Deleted **(RC-Jun 16/09;E-Oct 24/09)**

58B(2) Deleted **(RC-Jun 16/09;E-Oct 24/09)**

PENINSULA NORTH - AREA 8:

58C(1) Notwithstanding Sections 6, 8 and 58A(1), buildings erected, altered, or used for R-1, R-2, R-2A, R-2T, R-3, RC-3, C-1, C-2A uses in the C-2 zone of the **"Peninsula North Area (Area 8)"** shall comply with the requirements of the C-2 zone.

58C(2) In the **Peninsula North Area - (Area 8),** all buildings constructed for commercial or industrial purposes, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.

58C(3) In the **Peninsula North Area - (Area 8),** the maximum setback for the first storey of: (1) buildings constructed for commercial or industrial uses, or (2) additions to buildings used for commercial or industrial uses, shall be 2 feet from the official street line of Gottingen Street.

58C(4) In the **Peninsula North Area - (Area 8),** buildings of over 50 feet width measured parallel to Gottingen Street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet. In addition, one third of the surface area of the face of the ground floor of the building shall be comprised of windows.

58C(5) In the **Peninsula North Area - (Area 8)** the following applies:

(1) for buildings constructed for minor commercial purposes which are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial area.

(2) for additions to existing buildings used for minor commercial purposes that are 50 percent or more of the gross commercial floor area of the existing building, are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area of the addition.

58C(6) In the **Peninsula North Area - (Area 8),** all parking areas shall comply with the following requirements:

(i) Where commercial or industrial parking abuts a residential zone, an opaque fence a minimum of five feet shall be erected to visually screen abutting properties.

(ii) Parking areas abutting a street shall be set back a minimum of 5 feet from any street line; the setback area shall be landscaped with natural ground cover to reach a height of no more than 2 feet upon maturity, or other

materials, along that part of the street not required for any parking pedestrian entrance.

(iii) Parking shall be constructed with a stable surface such as asphalt or concrete.

(iv) Lighting for parking area shall be directed away from any adjacent residential properties and from the street.

C-2A ZONE

MINOR COMMERCIAL ZONE

59A(1) The following uses shall be permitted in any C-2A Zone:

(a) all R-1, R-2, R-2T and C-1 uses;
(b) stores for the purpose of retail trade and rental excluding:
  (i) motor vehicle dealers;
  (ii) motor vehicle repair shops which such shops are not primarily engaged in providing service station facilities; and
  (iii) adult entertainment uses
(c) radio, television and electrical appliance repair shops;
(d) watch and jewellery repair shops;
(e) a store for the purpose of personal service including shoe repair shops, barber and beauty shops, dry cleaners, funeral services, and excepting massage parlours and adult entertainment uses and amusement centres;
(f) bowling alley;
(g) a motion picture theatre;
(h) a service station;
(i) offices;
(j) a bank and other financial institutions;
(k) a restaurant;
(l) community facilities;
(la) billboards not to exceed twenty-eight square meters (28m2) in area and not to extend more than eight meters (8m) above the mean grade on which it is situated provided that no billboard shall be erected in the **Peninsula North Area**;
(lb) commercial recreation uses;
(lc) **day care facility**; **(RC-Mar 3/09;E-Mar 21/09)**
(m) any use accessory to any of the foregoing uses.

59A(2) No person shall in any C-2A Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

59A(3) No person shall in any C-2A Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

R-1, R-2T AND R-2 USES IN C-2A ZONE

59B Buildings erected, altered or used for R-1, R-2 and R-2T uses in a C-2A Zone shall comply with the requirements of their respective zones.

HEIGHT

59C The height of any building in a C-2A Zone shall not exceed 35 feet.

SIGNS

59D(1)

(a) Any persons carrying on a business may place upon and parallel to the front of the building a non-illuminated signboard not exceeding 3 feet in height and limited to the space immediately above the ground floor store windows extending the length of such front and appertaining solely to the ownership of the business conducted therein. For each foot that the building face upon which the said signboard is placed is setback from the street line, .05 feet may be added to the height of such signboard to a maximum of eight feet. In no case shall a sign permitted by this section exceed 300 square feet in area.

(b) Any persons carrying on a business may place upon the building, a non-illuminated signboard not exceeding three feet in height and 300 square feet in area or two non-illuminated signboards, each of which does not exceed three feet in height and a total of 300 square feet in area and appertaining solely to the ownership of the business conducted therein.

59D(2) Illuminated signs may be erected provided they do not constitute a nuisance or hazard to the public.

59D(3) A single signboard (illuminated or otherwise) may be placed upon and perpendicular to the front of a building for the purpose of identifying the proprietor or nature of the business permitted therein. Such signboards shall be located immediately above the ground floor windows and shall not exceed 12 square feet (1.12 square meters) in area on a single surface. A maximum of two such signboards shall be permitted for any building regardless of the number of uses contained therein.

59D(4) In the **Peninsula North Area**, a single freestanding sign (illuminated or otherwise) of up to twenty-eight square metres - 28m2 (300 ft2) in area and up to eight metres - 8m (26ft) above mean grade, may be placed upon a lot for the purpose of identifying the proprietor or nature of the business or businesses located on the lot.

FAIRVIEW AREA

59E(1) (Deleted – RC-Oct 4/16;E-Oct 26/16)

59E(2) (Deleted – RC-Oct 4/16;E-Oct 26/16)

59F (Deleted – RC-Oct 4/16;E-Oct 26/16)

ACCESS (Fairview Area)

59F(1) **(Deleted – RC-Oct 4/16;E-Oct 26/16)**

59F(2) **(Deleted – RC-Oct 4/16;E-Oct 26/16)**

SETBACKS FROM RESIDENTIAL ZONES (Fairview Area)

59F(3) **(Deleted – RC-Oct 4/16;E-Oct 26/16)**

DRIVEWAYS (Fairview Area)

59F(4) **(Deleted – RC-Oct 4/16;E-Oct 26/16)**

PENINSULA NORTH AREA

59FA Notwithstanding Section 59B, for the area identified as **"Peninsula North Area"** residential uses shall be permitted in buildings containing non-residential uses in a C-2A Zone, provided the following requirements are complied with:

(1) residential uses are located above the first floor:
(2) there is a maximum of 4 dwelling units:
(3) separate access to the exterior of the building at ground level is provided for residential uses: and
(4) parking is provided as follows:
    (a) one space for every unit of two or more bedrooms: and
    (b) one space for every four or less bachelor or one bedroom units.
(5) where a lot has been created subsequent to the adoption of this section, and where such lot does not contain a commercial building, the lot size requirements shall comply with the requirements for residential uses.

MOTOR VEHICLE REPAIR SHOPS

59FB Notwithstanding Section 59A(1)(b)(ii), motor vehicle repair shops, excluding those which service or repair motor vehicles in excess of 6000 pounds or auto body shops or auto paint shops, may be permitted provided that:

(a) They are located on a site which has a valid occupancy permit for a service station or the most recent valid occupancy permit is for a service station.
(b) An opaque fence having a minimum height of five feet is constructed abutting any residential zone.
(c) Lighting facilities, if provided, are directed away from any abutting residential zone.
(d) Any commercial refuse contained is enclosed in a structure which screens if from the street and abutting residential zones.
(e) There is no outdoor storage of inoperative motor vehicles, boxes, crates or any other materials.

(f) There is landscaped open space; raised or otherwise protected, having a minimum width of six feet along that part of the street line not required for the curb cut or pedestrian entrance.

SETBACKS FROM RESIDENTIAL ZONES: PENINSULA NORTH AREA

59FC(1) Any building used for C-1 or C-2A purposes in a C-2A zone, or any addition to an existing building used for C-1 or C-2A purposes in the C-2A zone, including additions of height; shall be set back a minimum of 20 feet from a rear lot line and 4 feet from a side lot line where such lot line abuts a residential zone.

59FC(2) Parking areas for C-1 or C-2A uses in a C-2A zone, if provided in the rear or side yard of the portion of the lot abutting a residential zone, shall be screened from the residential zone by either an opaque fence having a minimum height of 5 feet or landscaping which provides solid visual screening on a year-round basis to a minimum height of 5 feet at maturity.

C-2C ZONE

MINOR COMMERCIAL - QUINPOOL ROAD

59G(1) The following uses shall be permitted in any C-2C Zone:

(a) R-1, R-2, R-2T, R-3, RC-3 and C-2A uses excluding billboards;
(b) stores for the purpose of rental of equipment including: video equipment and movies, automobiles, tools, appliances, office machines, and furniture;
(c) business support services;
(d) bakeries;
(e) parking lots or parking structures;
(f) wholesale and retail processing if operated in direct association with a retail use on the same premises provided that this clause does not apply to food processing;
(g) commercial schools;
(h) any use, excepting billboards, accessory to any of the foregoing uses.

59G(2) No person in any C-2C Zone may carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in Subsection (1).

59G(3) No person shall in any C-2C Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in Subsection 1.

R-1, R-2, R-2T, R-3 AND RC-3 USES IN A C-2C ZONE

59H(1) Buildings erected, altered or used for R-1, R-2, R-2T, R-3, and RC-3 uses in a C-2C Zone shall comply with the requirements of the their respective zones.

HEIGHT

59I(1) The height of any building in a C-2C Zone shall be in accordance with the heights as shown on ZM-17.

SPECIAL PARKING

59J(1) A commercial structure of greater than 2,500 square feet of floor space shall provide parking at the rate of 1 space for every 1,000 square feet or part thereof of gross commercial floor space area;

59J(2) (Deleted)

59J(A) All parking areas in the C-2C Zone shall comply with the following requirements:

(a) Where the parking area abuts a residential property or zone, an opaque wood

or masonry fence of a minimum of five feet in height shall be erected and maintained;

(b) The parking area shall be set back a minimum of 4 ft. from any street line with the area of the setback being landscaped open space along that part of the street line not required for the entrance;

(c) The parking area shall be maintained with a stable surface such as asphalt or concrete with bumper guards and lines marking the parking spaces;

(d) Lighting facilities for the parking area, if provided, shall direct light away from residential properties.

RESIDENTIAL CONVERSION

59K(1) Notwithstanding any other section of this by-law, interior conversion of commercial uses which existed on the date of adoption of this section of this by-law, to residential uses shall be permitted, provided there is no increase in building height or building volume.

59L(1) Any commercial refuse container shall be entirely enclosed in a structure which effectively screens it from the street and adjacent residential uses.

C-2D ZONE - Deleted (RC-Jun 16/09;E-Oct 24/09)

C-3A ZONE

BUSINESS SERVICE ZONE

59R(1) The following uses shall be permitted in any C-3A Zone:

(a) R-1, R-2, R2-T, R-2A and P uses;
(b) commercial schools;
(c) offices, public halls and municipal buildings;
(d) research and development facilities;
(e) wholesale and distribution businesses;
(f) electronic and print publishing firms and multi-media production firms;
(g) plumbing and electrical contracting businesses;
(h) electrical and electronic repair and assembly businesses;
(i) warehousing, except for the storage of chemicals or other hazardous materials;
(j) equipment rental stores;
(k) commercial recreation uses;
(l) a store for the purpose of personal services including shoe repair shops, barber and beauty shops, dry cleaners, funeral services, and exempting massage parlours and adult entertainment uses and amusement centres;
(m) accessory uses.

59R(2) No person shall in any C-3A Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

59R(3) No person shall in any C-3A Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in Subsection (1).

REQUIREMENTS

59R(4) Buildings erected or altered or used exclusively for R-1, R-2, R2-T, R-2A or P uses shall comply with the requirements of the R-1, R-2, R2-T, R-2A, or P zone.

59R(5) Except as provided for by subsection (4), buildings erected, altered or used for R-1, R-2, R2-T, R-2A, P or C-3A uses in a C-3A Zone shall comply with the following requirements:

(a)	minimum lot frontage:	40 feet
(b)	minimum lot area:	4,000 square feet
(c)	maximum building height:	35 feet
(d)	minimum front yard:	5 feet
(e)	maximum lot coverage:	50 percent

59R(6) Except as provided for by subsection (4), the development of any property in a C-3A Zone shall comply with the following requirements:

(a) no outdoor storage or display of any goods, materials, or equipment shall be permitted;
(b) no parking or loading area shall be located within any front or side yard;
(c) front yards shall be maintained as landscaped open areas.

C-3 ZONE

INDUSTRIAL ZONE

60(1) The following uses shall be permitted in any C-3 Zone:

(a) R-1, R-2, R-2T, R-3, C-1 and C-2 uses;
(b) any industrial enterprise except when the operation of same would cause a nuisance or a hazard to the public and except junk yards.

60(2) No person shall in any C-3 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

60(3) No person shall in any C-3 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

61 No front, side, or rear yards are required for C-2 or C-3 uses in a C-3 Zone.

R-1, R-2, R-2T, R-3, C-1, AND C-2 USES IN C-3 ZONE

62 Buildings erected, altered, or used for R-1, R-2, R-2T, R-3, C-1 and C-2 uses in a C-3 Zone shall comply with the requirements of their respective zones.

62A In the area described as the **"South End Area"**, permitted uses shall include any industrial enterprise, except when the operation of same would cause a nuisance or hazard to the adjacent residential uses and residential zones and any uses permitted in the C-3 zone shall be permitted in structures in existence on the date of adoption of this section of this by-law and for such buildings Sections 62B shall not apply.

62B Any use permitted in the C-3 Zone and located in the area described as the **"South End Area"**, shall be required to provide a minimum setback of 25 feet where said uses are located on a city street opposite to a residential zone, and a minimum side yard of 25 feet where said uses are located adjacent to a residential zone.

C-5 ZONE

HARBOUR-RELATED INDUSTRIAL ZONE

66(1) The following uses shall be permitted in any C-5 Zone:

(a) bulk product, container and general cargo storage and handling;
(b) sea product processing;
(c) marine research;
(d) construction maintenance and repair of marine vessels;
(e) the construction, assembly, maintenance and repair of submarine, mineral, exploration, and extraction equipment;
(f) other industrial uses in which marine vessels and direct access to salt water are necessary;
(g) recreation uses;
(ga) billboards not to exceed twenty-eight square meters (28m2) in area and not to extend more than eight meters (8m) above the main grade on which it is situated;
(h) uses accessory to any of the foregoing.

66(2) No person shall in any C-5 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

66(3) No person shall in any C-5 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

C-6 ZONE

ADULT ENTERTAINMENT ZONE

66A(1) The following uses shall be permitted in any C-6 Zone:

(a) C-2 uses as hereinbefore set out;
(b) An adult entertainment use;

66A(2) No person shall in any C-6 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

66A(3) No person shall in any C-6 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1), provided that in any one building only one adult entertainment use shall be permitted.

REQUIREMENTS

66B No front, side, or rear yards are required for C-6 uses in C-6 Zones.

ADULT ENTERTAINMENT USES

66C No development permit shall be issued for an adult entertainment use within 300 ft. of the nearest property line of any land in any Residential Zone, or any school, library, park, playground or other recreational facility, any church, convent, synagogue or similar place of worship, or another adult entertainment use;

SIGNS

66D Signs, for the purpose of an adult entertainment use shall:

(a) be limited to one sign for each adult entertainment use;
(b) advertise only the name of the adult entertainment use;
(c) be not larger than 12 square feet;
(d) be attached upon and parallel to the front of the building in which the use is being carried on;
(e) be the only advertising visible or audible from the outside of the building.

66E A sign permitted under the provisions of Section 66D may be illuminated, provided it does not constitute a nuisance or hazard to the public.

C-2 USES IN C-6 ZONE

66F Buildings erected, altered, or used for C-2 uses in a C-6 Zone shall comply with the requirements of the C-2 Zone as detailed in Sections 56 to 59 inclusive.

P ZONE

PARK AND INSTITUTIONAL ZONE

67(1) The following uses shall be permitted in any P Zone:

(a) public park;
(b) recreation field, sports club, and community facilities;
(c) a cemetery;
(d) a hospital, school, college, university, monastery, church, library, museum, court of law, or other institution of a similar type, either public or private;
(da) **day care facility**; **(RC-Mar 3/09;E-Mar 21/09)**
(e) uses accessory to any of the above uses.

67(2) No person shall in any P Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

67(3) No person shall in any P Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

COMMERCIAL USES

68 Notwithstanding Section 1, one of each of the following uses for each degree granting university may be located on land owned or leased from such degree granting university:

(a) barber shop
(b) bank
(c) newsstand
(d) coin-operated vending machines
(e) dry-cleaning distribution station
(f) beauty parlour
(g) book store and branch thereof provided that:
    (i) these uses shall be for the exclusive use of the students and staff of such university or their guests; and
    (ii) there shall be no advertising or identification of the use on the outside of the building; and
    (iii) there shall be no visible indication from the exterior of the building that the commercial uses described in this section are carried on; and
    (iv) there shall be no direct access from the exterior of the building to any of the commercial uses described in this section other than emergency access places in case of fire; and
    (v) the total net floor area measured in square feet covering the uses (a) to (f) in this section for each university shall not exceed the number of students registered for degree purposes at such university

multiplied by a factor of 1.5.

SIGNS

69 No person shall in any P Zone erect, place, or display any billboard or sign except:

(a) One fascia sign per building elevation facing a street;
(b) One fascia sign for the building elevation containing the main entrance where such entrance does not face a street;
(c) One free standing sign not to exceed 12 feet in height and 40 square feet in area (per side) per vehicular entrance and pedestrian entrance where such entrance is not part of a vehicular entrance, provided, however, that where the property contains more than one principal park and institutional use such sign shall not exceed 18 feet in height and an additional 10 square feet of area may be added to a maximum of 80 square feet (per side) for each additional park and institutional use;
(d) The signs permitted by (a), (b), and (c) may be illuminated;
(e) The signs permitted by (a), (b), and (c) shall be limited to indicating the name of the building or site and civic address of the property on which it is located, the logo, slogan or motto of the occupant of such building or site; and
(f) The signs permitted by (a), (b) and (c) may also contain a changeable message area which shall be limited to indicating the name, date and time of an event taking place on the site.

70 Buildings erected, altered, or used for P uses in a P Zone shall comply with the requirements of the R-3 Zone as detailed in Sections 44 to 48 inclusive.

B ZONE

BAKERY ZONE

70A(1) The following uses shall be permitted in any B Zone:

(a) a bakery;
(b) uses accessory to the foregoing use.

70A(2) No persons shall in any B Zone carry out or cause or permit to be carried out any development for any purpose other than one or more of the uses set out in subsection (1).

70A(3) No persons shall in any B Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS - SIGNS - HEIGHT

70A(4) Buildings erected, altered or used for B uses in a B Zone shall comply with the following requirements:

(a) Maximum building height shall be 33 feet or three storeys;
(b) A minimum of 20 parking spaces shall be provided; and
(c) Signs shall comply with the requirements of the C-2A Zone.

70A(5) (Deleted)

U-1 ZONE

LOW-DENSITY UNIVERSITY

70AA(1) The following uses shall be permitted in any U-1 Zone:

(a) university uses excepting university commercial facilities, student union building, physical plant buildings, parking garages, auditoriums and laboratories;
(b) parking lots;
(c) residential accommodation for university students;
(d) fraternity and society houses;
(e) R-1 and R-2 uses.

70AA(2) No person shall in any U-1 Zone carry out or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

70AA(3) No person shall in any U-1 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

70AB(1) U-1 uses shall comply with the requirements of Section 43G for front yards, excepting that a minimum setback of 20 feet shall be required for any building in the U-1 Zone located south of Inglis Street.

70AB(2) Any surface parking lot located in a U-1 Zone shall be required to be separated from adjacent street lines by a landscaped open space of a minimum of 15 feet along the full length (excluding driveways) of the street frontage.

70AB(3) Application for a development permit for U-1 uses shall comply with the requirements of subsections 70BC(1) and 70BC(2).

70AB(4) Buildings erected, altered or used for R-1 or R-2 uses in a U-1 zone shall comply with the requirements of their respective zones.

70AB(5) Buildings erected, altered or used for residential accommodation for university students, fraternity houses or society houses, where such fraternity house or society house contains residential accommodation, in a U-1 zone shall comply with the requirements of the zone in which such use is permitted based on the number of dwelling units contained within the building.

70AB(6) Buildings erected, altered or used for residential accommodation for university students, fraternity houses or society houses, where such house or society house contains residential accommodation other than dwelling units, in a U-1 zone shall

comply with the requirements of the R-1 zone where such accommodation is for not more than three boarders or lodgers, or, in all other cases, shall comply with the provisions of the R-3 zone as it applies to boarding houses, rooming houses and lodging houses.

70AB(7) Notwithstanding section 70AB(5) no parking is required for buildings erected, altered or used for residential accommodation for university students or fraternity houses or society houses, where such fraternity house or society house contains residential accommodation in a U-1 zone.

HEIGHT EXEMPTIONS

70AC(1) Notwithstanding Section 71, height regulations herein set forth shall not apply to church spires, church belfries, chimneys, flagpoles, radio poles, water tanks, elevator enclosures, or mechanical penthouses occupying in the aggregate less than 30 percent of the area of the roof of the building on which they are located, provided that:

(a) no building or structure shall protrude through a View Plane;
(b) no building or structure which is located in Schedule A shall be visible above the Citadel Ramparts as specified by Section 26B; and
(c) water tanks, elevator enclosures and penthouses shall be setback from the perimeter of the roofline a minimum of 10 feet or incorporated as an integral part of the building design.

(HWCC-Dec 16/14;E-Jan 3/15)

U-2 ZONE

HIGH-DENSITY UNIVERSITY

70BA(1) The following uses shall be permitted in any U-2 Zone:

(a) U-1 uses;
(b) any university use;
(c) uses accessory to any of the foregoing uses.

70BA(2) No person shall in any U-2 Zone carry out or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

70BA(3) No person shall in any U-2 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

70BB(1) In the **"Peninsula Centre Area"**, U-2 uses shall comply with the following requisites:

(a) a 50 foot yard along the north side of South Street from LeMarchant Street to Oxford Street, and along the east side of Oxford Street from South Street to Coburg Road and along the south side of Coburg Road from Oxford Street to LeMarchant Street;
(b) a building height limit of 55 feet or 5 storeys on those properties along Oxford Street, Coburg Road and South Street as described in subsection (a) above for any part of any building within 75 feet of the South and Oxford Streets street lines and 100 feet of the Coburg Road street line;
(c) a 20 foot rear yard for any U-2 use which abuts University Avenue between Henry and Robie Streets.

STRUCTURE NOT EXCEEDING 5 FEET IN HEIGHT
(PCC-Jan 9/12;E-Jan 28/12)

70BB(2) Notwithstanding subsection 70BB(1)(a), a structure not exceeding 5 feet in height is permitted, provided such structure is set back a minimum of 15 feet from the street line.

PARKING U-1 AND U-2 ZONES

70BC(1) Parking for U-1 and U-2 uses in the **"Peninsula Centre Area"**, shall be required to be maintained at 1730 or more parking spaces in total.

70BC(2) Every application for a development permit for a U-1 or U-2 use shall be

accompanied by a statement containing such information as may be deemed necessary to the Development Officer to secure compliance with the requirements of Section 70BC(1) of this by-law.

HEIGHT EXEMPTIONS

70BD(1) **Notwithstanding Section 71, height regulations herein set forth shall not apply to church spires, church belfries, chimneys, flagpoles, radio poles, water tanks, elevator enclosures, or mechanical penthouses occupying in the aggregate less than 30 percent of the area of the roof of the building on which they are located, provided that:**

(a) **no building or structure shall protrude through a View Plane;**
(b) **no building or structure which is located in Schedule A shall be visible above the Citadel Ramparts as specified by Section 26B; and**
(c) **water tanks, elevator enclosures and penthouses shall be setback from the perimeter of the roofline a minimum of 10 feet or incorporated as an integral part of the building design.**

(HWCC-Dec 16/14;E-Jan 3/15)

~~**HZ ZONE**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

CFB

CANADIAN FORCES BASE ZONE

70DA(1) The following uses shall be permitted in any CFB zone:

(a) Canadian military installations
(b) uses accessory to the foregoing

70DA(2) No person shall in any CFB Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

70DA(3) No person shall in any CFB Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

BCDD

BRUNSWICK COMPREHENSIVE DEVELOPMENT DISTRICT

70EA(1) The following uses shall be permitted in any BCDD Zone:

(a) all uses and structures existing on 17 February 1998;
(b) all residential uses with the exception of rooming, boarding, or lodging houses;
(c) the office of a professional person located in the dwelling house used by such professional person as his private residence;
(d) a home occupation;
(e) a public park;
(f) an office in the existing building at 2085-99 Maitland Street;
(g) uses accessory to any of the foregoing uses.

70EA(2) No person shall in any BCDD zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

70EA(3) No person shall in any BCDD zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

70EB(1) No development permit shall be issued for a development in the BCDD zone except by development agreement pursuant to Policies 9.7, 9.7.1 and 9.7.2 of Part II, Section XI (Peninsula North Secondary Planning Strategy) of the Municipal Planning Strategy.

70EB(2) Applications for development agreements in any (Brunswick Comprehensive Development District) BCDD zone shall include the following information:

(i) a legal description of the total site proposed for development, to include present and proposed ownership;
(ii) a development schedule to indicate the stages or phases of development from beginning to completion;
(iii) total number and type of dwelling units including detailed plans showing the architectural design of each building with respect to height, design elements, building materials and colours; sizes of dwelling units and any accessory buildings;
(iv) site plan and supporting maps to describe existing topographic conditions including contours at 1 metre intervals, proposed lot lines, location, setbacks and size of all existing and proposed buildings and structures; lot sizes, proposed lot coverages, approximate gross and net population densities, and total amount of open space and landscaped space;
(v) the location and size of all areas to be reserved as common open spaces or public parks; existing and proposed circulation systems including parking,

driveways, and major points of access and egress to the development; existing and proposed pedestrian circulation system, including its interrelationship with the vehicular circulation system; existing and proposed public utility system; a landscape plan indicating the treatment of private spaces; and information on areas and buildings adjacent to the proposed development to indicate the architectural and building form relationship to these areas;

(vi) any other information which may be required to evaluate the impact of the proposed development.

70EB(3) Notwithstanding Section EB (1), no development permit shall be required to reconstruct or repair any building referred to in Section 70EA(1)(a) which is destroyed or damaged by fire or otherwise as long as the building is reconstructed for the same use, to the same exterior dimensions and shape, and with the same architectural design and building materials.

CD-1

C&D MATERIALS TRANSFER STATIONS ZONE

70FA(1) The following uses shall be permitted in any CD-1 Zone:

(a) Construction and Demolition Materials Transfer Stations
(b) accessory to permitted use

70FA(2) No person shall in any CD-1 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (l).

70FA(3) No person shall in any CD-1 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (l).

REQUIREMENTS

70FB(1) Buildings erected, altered, or used for CD-1 uses in a CD-1 Zone shall comply with the following requirements:

Minimum Lot Area	3,716 square metres	(40,000 square feet) central services
	11,148 square metres	(120,000 square feet) on-site services
Minimum Frontage	15 metres	(49.2 feet) central services
	30 metres	(98.4 feet) on-site services
Minimum Front Yard	25 metres	(82.0 feet)
Minimum Side Yard	30 metres	(98.4 feet)
Minimum Rear Yard	30 metres	(98.4 feet)
Maximum Lot Coverage	50 %	
Maximum Height	11 metres	(36.0 feet)

OTHER REQUIREMENTS

70FB(2) No development permit shall be issued for a C&D Materials Transfer Station except in compliance with the following provisions:

(a) any building or structure shall meet the following separation distances:

(i)	from any property line	30 metres	(98.4 feet)
(ii)	from the nearest residential dwelling or institutional use	60 metres	(196.9 feet)
(iii)	from a watercourse	30 metres	(98.4 feet)

(b) notwithstanding Section 70FB(2)(a), here a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres

(32.8 feet).

(h) notwithstanding Section 70FB(2)(a), any C&D Materials Transfer Station which is to be totally enclosed within a building (no outdoor storage of material, product, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

70FB(3) **GENERAL REQUIREMENTS**

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) no operation shall be permitted, result in, causes or produces any of the following effects discernible outside any building or structure or affecting any adjacent property:
  (i) noise or sound which is obnoxious because of its volume, duration, intermittent beat, frequency, or shrillness;
  (ii) dissemination of smoke, fumes, gas, dust, odour, or any atmospheric pollutant; or
  (iii) discharge of any waste material whatsoever into a watercourse or water resource except in accordance with the applicable government requirements.

(b) notwithstanding any other provisions of this by-law, C&D Materials Operation may occur either inside or outside of a building;

(c) there shall be a landscaped area of at least 4.5 metres (14.8 feet) in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted (trees shall be a minimum of 1.8 metres (6 feet) in height) or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each 2 metres (6.6 feet) of frontage;

(d) notwithstanding Section 70FB(3)(c), if the front yard area is treed, the landscaped area is not required but all vegetation within 10 metres of the front lot line shall be retained and maintained;

(e) no portion of the operation shall be located within any side, rear, or front yard setback;

(f) no operation shall have direct access to either a local or subdivision road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not occur through lands zoned for residential (R-1, R-2, R-2A, R-2T, and R-3 or park and institutional use (P); and

(g) no portion of the operation shall be located within a 1:100 year floodplain.

SITE PLAN APPROVAL

70FB(4) All C&D Materials Operations are subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

(a) driveway access to the site shall be located in such a manner to minimize land use impacts on adjacent land uses;
(b) separation distances shall be provided from any structure on the site and abutting residential or community facility properties to ensure the development does not negatively impact upon surrounding properties;
(c) all off-street loading and unloading areas, stockpiles, processing areas, and parking facilities shall be located on the site such that no aspect impacts upon adjacent uses or streets and screening can be in the form of fencing, berms, vegetation, or a combination of elements;
(d) a landscaping plan shall be prepared that protects and minimize land use impacts on adjoining lands and the plan shall indicate the type, size, and location of all landscaping elements including the landscaping along the front of the property, to achieve the objective of the plan;
(e) within any designated side and rear yards, existing vegetation shall be retained unless it does not provide for adequate screening measures;
(f) all outdoor lighting shall be oriented such that it is directed away from adjacent properties;
(g) all solid waste storage containers shall be screened from view from adjacent properties and streets;
(h) impact of the location, number and size of signs;
(i) measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water; and
(j) provisions are established to ensure the operation and any required site improvements are maintained to a high standard.

CD-2

C&D MATERIALS PROCESSING FACILITIES ZONE

70GA(1) The following uses shall be permitted in any CD-2 Zone:

(a) CD-1 uses
(b) Construction and Demolition Materials Processing Facilities
(c) Uses Accessory to permitted uses, excluding construction and demolition disposal
(d) Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

70GA(2) No person shall in any CD-2 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (l).

70GA(3) No person shall in any CD-2 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (l).

REQUIREMENTS

70GB(1) Buildings erected, altered or used for CD-1 uses in a CD-2 zone shall comply with the requirements of the CD-1 zone.

70GB(2) Buildings erected, altered, or used for CD-2 uses in a CD-2 Zone shall comply with the following requirements:

Minimum Lot Area	3,716 square metres	(40,000 square feet) central services
	11,148 square metres	(120,000 square feet) on-site services
Minimum Frontage	15 metres	(49.2 feet) central services
	30 metres	(98.4 feet) on-site services
Minimum Front Yard	30 metres	(98.4 feet)
Minimum Side Yard	30 metres	(98.4 feet)
Minimum Rear Yard	30 metres	(98.4 feet)
Maximum Lot Coverage	50 %	
Maximum Height	11 metres	(36.0 feet)

OTHER REQUIREMENTS

70GB(3) No development permit shall be issued for C&D materials processing facility except in compliance with the following provisions:

(a) any building, structure or area used for processing shall meet the following separation distances:

(i)	from any property line	60 metres	(196.8 feet)
(ii)	from the nearest residential dwelling or institutional use	90 metres	(295.3 feet)
(iii)	from a watercourse	60 metres	(196.8 feet)

(b) notwithstanding Section 70GB(3)(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

(c) notwithstanding Section 70GB(3)(a), any C&D Materials Processing Facility which is to be totally enclosed within a building (no outdoor storage of material, product, processing area, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

GENERAL REQUIREMENTS

70GB(4) No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) the operation complies with the general zone requirements as outlined in Section 70FB(3); and

(b) notwithstanding Sections 70GB(1) to 70GB(3), inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are not clearly differentiated than the more stringent requirements shall apply to the permitted uses.

SITE PLAN APPROVAL

70GB(5) C&D Materials Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters outlined in Section 70FB(4).

CD-3

C&D MATERIALS DISPOSAL SITES ZONE

70HA(1) The following uses shall be permitted in any CD-3 Zone:

(a) CD-1 and CD-2 uses
(b) Construction and Demolition Materials Disposal Sites
(c) Uses Accessory to permitted uses

70HA(2) No person shall in any CD-3 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (l).

70HA(3) No person shall in any CD-3 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (l).

REQUIREMENTS

70HB(1) Buildings erected, altered or used for CD-1 or CD-2 uses in a CD-3 zone shall comply with the requirements of the CD-1 or CD-2 zones respectively.

70HB(2) Buildings erected, altered, or used for CD-3 uses in a CD-3 Zone shall comply with the following requirements:

Minimum Lot Area	11,148 square metres	(120,000 square feet)
Minimum Frontage	15 metres	(49.2 feet) central services
	30 metres	(98.4 feet) on-site services
Minimum Front Yard	50 metres	(164 feet)
Minimum Side Yard	50 metres	(164 feet)
Minimum Rear Yard	50 metres	(164 feet)
Maximum Lot Coverage	50 %	
Maximum Height	11 metres	(36.1 feet)

OTHER REQUIREMENTS:

70HB(3) No development permit shall be issued for C&D disposal site except in compliance with the following provisions:

(a) no portion of the operation shall be located within 60 metres (196.8 feet) of any side or rear property line abutting a residential or community facility use;
(b) any building or structure used in conjunction with a disposal operation shall meet the following separation distances:
    (i) from any property line 50 metres (164 feet)
    (ii) from the nearest residential

	dwelling or institutional use	90 metres	(295.3 feet)
(iii)	from a watercourse	60 metres	(196.8 feet)

GENERAL REQUIREMENTS

70HB(4) No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) the operation complies with the general zone requirements as outlined in Section 70FB(3).

(b) Notwithstanding Sections 70HB(1) to 70HB(3), inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are integrated than the more stringent requirements shall apply to the permitted uses.

SITE PLAN APPROVAL

70HB(5) C&D Material Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters as outlined in Section 70FB(4)".

ICH

INFRASTRUCTURE CHARGE HOLDING ZONE

62EA(1) The following uses shall be permitted in any ICH Zone:

(1) Single Unit Dwellings
(2) Open Space Uses

62EA(2) No person shall in any ICH Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

62EA(3) No person shall in any ICH Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

62EB(1) Buildings erected, altered, or used for ICH uses in a ICH Zone shall only be permitted on lots in existence on the date of adoption (July 2, 2002) of this zone and comply with the requirements of the R-1 Zone (Section 28).

RPK (REGIONAL PARK) ZONE (RC-Jun 25/14;E-Oct 18/14)

62EC(1) **The following uses shall be permitted in any RPK Zone:**

(a) Recreation uses
(b) Conservation uses
(c) Uses accessory to the foregoing uses

62EC(2) **No person shall in any RPK Zone use or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).**

62EC(3) **No person shall in any RPK Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).**

REQUIREMENTS

62EC(4) **Buildings erected, altered or used for RPK uses in an RPK Zone shall comply with the following requirements:**

Minimum Front or Flankage Yard:	**20m**
Minimum Side or Rear Yard:	**20m**
Maximum Lot Coverage:	**50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area**

WA

WATER ACCESS ZONE (RC-May 1/07;E-Jul 21/07)

62ED(1) **The following uses shall be permitted in any WA Zone:**

- **(a) wharves and docks;**
- **(b) municipal, provincial and national historic sites and monuments;**
- **(c) passive recreation uses;**
- **(d) public works and utilities; and,**
- **(e) ferry terminal facilities.**

62ED(2) **No person shall in any WA Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).**

62ED(3) **No person shall in any WA Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection(1).**

62ED(4) **No person shall in any WA Zone construct or erect a building, with the exception of public works, public utilities and ferry terminals, on a wharf, on pillars, on piles, or on any other type of structural support located on or over a water lot.**

EXCEPTIONS

HEIGHT

71 The height regulations herein set forth shall not apply to church spires, church belfries, chimneys, flagpoles, radio poles, water tanks, elevator enclosures, or penthouses occupying in the aggregate less than 10 percent of the area of the roof of the building on which they are located, provided that:

(a) no building or structure shall protrude through a View Plane; and
(b) no building or structure which is located in Schedule A shall be visible above the Citadel Ramparts as specified by Section 26B.

AIR WELLS - SHAFTS

72 Air wells or shafts shall not be considered as open spaces on computing the percentage of lot occupancy, nor shall any air well or shaft be constructed or used except for the purpose of lighting or ventilating an accessory room.

DETERMINATION OF YARDS

73 The application of yard regulations to lots of peculiar shapes shall be determined by the Development Officer.

74 ~~**CONFLICT WITH CITY CHARTER**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

PERMITS

75(1) Every application for a Development Permit shall be accompanied by a ground plan in duplicate showing the lot lines, the actual dimensions of the lot or lots, and the proposed building or buildings, and the relation of such building or buildings to the lot or property lines, together with such other information in detail as may be necessary to comply with the provisions of this by-law applicable thereto. An applicant for a development permit shall, except in cases where such requirement is obviously unnecessary, deposit with the Development Officer a plan of survey showing such of the above information as may be deemed necessary to the Development Officer to secure compliance with the requirements of this by-law.

75(2) (Deleted)

PLANS - VIEW ZONES

76(1) The applicant for a development permit for a building or structure to be erected in a View Zone shall furnish such plans and data as the Development Officer shall require to determine that the proposed building or structure will not protrude through a View Plane.

BUILDING IN A VIEW PLANE PROHIBITED

76(2) Any permit granted by the Development Officer pursuant to plans and data presented by the applicant shall not, at any time, be deemed to be permission to protrude through a View Plane.

BUILDING PARALLEL TO A VIEW PLANE

77 If a proposed building or structure is to be located under or adjacent to either or both edges of a View Plane, then the sides of the proposed building or structure lying outside but adjacent to an edge of a View Plane shall not be parallel to the edge of the View Plane, unless the edge of the View Plane is parallel to the immediate street lines.

RECORDS RETENTION

78 It shall be the duty of the Development Officer to keep and maintain a complete record of all such applications, particulars and plans.

ISSUANCE OF PERMIT

79 No development permit shall be granted by the Development Officer unless he is satisfied that the proposed use will not in any way violate the provisions of this by-law.

COPIES OF DEVELOPMENT PERMITS

80 A record of all development permits shall be kept on file in the office of the Development Officer and copies shall be furnished on request to any persons having proprietary or tenancy interest in the building or area affected.

SCHEDULES

81 (Deleted)

82 (Deleted)

SCHEDULE "C"

83 In any area shown as Schedule "C", any use shall be permitted which is permitted by the zoning designation of such area, provided that:

(a) R-3 uses shall not exceed 50 feet in height and not contain more than 25 dwelling units;
(b) C-1, C-2, C-2A, C-3, and P uses shall not exceed 35 feet in height and shall not exceed 5,000 square feet in floor area;
(ba) no amusement centre shall be permitted;
(c) Council may, after public hearing and by resolution, approve any specific development requested which would not otherwise be permitted by this by-law, provided that no approval shall be given inconsistent with the Municipal Planning Strategy, or inconsistent with Sections 7, 24 or 26B of this by-law;
(d) Approval by Council under subsection (c) above shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct.

83A (Deleted)

84 ~~**SCHEDULE "F"**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

~~**SCHEDULE "G"**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

~~**SCHEDULE "J"**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

SCHEDULE "L"

87A In an area designated as Schedule "L", any industrial or commercial use shall be permitted which is permitted by the land use by-law designation of such area, provided that:

(a) industrial and/or commercial uses shall not exceed a height of thirty-five (35) feet;
(b) industrial and/or commercial uses shall not exceed a gross floor area of 5,000 square feet;
(c) industrial and/or commercial uses shall not be permitted on sites in excess of 15,000 square feet of lot area;

(d) residential uses shall not be permitted in areas zoned industrial or commercial;
(e) Council may, after a public hearing and by resolution, approve any specific development requested which would not otherwise be permitted by this by-law, provided that no approval shall be given inconsistent with Policies 3.7 and 4.6 of Part II, Section II, and Policy 3.12 of the Implementation Policies Section, all of the Municipal Planning Strategy, and provided that no approval shall be given inconsistent with Section 24 of this by-law.
(f) approval by Council under Subsection (e) shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct;
(g) applications for amendments to agreements made pursuant to Subsection (e) may be made by Council after a public hearing if deemed necessary.

88 (Previous Section Deleted)

SCHEDULE "M"

88 In any area known as Schedule "M" any use shall be permitted by the zoning designation of such area, provided that:

(a) R-3, C-1, C-2, C-2A, C-3, and P uses shall not exceed 50 feet in height;
(b) notwithstanding subsection (a) above, temporary structures, smoke stacks, water towers and cranes shall be permitted to exceed 50 feet in height.

89(1) (Deleted)

89(2) (Deleted)

90(1) (Deleted)

90(2) (Deleted)

91 (Deleted)

92 **SCHEDULE "Q"**

In any area shown as Schedule "Q", any use shall be permitted which is permitted by the zoning designation of such area, except that any proposed residential or mixed residential-commercial development over four residential units may proceed only by development agreement pursuant to Policy 2.3.3. of Section XI.

93 **SCHEDULE "HA-1"**

In the area shown as Schedule "HA-1", notwithstanding the uses permitted by the zone, any new apartment house with over four dwelling units or the addition to an

existing building, excluding a registered heritage building, which results in an apartment house with over four dwelling units, shall only be permitted by development agreement pursuant to Policy 9.3.2.1 of Section XI.

DEVELOPMENT AGREEMENT PROVISIONS

SOUTH-END DEVELOPMENT AGREEMENTS

94(1) In the South End Area, Council may, by development agreement pursuant to Section V of the Municipal Planning Strategy:

Reconstruction

(a) permit reconstruction of any building which was in existence on 16 July 1981, which is destroyed by fire or otherwise, in accordance with Policies 1.7 and 2.5

Existing Commercial Uses

(b) permit building or site improvements to any existing commercial uses in accordance with Policies 2.6 and 2.6.1

Commercial and Industrial Combinations

(c) permit commercial uses and services in conjunction with industrial uses in accordance with Policy 3.3

Saint Mary's University

(d) permit any specific university use at the periphery of Saint Mary's University campus in accordance with Policy 7.2.1.1

Gorsebrook Lands - Residential

(e) permit residential development on DND Gorsebrook lands in accordance with Policy 7.2.6.

Gorsebrook Lands - Institutional

(f) permit institutional development on DND Gorsebrook lands in accordance with Policy 7.2.6.1

Pine Hill Divinity College

(g) permit major university development on the Pine Hill Divinity College Campus in accordance in accordance with Policy 7.3.1.1

~~**Technical University of Nova Scotia**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

College, Summer, Spring Garden and South Park

(i) permit any development consistent with the zoning designation in the area bounded by College Street, Summer Street, Spring Garden Road and South Park Street which would not otherwise be permitted by the height requirements of this by-law in accordance with Policy 7.5.2.1.

Angle Controls

(j) permit any specific development consistent with the zoning designation which would not otherwise be permitted by the angular plane requirements of this by-law in accordance with Policy 7.7.3

Industrial

(k) permit any specific industrial use in area zoned industrial which would not otherwise be permitted by the height requirements of this by-law in accordance with Policy 7.8.2.1.

Residential in Industrial

(l) permit any specific residential development in areas zoned for areas zoned for industrial development in accordance with Policy 7.8.2.2.

Intersection of Queen and Morris

(m) permit mixed residential/commercial development at the intersection of Queen Street and Morris Street in accordance with Policies 7.5.5 and 7.6.1

Non-profit Medical or Rehabilitation Organization

(n) permit an office of a non-profit medical or medical and rehabilitative organization to be located on those properties on South Street between the Gorsebrook lands and Tower Road in accordance with Policies 7.6.2. and 7.6.3.

5515/17/19 and 5523 Inglis Street

(o) permit a multiple unit residential building in accordance with Policies 7.6.4 and 7.6.4.1

(p) ~~**1252/54/56 Hollis Street**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

Cathedral Church of All Saints

(p) permit a mixed use commercial and multiple residential building in accordance with Policies 7.5.6 and 7.5.7

5251 South Street

(q) permit a multiple unit residential building in accordance with Policies 7.6.5 and 7.6.5.1

5620 South Street

(r) permit an apartment building in accordance with Policy 7.6.6.

Fenwick Tower

(s) permit a mixed use residential and commercial development in accordance with policies 7.7A and 7.7A.1 (RC-Feb 1/11;E-Mar 26/11)

1034-1056 Wellington Street

(t) Council may permit a residential development at 1034-1056 Wellington Street in accordance with Policies 7.7B.1 and 7.7B2 of Section V of the Halifax Municipal Planning Strategy. (RC-Jan 13/15;E-Feb 28/15)

1017 and 1021 Beaufort Avenue

(u) permit a development comprised of detached one family dwelling houses in accordance with policies 1.4.1.3 and 1.4.1.4. (RC-Mar 31/15;E-May 16/15)

94(2) Approval by Council under subsection (1) shall only be granted provided that no exemption shall be given to Section 24.

PENINSULA CENTRE - DEVELOPMENT AGREEMENTS

95(1) In the **"Peninsula Centre Area"**, Council may, by development agreement pursuant to Section VI of the Municipal Planning Strategy:

Townhousing

(a) permit townhousing in accordance with Policy 1.8

Residential Reconstruction

(b) permit reconstruction of any residential building which was in existence on 16 July 1981, which is destroyed by fire or otherwise in accordance with Policy 1.12

1350 Oxford Street

(c) permit high density residential uses at 1350 Oxford Street, in accordance with Policy 3.4

Thornvale

(d) permit any use not otherwise permitted by the zoning designation of the city registered heritage property known as Thornvale, Thornvale Avenue, in accordance with Policy 6.1.1

Spring Garden Road Sub-Area - North of Spring Garden Road

(e) permit ant development consistent with the zoning designation in the Spring Garden Road Sub-Area, north of Spring Garden Road, which would not otherwise be permitted by the height requirements of this by-law and in accordance with Policy 8.1.2

Offices in Apartment Buildings

(f) permit office uses on the ground floor of apartment houses in the Spring Garden Road Sub-Area, in accordance with Policy 8.1.3

South-west Corner of Spring Garden Road and Summer Street

(g) permit any residential development at the south-west corner of Spring Garden Road and Summer Street which would not otherwise be permitted by the Height Precinct Map in accordance with Policy 8.1.4

1971 Preston Street

(h) permit office uses associated with a bakery at the property known as 1971 Preston Street in accordance with Policy 8.3.3

1270 Oxford Street

(i) permit a multi-unit residential building in accordance with Policies 3.5 and 3.5.1.

6770 Jubilee Road

(j) permit an additional dwelling unit through interior conversion of the existing 17-unit residential building in accordance with Policies 8.2.1.3 and 8.2.1.3.1.

95(2) Approval by Council under subsection (1) shall only be granted provided that no exemption shall be given to Section 24

6112 Quinpool Road (RC-Jun 25/13;E-Aug 17/13)

95(3) Council may permit a mixed use residential and commercial development at 6112 Quinpool Road in accordance with Policy 1.14 of Section VI and Policy

2.9 of Section XII of the Halifax Municipal Planning Strategy.

6124 Coburg Road and 1460, 1462, 1470 & 1474 Seymour Street (RC-Apr 5/16;E-May 21/16)

95(4) **Council may permit a residential or mixed use residential and commercial development at 6124 Coburg Road and 1460, 1462, 1470 and 1474 Seymour Street in accordance with Policy 1.15 of Section VI of the Halifax Municipal Planning Strategy.**

P.I.D. 00137273 Cedar Street

95(2) For the property identified as P.I.D. 00137273 Cedar Street, notwithstanding the uses permitted by the zone, no development, other than a detached single unit dwelling, shall be permitted, except by development agreement pursuant to Policy 1.5.5 of Section VI.

95(6) **Civic No. 6345 Coburg Road, Halifax (RC-Jan 24/17;E-Mar 11/17)**

Council may, by development agreement, pursuant to policies 1.16 and 1.16.1 of Section VI of the Halifax Municipal Planning Strategy, permit a multi-unit residential development

96 **FAIRVIEW - DEVELOPMENT AGREEMENTS**

(Deleted – RC-Oct 4/16;E-Oct 26/16)

97 ~~**SPRING GARDEN ROAD - DEVELOPMENT AGREEMENTS**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

PENINSULA NORTH - DEVELOPMENT AGREEMENTS

98(1) In the **"Peninsula North Area"**, Council may, by development agreement pursuant to Section XI of the Municipal Planning Strategy:

Parking Lots

(a) permit at-grade vehicular parking, loading and unloading facilities in accordance with Policies 1.5 and 1.5.1 for the properties known as:
   (i) Civic No. 6290 Yale Street (LRIS No. 177212);
   (ii) Civic No. 6284-86 Yale Street (LRIS No. 177220);
   (iii) Civic No. 6278 Yale Street (LRIS No. 177246);
   (iv) Civic No. 6272 Yale Street (LRIS No. 177253);
   (v) Civic No. 2021 Oxford Street (LRIS No. 24778); and
   (vi) Civic No. 2046 Robie Street (LRIS No. 14006)

Non-conforming Residential Uses

(b) permit reconstruction of a non-conforming residential building in Area #3, which is destroyed by fire or otherwise, in accordance with Policy 1.6

Windsor Street – Northeast side from North to Willow Streets

(c) permit offices and residential uses in accordance with Policy 10.4. ***(RC-Sep 14/10;E-Nov 13/10)***

Gottingen Street West - Cunard to Gerrish

(d) permit, in accordance with Policy 2.15, any development which would not otherwise be permitted by the zoning requirements.

Gottingen and Cogswell - Northeast Corner

(e) permit, in accordance with Policy 2.11, any development which would not otherwise be permitted by the zoning requirements.

Robie/West/Cunard Streets

(f) permit an apartment building in accordance with Policy 1.7.

Cunard/June Streets

(g) permit an apartment building in accordance with Policy 1.8.

2594 Agricola Street (PID # 00169276) (RC-Jun 12/07;E-Jun 23/07)

(h) permit a mixed use building (Commercial and Residential) in accordance with Policy 2.16.

5784 Charles Street (PID # 00151431, 00151449, 00151662 and 00151670)

(i) permit a multiple-unit residential building with commercial space in accordance with Policy 1.9. (RC-Nov 13/07;E-Dec 15/07)

98(2) In the **"Peninsula North Area"**, a development permit may be issued 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 period specified in the development agreement.

Eastern Side of Gottingen Street between Russell Street and Kaye Street

98(3) Council may permit a mixed use residential and commercial development on the eastern side of Gottingen Street, between Russell Street and Kaye Street

(PID # 40850463), in accordance with Policy 3.4 of the Halifax Municipal Planning Strategy (Section XI, Part II). (RC-Sep 27/11;E-Dec 10/11)

QUINPOOL ROAD - DEVELOPMENT AGREEMENTS (RC-Oct 19/10;E-Dec 11/10)

98A **In the Quinpool Road Commercial Area, Council may, by development agreement pursuant to Section XII, Part II, of the Municipal Planning Strategy:**

Commercial Designation

i) permit a lounge in association with a restaurant in accordance with Policies 2.8 and 2.8.1.

98B **Council may permit a mixed use residential and commercial development at 6112 Quinpool Road in accordance with Policy 1.14 of Section VI and Policy 2.9 of Section XII of the Halifax Municipal Planning Strategy. (RC-Jun 25/13;E-Aug 17/13)**

PENINSULA WIDE - DEVELOPMENT AGREEMENTS

99(1) **Heritage Property**

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit any specific development on a lot which is a city registered heritage property in accordance with Policy 6.8

99(2) **Private Roads**

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit residential development on lots that do not abut a publicly owned or maintained street in accordance with Policy 2.12

99(3) **Amusement Centre**

Council may, by development agreement, pursuant to the Implementation Policies of the Municipal Planning Strategy, permit the establishment of an amusement centre, in accordance with Policies 3.13, 3.13.1 and 3.13.3

99(4) **Non-conforming Use**

Council may, by development agreement, pursuant to Implementation Policies of the Municipal Planning Strategy, permit a non-conforming use to be changed to another non-conforming use, or permit the structure in which such a use is located to be altered or expanded in accordance with Policy 3.14

99(5) **Lot Modification**

Council may, by development agreement, pursuant to the Implementation Policies of the Municipal Planning Strategy, permit any use permitted by the zoning designation which would not otherwise be permitted by the minimum lot frontage, lot area and yard requirements of this by-law, in accordance with Policies 4.4 and 4.6

99(6) **Podium Height Modification- R-3 Uses**

Council may, by development agreement pursuant to the Implementation Policies of the Municipal Planning Strategy, permit any R-3 use permitted by the zoning designation which would not otherwise be permitted by the maximum height limit for any part of a building not containing any windows or doors serving habitable rooms, specified in Section 47(2)(d)(ii) in accordance with Policy 4.5

99(7) **Public Service or Utility Use**

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit a public service or utility use in accordance with Policies 7.2.2 and 7.2.1. Any uses considered through this section shall comply with Section 34 and Sections 44 to 48 of this by-law.

99(8) **Non-Harbour Related Uses**

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit non-harbour related uses in the C-5 zone in accordance with Policies 4.1.1.1 and 4.1.1.2

99(9) **6955 Bayers Road (PID #40824005)**

Council may, by development agreement, pursuant to Policies 2.14 and 2.14.1 of Section II of the Halifax Municipal Planning Strategy, permit the development of a multiple unit residential building at 6955 Bayers Road, Halifax (PID #40824005). (RC-Aug 26/08;E-Oct 11/08)

99(10) **Day Care Facilities**

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit a **day care facility** which would not otherwise be permitted by the zoning requirements in accordance with Implementation Policies 3.20 and 3.20.1 **(RC-Mar 3/09;E-Mar 21/09)**

99(11) Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy permit a residential development on the property formerly owned by Petro Canada Limited (LMIS No. 34058), which would not otherwise be permitted by the zoning requirements in accordance with policy 2.15.

99(12) **Capital Cost Contribution**

As provided for by "Infrastructure Policies" of the Municipal Planning Strategy, uses within any designation which would require new or expanded infrastructure may be permitted subject to the development agreement provisions of the MGA**.**

99(13) Residential Pet Care Facilities

Council may, by development agreement, pursuant to Section II and the Implementation Policies of the Municipal Planning Strategy, permit a residential pet care facility in accordance with Implementation Policies 3.22 and 3.22.1" (RC-Apr 21/09;E-Jun 20/09)

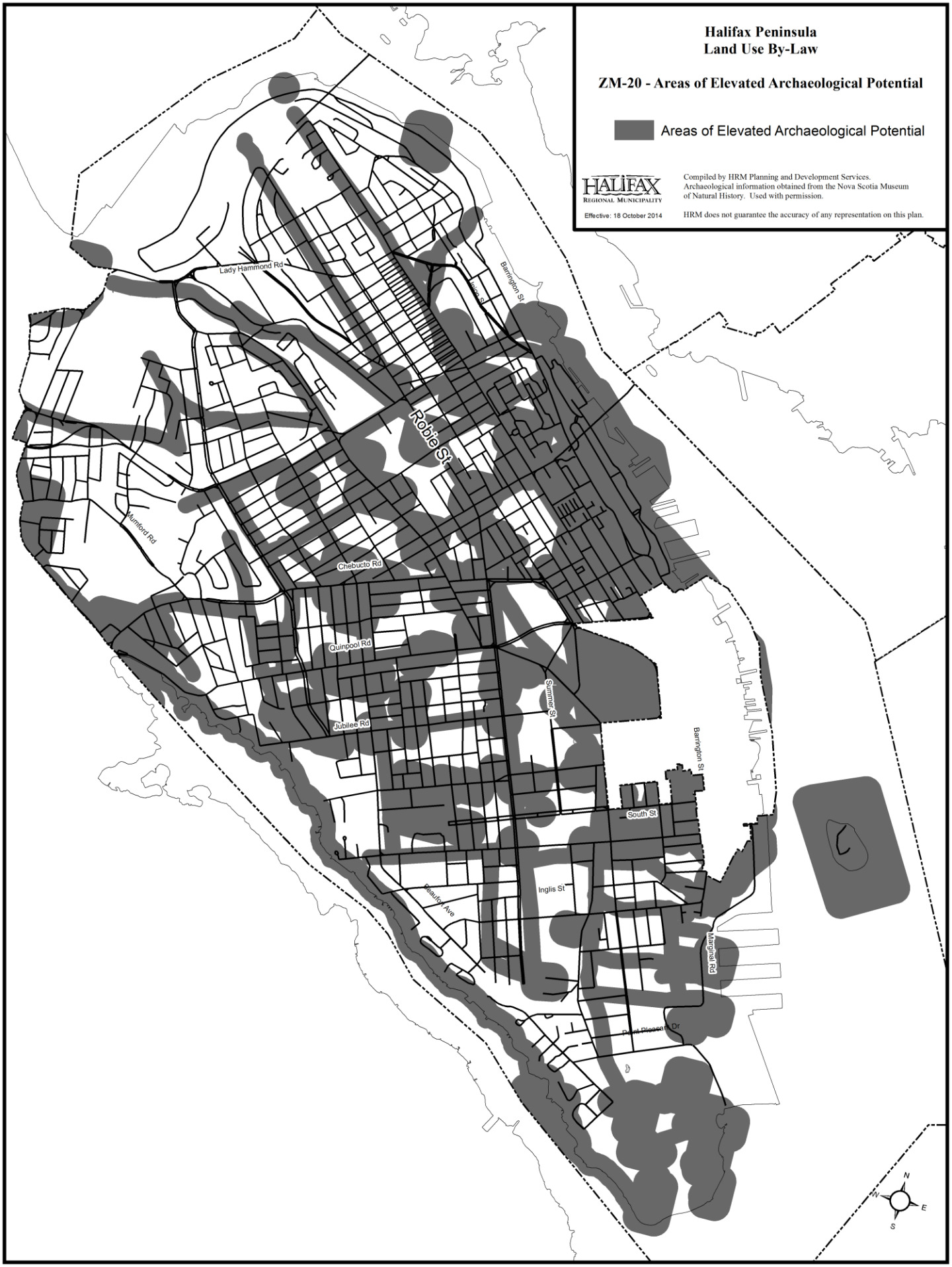
100(1) ~~**Halifax Waterfront (HWDA) – Development Agreements**~~ Deleted **(RC-Jun 16/09;E-Oct 24/09)**

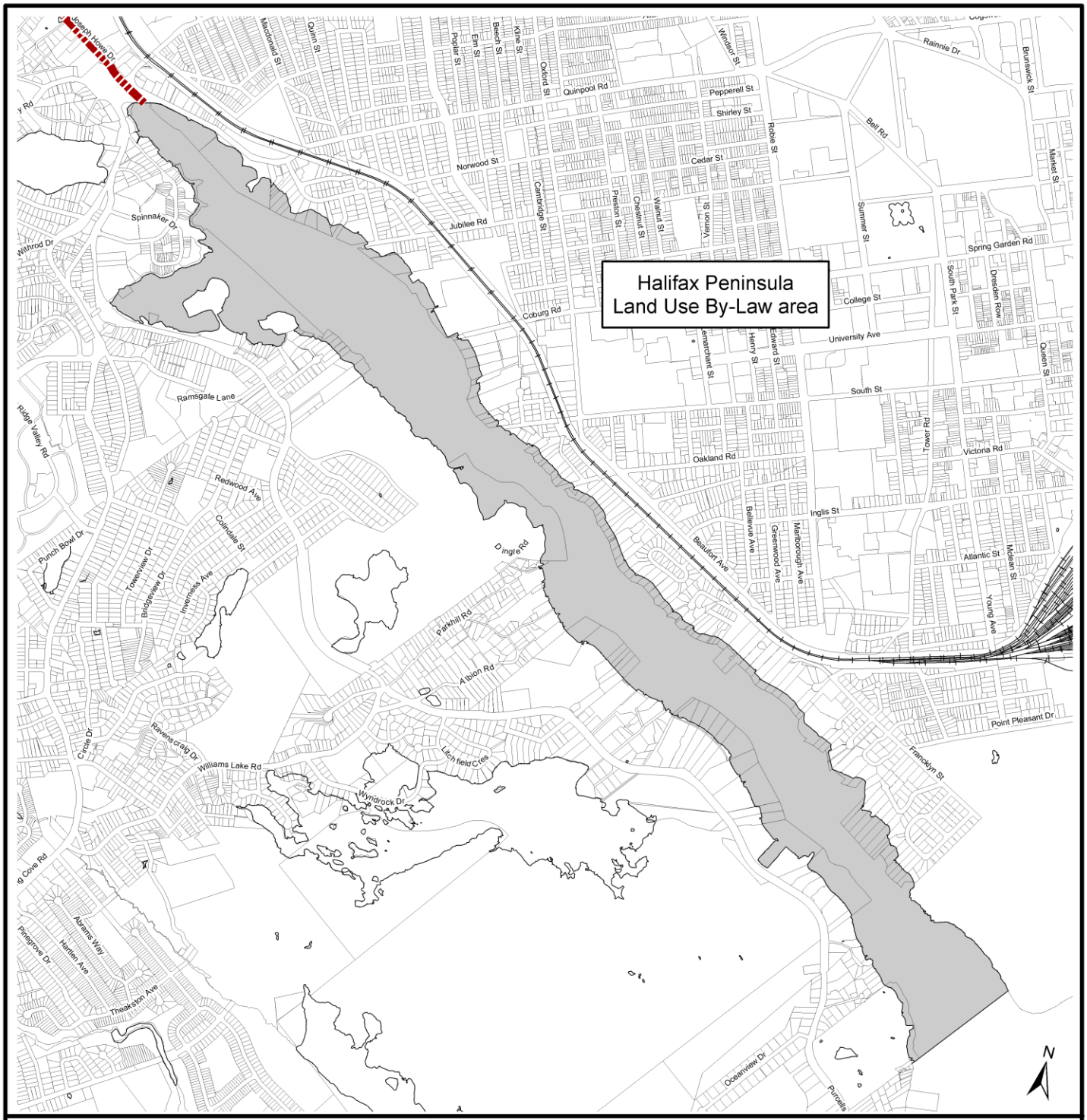
100(2) 3631 and 3639 Bright Place, 6100 Normandy Drive and a portion of the former Bright Place right-of-way (RC-Apr 5/16;E-May 14/16)

Council may, by development agreement, pursuant to Policies 2.18, 2.18.1 and 2.18.2 of Section II of the Halifax Municipal Planning Strategy, permit a multiple-unit residential development.

100(3) Northern corner of Young Street and Windsor Street (former CFB Halifax - Willow Park lands) (RC-Jan 10/17;E-Mar 4/17)

Council may, by development agreement, pursuant to Policies 5.4, and 5.5 of Section II of the Halifax Municipal Planning Strategy, permit a mixed use, multiple-unit residential and commercial development.


Halifax Peninsula
Land Use By-Law
ZM-20 - Areas of Elevated Archaeological Potential
Areas of Elevated Archaeological Potential
HALIFAX
REGIONAL MUNICIPALITY
Effective: 18 October 2014
Compiled by HRM Planning and Development Services.
Archaeological information obtained from the Nova Scotia Museum of Natural History. Used with permission.
HRM does not guarantee the accuracy of any representation on this plan.
Lady Hammond Rd
Barrington St
Robie St
Chebucto Rd
Quinpool Rd
Jubilee Rd
Summer St
South St
Inglis St
Beaufort Ave
Marginal Rd
N
W
E
S



ZM-21

Northwest Arm
Halifax

Water Access area

Halifax Peninsula
Land Use By-Law

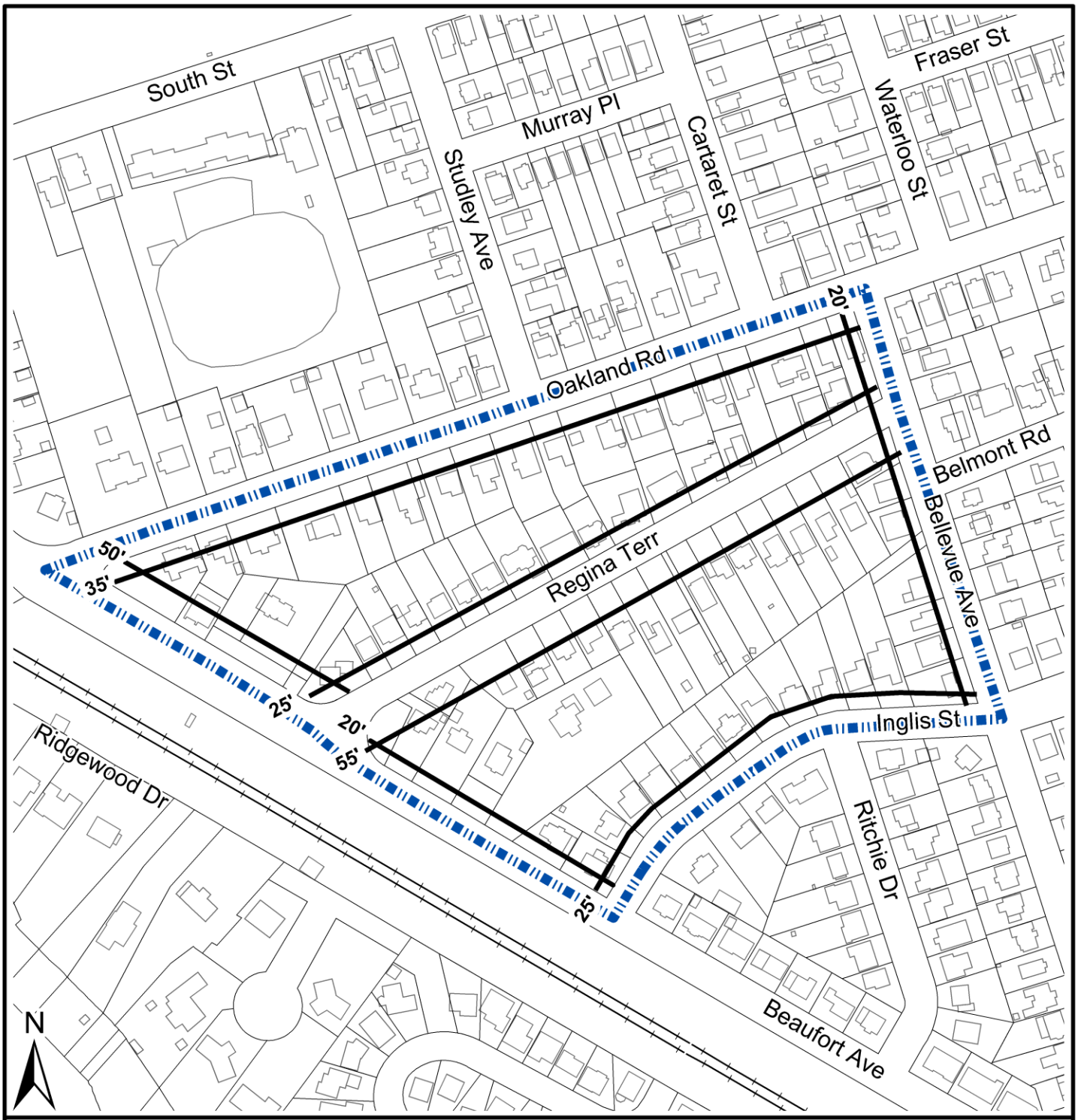
HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 200 400 m

HRM does not guarantee the accuracy of any representation on this plan.

Effective: 21 July 2007

ZM-21_WaterAccess.pdf (HEC)



ZM-22

Front Yard Setbacks on Existing Streets

HALIFAX
REGIONAL MUNICIPALITY

Minimum front yard setback

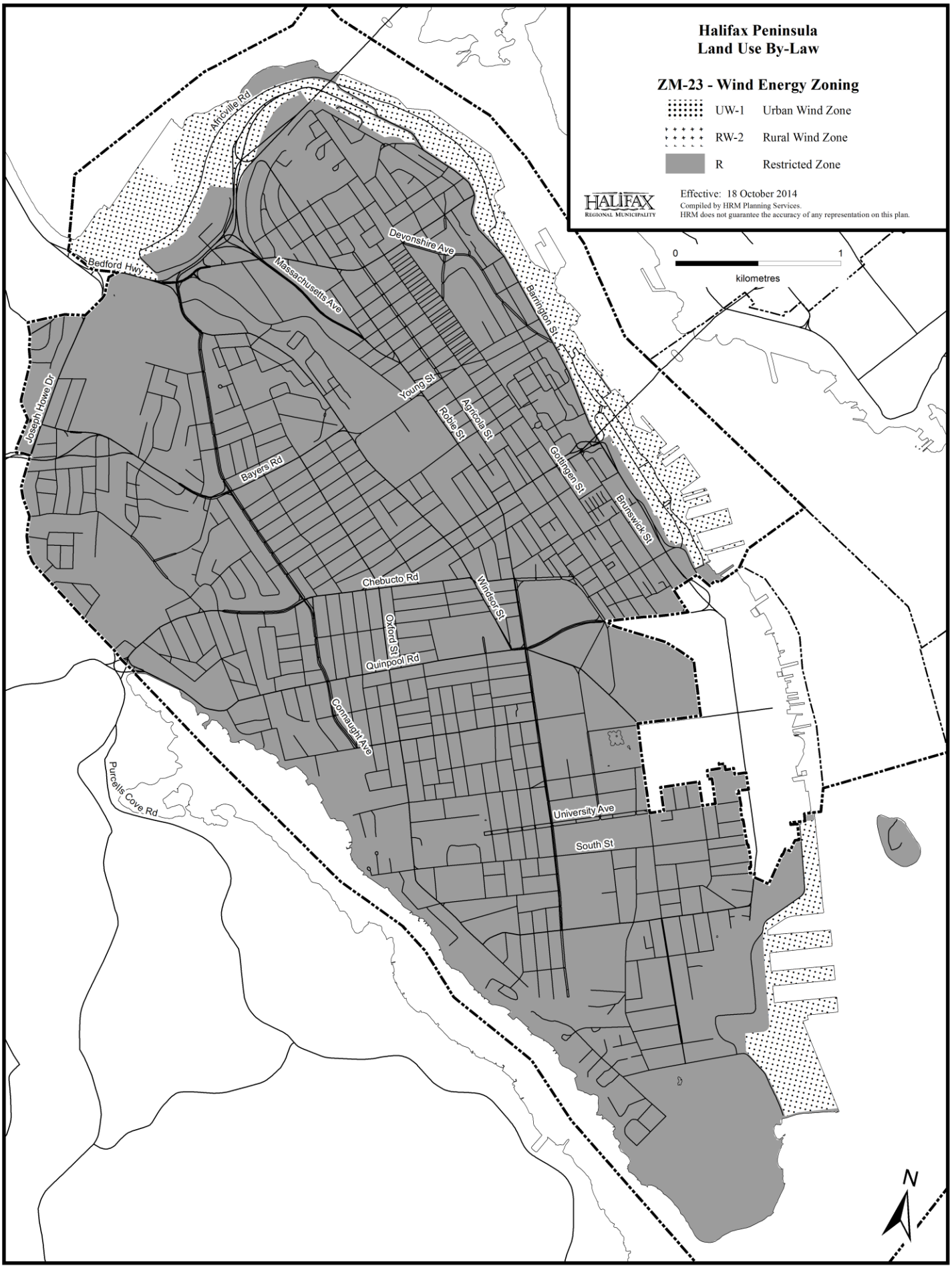
0 50 100 m

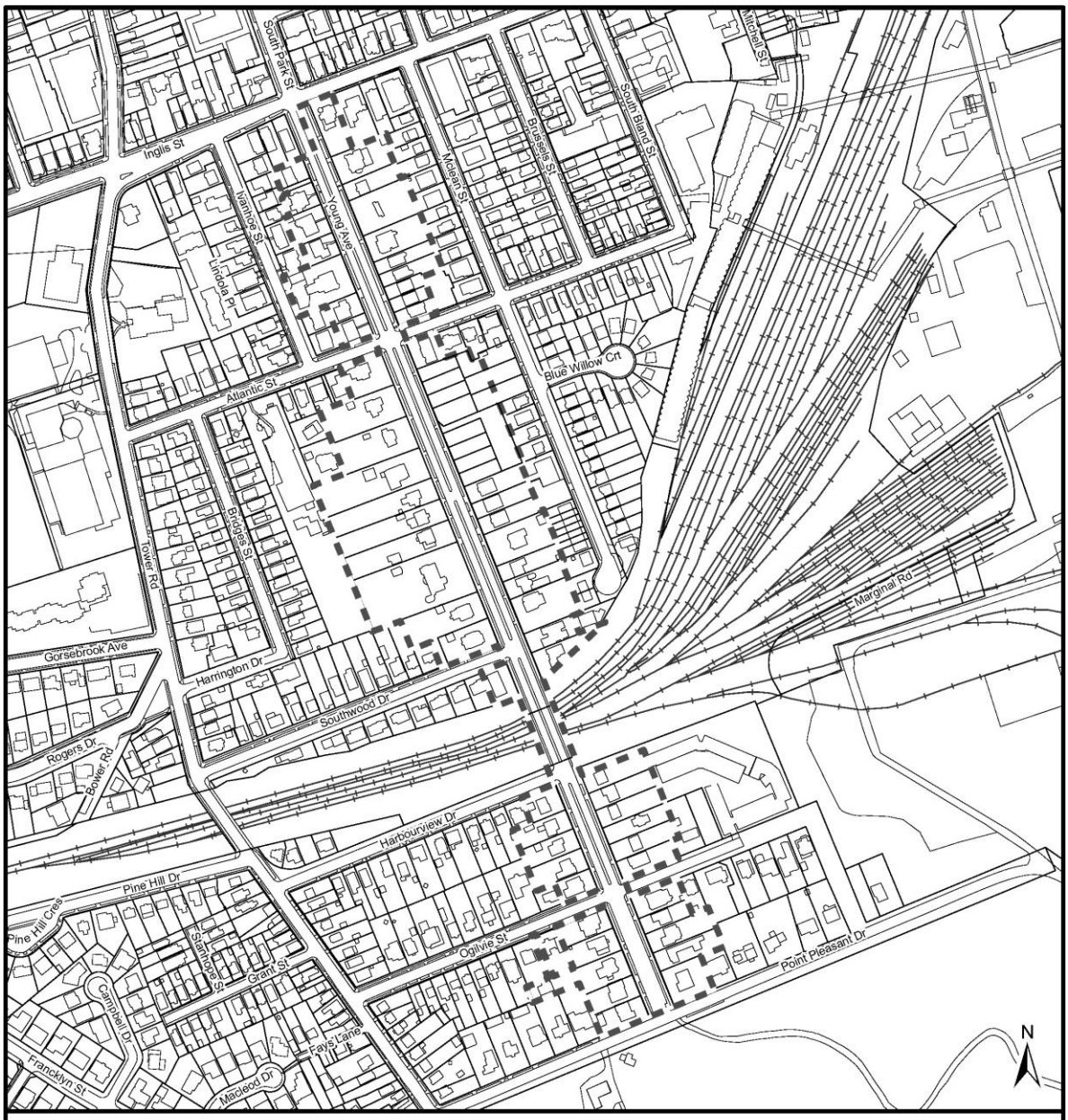
Halifax Peninsula
Land Use By-Law Area

HRM does not guarantee the accuracy of any representation on this plan.

Effective: 26 November 2011

ZM-22_Setbacks


Halifax Peninsula
Land Use By-Law
ZM-23 - Wind Energy Zoning
UW-1 Urban Wind Zone
RW-2 Rural Wind Zone
R Restricted Zone
HALIFAX
REGIONAL MUNICIPALITY
Effective: 18 October 2014
Compiled by HRM Planning Services.
HRM does not guarantee the accuracy of any representation on this plan.
0
1
kilometres
Africville Rd
Bedford Hwy
Joseph Howe Dr
Massachusetts Ave
Devonshire Ave
Barrington St
Young St
Robie St
Agricola St
Gottingen St
Brunswick St
Bayers Rd
Chebucto Rd
Windsor St
Oxford St
Quinpool Rd
Connaught Ave
Purcells Cove Rd
University Ave
South St
N



ZM-24 - Young Avenue, Halifax

HALIFAX

Young Avenue Area

0 80 160 m

Halifax Peninsula
Plan Area

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

11 January 2017 **Case 20854** T:\work\planning\SER_Group\SER_Cases\Variances\20854\Maps_Plans\20854-ZM24.mxd (IAHG)

HALIFAX PENINSULA
LAND USE BY-LAW AMENDMENTS

Section Number	Council Approval	Effective Date	Subject
1	May 3/94	Jun 3/95	Housekeeping 9 - Re-Alphabetize and Remove Subsection Designations from Definitions
	May 11/95	Jun 10/95	Definition of Bed and Breakfast
	Nov 22/95	Dec 31/95	Housekeeping 12 - Definition of Central Business District, Fairview Area, North West Arm Sub-Area, Peninsula Centre Area, Peninsula North Area, Peninsula North Areas 1, 2, 3, 4, 5, 6, and 7, Quinpool Road Area, Schedules A, B, C, F, G, J, L, M, Q, HA-1, South End Area, Spring Garden Road Area, and Spring Garden Road Sub-Area.
	Feb 21/96	Mar 19/96	R-2A Amendments - Footprint
	Mar 20/96	Apr 18/96	Definition Junk Yard Recycling Depot repealed
	Sept 10/02	Nov 9/02	Amended - Junk Yard
	May 1/01	9 June /01	Nonconforming Use Definition
	Mar 28/96	Apr 23/96	Townhouse Definition Townhouse Building Definition
	Mar 30/96	June 19/96	Inns in Residential Neighbourhoods
	Oct 7/02	Oct 27/02	Apartment House amended
	Jul 15/97	Aug 12/97	Child Care Centres
	July 24/99	Sept 19/99	R-2A Zone Amendments
	Sept 28/99	Dec 19/99	Billboards
	Sept 28/99	Dec 19/99	Residential Zone
	Sept 9/02	Sept 29/02	Shipping Containers
	Sept 10/02	Nov 9/02	Definitions - Construction and Demolition
	Dec 8/03	Dec 28/03	Definitions - Height Peninsula West Area 1 & Peninsula West Area 1
	Oct 3/05	Oct 23/05	Dwelling & Rooming House (Case 00821)
	Mar 3/09	Mar 21/09	Day Care Facility
	April 21/09	June 20/09	Residential Pet Care Facility
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt** Areas of Elevated Archaeological Potential
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt -** Bicycle Parking, Class "A"; Bicycle Parking, Class "B"; Bicycle Parking, Class "C"
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt -** Conservation Use
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt -** Recreation Use
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt -** Watercourse
	Jun 25/14	Oct 18/14	**RP+5 - Add** Canadian Geodetic Vertical Datum (CGVD28)
	Jun 25/14	Oct 18/14	**RP+5 - Add** Water Control Structure
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Cultural Use
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Movie Theatre
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Personal Service Use
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Streetwall
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Streetwall Height
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Streetwall Setback
	Nov 18/14	Dec 20/14	**Case 18950 – Add** Stepback
	May 13/15	May 30/15	**Case 19595 – Amend** Footprint
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted** Fairview

			Area
1(b)	Feb 3/93	Mar 2/93	Housekeeping 3
1(c)	Mar 25/93	Apr 24/93	Deleted - "Basement"
	Sept 15/94	Oct 11/94	Housekeeping 8
1(f)	Mar 13/80	Apr 25/80	Deleted - "Building Line"
	Nov 12/92	Feb 15/93	Parking Amendments
1(g)	Mar 25/93	Apr 24/93	Deleted - "Cellar"
1(h)	Mar 25/93	Apr 24/93	Deleted - "Committee"
1(i)	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
1(j)	Mar 25/93	Apr 24/93	Deleted - "Court"
1(m)(a)	Apr 15/93	May 12/93	Dwelling Unit Definition
1(m)(c)	May 3/95	Jun 3/95	Housekeeping 9 - Deleted - "Converted Multiple Dwelling House"
1(m)(d)	Mar 12/87	Apr 14/87	Semi-Detached Amendments
1(p)	Mar 25/93	Apr 23/93	Deleted - "Garage"
1(t)	Mar 13/80	May 1/80	Home Occupations
1(x)	Mar 13/80	Apr 25/80	Massage Parlour
1(ba)	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
1(bb)	Mar 25/93	Apr 23/93	Deleted - "Percentage of Lot Occupancy
1(ff)(f)	Jun 20/90	Jul 21/90	Psychologist
1(ga)	Jun 11/87	Jul 14/87	Commercial Recreation Use
1(ha)	Jan 15/87	Feb 17/87	Community Facilities
1(ii)	Nov 12/92	Feb 15/93	Parking Amendments
1(ma)	Mar 25/93	Apr 23/93	Housekeeping 4 and 5
1(na)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
1(qa)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Jan 31/85	Jul 5/85	Fairview Secondary Plan
1(qq)	Feb 27/86	Mar 28/86	Definition Street
1(sa)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	May 17/89	Jun 20/90	Height Definition
1(ua)	Jan 30/92	Mar 26/92	Junk Yards
1(va)	Jan 31/85	Jul 5/85	Fairview Secondary Plan

1(wa)	Feb 15/79	Apr 16/79	Massage Parlour
	May 30/91	Jul 4/91	Lounges
1(ww)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
1(xa)	May 31/84	Jul 5/85	Adult Cabaret
1(aaa)	Jun 28/84	Apr 13/87	Public Service Use
1(baa)	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	May 31/84	Jul 5/85	Adult Cabaret
1(bai)	May 31/84	Jul 5/85	Adult Cabaret
1(cca)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
1(hha)	Jan 30/92	Mar 3/92	Recycling Depot
1(iia)	Jul 17/86	Aug 17/86	Video Rentals
1(nna)	Mar 13/80	Apr 25/80	Special Care Homes
	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
1(ssa)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
1(baaa)	Oct 14/82	Feb 27/83	South End, Peninsula Centre
1(baab)	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
1(baai)	Dec 8/82[1]	Dec 8/82	Amusement Centre
	Aug 25/83	Sept 24/83	Amusement Centre
1(baaii)	Dec 8/82[2]	Dec 8/82	Amusement Centre
	Jan 27/83	May 22/83	Amusement Centre
	Apr 14/83	May 22/83	Amusement Centre
2(A)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
4A	Feb 25/93	Apr 13/93	Peninsula North 1
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
4B	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
	Mar 30/95	Apr 27/95	Deleted
4C	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
	Nov 22/95	Dec 31/95	Housekeeping 12
6A	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
6AB	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**

[1] Municipal Board Decision
[2] Municipal Board Decision

6AC	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
6(2A)	Nov 12/92	Feb 15/93	Parking Amendments
	Mar 28/96	Apr 23/96	R-2T Zone
	Sep 27/11	Nov 26/11	R-1A Zone – Case 16376
6(2B)	Nov 12/92	Feb 15/93	Parking Amendments
	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to add RC-4 Zone
6(2B)(a)	Feb 3/93	Mar 2/93	Housekeeping 3
6(2C)	Nov 18/14	Dec 20/14	**Case 18950 - Added**
6(3)	Nov 12/92	Feb 15/93	Parking Amendments
6(6)	Jul 15/97	Aug 12/97	Child Care Centres
	Mar 3/09	Mar 21/09	Day Care Facility
6(7)	Jul 15/97	Aug 12/97	Child Care Centres
	Mar 3/09	Mar 21/09	Day Care Facility
6(8)	Mar 13/80	Apr 25/80	Special Care Homes
6(10)	Nov 12/92	Feb 15/93	Parking Amendments
6(11)	Nov 12/92	Feb 15/93	Parking Amendments
6(12)	Nov 12/92	Feb 15/93	Parking Amendments
	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to include RC-4 Zone
6(13)	Nov 12/92	Feb 15/93	Parking Amendments
7	Nov 26/81	Jan 9/82	Lot to Abut a Street
9	Jul 22/92	Aug 22/92	Deleted - Basement Below Grade
10(1)	May 26/88	Jun 28/88	Lot Consolidation Requirement
10(3)	Mar 25/82	May 8/82	Multiple Buildings Per Lot
	Jan 6/88	Feb 5/88	Multiple Buildings Per Lot
	July 24/99	Sept 19/99	Multiple Buildings Per Lot
10(3)(b)(i)	Sept 17/87	Oct 20/87	R-2A Zone Amendments
10(3)(b)(ii)	Sept 17/87	Oct 20/87	R-2A Zone Amendments
12	Dec 12/85	Jan 14/86	Application Fees
12(1)	Dec 7/88	Jan 3/89	Application Fees
	Dec 5/90	Jan 5/91	Application Fees
12(2)	Jun 29/88	Aug 8/88	Advertising Costs
13(1)	Nov 12/92	Feb 15/93	Parking Amendments
13(2)	Nov 12/92	Feb 15/93	Parking Amendments
	Sep 27/11	Nov 26/11	R-1A Zone – **Case 16376**

13(3)	Sep 27/11	Nov 26/11	R-1A Zone – **Case 16376**
13(3)A	Nov 12/92	Feb 15/93	Parking Amendments
13(3)B	Nov 12/92	Feb 15/93	Parking Amendments
13(4)	Nov 12/92 Sep 27/11	Feb 15/93 Nov 26/11	Parking Amendments R-1A Zone – **Case 16376**
13(5)	Nov 12/92	Feb 15/93	Parking Amendments
14	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to include RC-4 Zone
15	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16A(2)	May 11/95 Nov 22/95	Jun 23/95 Dec 31/95	Peninsula North 6 - Should be labelled 16C(2), will be changed in future Housekeeping Amendment Housekeeping 12
16B	Mar 13/80	May 1/80	Home Occupations
16B(11)	Jan 11/90	Feb 11/90	Home Occupation
16B(12)	May 11/95	Jun 10/95	Bed and Breakfast
16B(13)	May 11/95	Jun 10/95	Bed and Breakfast
16B(14(a)	May 11/95	Jun 10/95	Bed and Breakfast
16B(14)(b)	May 11/95	Jun 10/95	Bed and Breakfast
16B(14)(c)	May 11/95	Jun 10/95	Bed and Breakfast
16C	Dec 17/81 Nov 22/95	Feb 7/82 Dec 31/95	3,000 sq.ft. Lot Size Housekeeping 12
16C(1)	May 11/95	Jun 23/95	Peninsula North 6 - Originally this was Section 16C - Re-numbered to Section 16C(1)
16D	Jul 29/82 Sept 28/99	Sept 10/82 Dec 19/99	Billboards deleted - billboards - Replaced by 16D(1)
16D(1)	Sept 28/99	Dec 19/99	Billboards
16D(2)	Sept 28/99	Dec 19/99	Billboards
16D(2)(b)	Oct 26/99	Dec 19/99	Billboards
16D(3)	Sept 28/99	Dec 19/99	Billboards
16D(4)	Sept 28/99	Dec 19/99	Billboards
16E	Jan 31/85	Jul 5/85	Fairview Secondary Plan
16E(1)	Nov 22/95 Oct 4/16	Dec 31/95 Oct 26/16	Housekeeping 12 **Case Plan Dutch Village Road - Deleted**

16E(2)	Jun 3/93	Jul 5/93	Peninsula North 3
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16F	May 16/85	Nov 8/85	Alterations to Non-conforming Uses and Converted Buildings
16F(1)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Feb 25/93	Apr 13/93	Peninsula North 1
	Mar 30/95	Apr 20/95	Peninsula North 7
	Jun 7/95	Jul 5/95	Housekeeping 10
	Mar 30/96	Jun 19/96	Inn Amendments
	July 24/99	Sept 19/99	Attics Amendments
16F(2)	Oct 28/93	Jan 18/94	Replace Non-conforming Structure
16F(3)	May 1/01	June 9/01	Non-conforming Use Provision
16G	Feb 27/86	Mar 28/86	Subdivision of Undersized Lot(s)
16G (c)	Nov 3/03	Nov 30/03	Housekeeping amendments
	Nov 10/03	Nov 30/03	Housekeeping Amendments
16H	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
16J(1)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Amend**
16J(2)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
16J(3)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Amend**
16J(4)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
16J(5)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
16J(6)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
16J(7)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
16K	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Amend**
16L	April 2/07	July 21/07	Defining Northwest Arm Water Access Area; Adding 16L, Adding WA Zone
16M	Jan. 20/09	Feb. 7/09	**Case # 01058** - Amending Section 16M - Temporary Construction Uses Permitted.
16N	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Amend** and **Add**
16AA	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AA(d)	Oct 13/88	Feb 13/89	Deleted - Heritage Contract Provision

16AA(e)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AA(h)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AA(n)	Jan 15/87	Apr 22/87	Residential - Commercial Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AA(o)	Jan 15/87	Apr 22/87	Contract Provision
	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AA(p)	Jan 4/89	Mar 10/89	Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AB	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AB(f)	Jul 25/85	Aug 29/85	Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AB(g)	Jul 25/85	Aug 29/85	Contract Provision
	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
	Jul 26/90	Sept 7/90	Deleted - Pepperell Street Provision
	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AB(h)	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AB(i)	May 26/83	Jul 3/83	Contract Provision
	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AC	Jan 31/85	Jul 5/85	Fairview Secondary Plan
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AC(a)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AC(b)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AD	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AD(1)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AD(1)(d)	Sept 17/87	Oct 20/87	Spring Garden Road Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AD(2)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11

16AE(a)	Oct 13/88	Feb 13/89	Heritage Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AF	Jan 30/92	Apr 2/92	Non-conforming Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AG	May 13/93	Aug 17/93	Private Roads Contract Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AH	Feb 25/93	Apr 13/93	Peninsula North 1
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AH(b)	Mar 3/94	Mar 31/94	2571 Windsor Street Development Agreement Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16AI	Dec 16/93	Feb 7/94	3763-71 Dutch Village Road Development Agreement Provision
	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
16L	May 1/07	July 21/07	Development & subdivision on North West Arm
16M	Jan. 20/09	Feb. 7/09	**Case # 01058** - Amending Section 16M - Temporary Construction Uses Permitted.
16N	Aug 16/11	Oct 29/11	**Project #00953** - Wind Energy: Added to Part 16.
	Oct 18/11	Oct 29/11	**Project #00953** - Wind Energy: Added 16N b) and c) after 16N IV a).
17	Feb 14/80	Mar 23/80	C-2A Zone
	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Jun 17/93	Jul 17/93	Housekeeping 6
	Sept 30/93	Oct 25/93	CFB Zone
	Mar 30/95	Apr 27/95	Spring Garden Road C-2D Zone
	Nov 22/95	Dec 31/95	Housekeeping 12
	Mar 28/96	Apr 23/96	R-2T Zone R-2A Zone description changed
	Oct 21/97	Dec 4/97	C-3A Zone
	July 2/02	August 17/02	Classes of Zones
	Sept 10/02	Nov 9/02	Construction & Demolition Zones
	May 1/07	July 21/07	Classes of zones
	Sep 27/11	Nov 26/11	SFD A Zone, R-1A & R-1A-V – **Case 16376**
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt -** Regional Park Zone
	Nov 18/14	Dec 20/14	**Case 18950 – Add** South Barrington Residential/Minor Commercial Zone
18	Feb 14/80	Mar 23/80	C-2A Zone
	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Jun 17/93	Jul 17/93	Housekeeping 6
	Sept 30/93	Oct 25/93	CFB Zone
	Mar 30/95	Apr 27/95	Spring Garden Road C-2D Zone
	Mar 28/96	Apr 23/96	R-2T Zone
	Oct 21/97	Dec 4/97	C-3A Zone
	July 2/02	August 17/02	Zones, Zoning Maps & Building Site Plan
	Sept 10/02	Nov 9/02	Construction & Demolition Zones

	May 1/07	July 21/07	WA Zone
	Sep 27/11	Nov 26/11	R-1A Zone – Case **16376**
	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to include RC-4
20	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 22/95	Dec 31/95	Housekeeping 12
20A	Mar 04/02	Mar 24/02	Zoning for closed streets (**case 00248**)
21	Mar 04/02	Mar 24/02	Zoning for Infilled Water lots (**Case 00405**)
21B	May 1/07	July 21/07	WA Zone
24(a)	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
26	Mar 25/93	Apr 24/93	Deleted - Protrusion Through View Plane
26A	Apr 25/85	Apr 14/86	Citadel Heights
	Mar 30/95	Apr 27/95	Spring Garden Road Amendment
	Mar 30/95	Jun 18/95	-Band A
26B	Apr 25/85	Apr 14/86	Citadel Heights
	Jun 17/93	Jul 17/93	Housekeeping 6
26BC	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
26D	Oct 3/05	Oct 23/05	Addition - Maximum Residential Gross Floor Area (**Case 00821**)
	Sep 27/11	Nov 26/11	R-1A Zone – **Case 16376**
26E	May 13/15	May 30/15	**Case 19595 – Add** Section – Fairview Area – R-2AM
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
27(1)(e)	Sept 28/89	Feb 12/89	Day Nursery
27(1)(e)	Jul 15/97	Aug 12/97	Child Care Centres
	Mar 3/09	Mar 21/09	Day Care Facility
27(1)(f)	Mar 13/80	Apr 25/80	Special Care Homes
27(1)(g)	Mar 13/80	Apr 25/80	Special Care Homes
27(1)(ba)	Mar 13/80	May 1/80	Home Occupations
28	Dec 17/81	Feb 7/82	3,000 sq.ft. Lot Size
	Oct 24/00	Dec 21/00	R-1 Zone Amendment
	Dec 8/03	Dec 28/03	Lot Coverage - Peninsula West Area 1
	Nov 9/04	Dec 18/04	Height & Lot Coverage
28A(1)	Sep 12/17-HWCC	May 11/18	**Case 20854 – Added**: Lot Size – Young Avenue
28A(2)	Sep 12/17-HWCC	May 11/18	**Case 20854 – Added**: Existing Lots – Young Avenue
28A(3)	Sep 12/17-HWCC	May 11/18	**Case 20854 – Added**: Side Yard Setbacks – Young Avenue
29	Dec 8/03	Dec 28/03	Lot Coverage - Peninsula West Area 1

31A	Jul 26/84	Aug 29/84	Accessory Buildings
33(a)	May 11/95	Jun 10/95	Bed and Breakfast
34(3)	Mar 13/80	May 1/80	Home Occupations
34(5)	Jul 15/97	Aug 12/97	Child Care Centres
	Mar 3/09	Mar 21/09	Day Care Facility
34(6)	May 11/95	Jun 10/95	Bed and Breakfast
34A	Jul 15/97	Aug 12/97	Child Care Centres
	Mar 3/09	Mar 21/09	Day Care Facility
34A(a)	Mar 3/09	Mar 21/09	Day Care Facility
34A(c)	Mar 3/09	Mar 21/09	Day Care Facility
34A(d)	Mar 3/09	Mar 21/09	Day Care Facility
34B	Jul 15/97	Aug 12/97	Child Care Centres
	Sept 28/89	Feb 12/90	Day Nursery
	Mar 3/09	Mar 21/09	Day Care Facility
34C	Sept 28/89	Feb 12/90	Deleted - Additional Children R-1 Zone Day Care
34D	Mar 13/80	Apr 25/80	Special Care Homes
34E	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
	Nov 22/95	Dec 31/95	Housekeeping 12
	Oct 3/05	Oct 23/05	Conversions - South End (**Case 00821**)
34E(c)	Nov 12/92	Feb 15/93	Parking Amendments
34F	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
34F(1)	Oct 30/91	Nov 28/91	Northwest Arm Sub-Area
	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
	Nov 22/95	Dec 31/95	Housekeeping 12
	May 1/07	July 21/07	Northwest Arm
34G	May 14/92	Jun 24/92	Oakland Road Lot Frontage
	Feb 3/93	Mar 2/93	Housekeeping 3
34H	Feb 25/93	Apr 13/93	Peninsula North 1
	Jun 3/93	Jun 24/93	Peninsula North 2
	Sept 30/93	Oct 29/93	Professional Person Private Residence
	Nov 22/95	Dec 31/95	Housekeeping 12
34I	Jun 3/93	Jun 24/93	Peninsula North 2
34(I)(1)	Sept 15/94	Oct 11/94	Housekeeping 8

	Nov 22/95	Dec 31/95	Housekeeping 12
34(J)(1) to 34(U)	Sep 27/11	Nov 26/11	R-1A Zone – **Case 16376**
35	Aug 1/06	Aug 12/06	**Case 00891** - apartment building - southeast corner of Creighton and Buddy Daye Streets
35(1)(d)	Jul 15/97	Aug 12/97	Child Care Centres
35(1)(e)	Jun 17/93	Jul 17/93	Deleted - Rooming, Boarding House Under Sixteen Years Old
37	Jan 25/90 Sept 15/94 Jul 15/97	Feb 24/90 Oct 11/94 Aug 12/97	3 and 4 Unit Lot Requirements Housekeeping 8 Child Care Centres
38	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
40A	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
41(a)	Jan 12/95	Feb 8/95	Internal Conversion - R-2 Zone
41(c)	Jan 12/95	Feb 8/95	Internal Conversion - R-2 Zone
41(d)	Nov 12/92	Feb 15/93	Parking Amendments
42	Mar 13/80	Apr 25/80	Deleted - Special Care/Nursing Home Provision
43(a)	Mar 12/87	Apr 14/87	Semi-Detached Amendments
43A	Jul 22/92	Aug 22/92	Deleted - Day Nursery Not In Dwelling
43A(1)	Oct 3/05	Oct 23/05	Addition - Three & Four Unit Building (**Case 00821**)
43AC(1)	Jul 15/97	Aug 12/97	Child Care Centres
43B	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
43B	Jul 15/97	Aug 12/97	Child Care Centres
43C	Jul 15/97	Aug 12/97	Child Care Centres
43D-G	Oct 14/82	Feb 27/83	South End, Peninsula Centre
43D	Nov 17/83 Apr 11/90	Dec 21/83 May 17/90	South End, Peninsula Centre Deleted - R-2 Addition and Conversion Clause
43E	Nov 17/83 Apr 11/90 Nov 22/95	Dec 21/83 May 17/90 Dec 31/95	South End, Peninsula Centre R-2 Zone Amendments Housekeeping 12
43E(a)	Mar 12/87 Jul 8/92	Apr 14/87 Aug 6/92	Semi-Detached Amendments Peninsula Centre, South End Lot Frontage
43E(b)	Mar 12/87	Apr 14/87	Semi-Detached Amendments

43E(d)	Nov 12/92	Feb 15/93	Parking Amendments
43E(g)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
43F	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Nov 22/95	Dec 31/95	Housekeeping 12
43G	Apr 11/90	May 17/90	R-2 Zone Amendments
	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Feb 25/93	Apr 13/93	Peninsula North 1
	Sept 15/94	Oct 11/94	Deleted-Front Yard Set-back Regulation (R-2)
	Nov 22/95	Dec 31/95	Housekeeping 12
43G(1)	Sept 15/94	Oct 11/94	Housekeeping 8
43G(2)	Sept 15/94	Oct 11/94	Housekeeping 8
	Nov 22/00	Dec 25/00	U-1 Zone Amendments
	Dec 4/00	Dec 25/00	U-1 Zone Amendments
43H	Feb 25/93	Apr 13/93	Peninsula North 1
	Sept 30/93	Oct 29/93	Professional Person Private Residence
	Nov 22/95	Dec 31/95	Housekeeping 12
43I	Feb 25/93	Apr 13/93	Peninsula North 1
	Nov 22/95	Dec 31/95	Housekeeping 12
43J	May 12/94	Jun 22/94	Peninsula North 5
	Nov 22/95	Dec 31/95	Housekeeping 12
	Dec 15/98	Jan 10/99	Internal Conversion - R-2 Zone
43K	Mar 30/95	Apr 20/95	Peninsula North 7
	May 11/95	Jun 23/95	Peninsula North 6
	Dec 15/98	Jan 10/99	Internal Conversion - R-2 Zone
	June 22/99	Sept 18/99	Peninsula North Area 8
43L	Mar 30/95	Apr 20/95	Peninsula North 7
	Nov 22/95	Dec 31/95	Housekeeping 12
	Dec 15/98	Jan 10/99	Internal Conversion - R-2 Zone
	July 24/99	Sept 19/99	Multiple Unit Conversion - R-2A Zone
43M	May 11/95	Jun 23/95	Peninsula North 6
	Nov 22/95	Dec 31/95	Housekeeping 12
	June 22/99	Sept 18/99	Peninsula north Area 8
43MA	June 22/99	Sept 18/99	Peninsula North Area 8
43MB	Dec 8/03	Dec 28/03	Apartment Buildings - Peninsula West Area 1
43R(1)-43V	Mar 28/96	Apr 23/96	R-2T Townhouse Zone
43AA-AF	Oct 14/82	Feb 27/83	South End, Peninsula Centre
43AA(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AA(1)(b)	Sept 17/87	Oct 20/87	R-2A Zone Amendments

	Feb 21/96	Mar 19/96	R-2A Amendments - Minimum 40 feet of frontage required, building and lot must be existing
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AA(1)(c)	Nov 12/92	Feb 15/93	Parking Amendments
	Mar 28/96	Apr 23/96	R-2T Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AA(1)(d)	Mar 28/96	Apr 23/96	R-2T Amendments
43AA(2)	July 24/99	Sept 19/99	R-2A Zone Amendments
43AA(3)	July 24/99	Sept 19/99	R-2A Zone Amendments
43AB	July 24/99	Sept 19/99	R-2A Zone Amendments
43AC	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AC(1)	Mar 12/87	Apr 14/87	Semi-Detached Amendments
	Mar 28/96	Apr 23/96	R-2T Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 – Amended** – R-2A Zone
43AC(2)	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AC(3)	Sept 17/87	Oct 20/87	R-2A Zone Amendments
43AC(4)	Sept 17/87	Oct 20/87	R-2A Zone Amendments
	July 24/99	Sept 19/99	deleted - R2A Zone Amendments
43AC(5)	Mar 12/87	Apr 14/87	Semi-Detached Amendments
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AC(6)	Mar 28/96	Apr 23/96	R-2T Amendments
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AD	July 24/99	Sept 19/99	R-2A Amendments
43ADvii)	May 13/15	May 30/15	**Case 19595 – Replace** – R-2A Zone
43ADix)	May 13/15	May 30/15	**Case 19595 – Amend** – R-2A Zone
43ADxiii)	May 13/15	May 30/15	**Case 19595 – Add** – R-2A Zone
43ADxiv)	May 13/15	May 30/15	**Case 19595 – Add** – R-2A Zone
43ADxv)	May 13/15	May 30/15	**Case 19595 – Add** – R-2A Zone
43ADxvi)	May 13/15	May 30/15	**Case 19595 – Add** – R-2A Zone
43AD(1)	Nov 12/92	Feb 15/93	Parking Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AD(2)	Nov 12/92	Feb 15/93	Parking Amendments
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments

43AE	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Mar 27/91	Apr 27/91	R-2A Zone Amendments
	Mar 30/95	Apr 20/95	Peninsula North 7
	Feb 21/96	Mar 19/96	R-2A Amendment - Re-numbered to 43AE(1)
43AE(1)	July 24/99	Sept 19/99	R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 - Deleted**
43AE(2)	Feb 21/96	Mar 19/96	R-2A Amendments - Subdivision of lot containing converted building
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 - Deleted**
43AF	Feb 3/93	Mar 2/93	Housekeeping 3
	Sept 15/94	Oct 11/94	Deleted - Front Yard Set-back Regulation (R-2A)
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Sept 19/99	R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 - Deleted**
43AF(1)	Sept 15/94	Oct 11/94	Housekeeping 8
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AF(2)	Sept 15/94	Oct 11/94	Housekeeping 8
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AG	Jan 31/85	Jul 5/85	Fairview Secondary Plan
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 - Deleted**
43AH	Sept 17/87	Oct 20/87	R-2A Zone Amendments
	Feb 3/93	Mar 2/93	Housekeeping 3
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AI	Sept 17/87	Oct 20/87	R-2A Zone Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AI(1)	July 24/99	Sept 19/99	R-2A Zone Amendments
43AI(2)	July 24/99	Sept 19/99	R-2A Zone Amendments
43AI(3)	May 3/95	Jun 3/95	Housekeeping 9
	Feb 21/96	Mar 19/96	R-2A Amendments - Footprint
	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AI(4)	July 24/99	Sept 19/99	deleted - R-2A Zone Amendments
43AJ	Feb 11/88	Mar 15/88	R-2A Zone Amendments
	July 24/99	Sept 19/99	deleted - R2A Zone Amendments
43AK	Mar 30/95	Apr 20/95	Peninsula North 7
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Sept 19/99	R-2A Zone Amendments
43AL	Mar 30/95	Apr 20/95	Peninsula North 7
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Sept 19/99	Peninsula North 7

43AM	May 11/95	Jun 23/95	Peninsula North 6
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Sept 19/99	Peninsula North 6
43AN	June 22/99	Sept 18/99	Peninsula North Area 8
	July 24/99	Sept 19/99	R-2A Zone Amendments
	May 13/15	May 30/15	**Case 19595 - Deleted**
44(1)	Jul 15/97	Aug 12/97	Child Care Centres
44(1)(a)	Sept 11/86	Nov 10/86	R-2A Zone Amendments
	Mar 28/96	Apr 23/96	R-2T Amendments
44(1)(f)	Jul 28/83	Aug 29/83	R-3 Office
44(1)(g)	Mar 13/80	Apr 25/80	Special Care Homes
44(1)(j)	Nov 22/95	Dec 31/95	Housekeeping 12
	June 22/99	Sept 18/99	Peninsula North Area 8 (renumbered)
44(1)(ia) -(c-b)	June 22/99	Sept 18/99	Peninsula North Area 8
44(1)(ia)	Mar 3/09	Mar 21/09	Day Care Facility
44(1)(aa)	Sept 11/86	Nov 10/86	R-2A Zone Amendments
44A-F	Oct 14/82	Feb 27/83	South End, Peninsula Centre
44A	Nov 22/95	Dec 31/95	Housekeeping 12
44C	Nov 22/95	Dec 31/95	Housekeeping 12
44D	Nov 22/95	Dec 31/95	Housekeeping 12
44E	Nov 22/95	Dec 31/95	Housekeeping 12
44F	Oct 12/89	Nov 14/89	Through Lot
	Nov 22/95	Dec 31/95	Housekeeping 12
45	Jun 7/95	Jul 5/95	Housekeeping 1016
	Mar 28/96	Apr 23/96	R-2T Amendments
45(2)	Sept 11/86	Nov 10/86	R-2A Zone Amendments
	Nov 22/95	Dec 31/95	Housekeeping 12
	July 24/99	Nov 25/99	R-2A Zone Amendments
47(1)(b)	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
47(2)(e)	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
48	Mar 13/80	Apr 25/80	Special Care Homes
48(1)(a)	Nov 22/95	Dec 31/95	Housekeeping 12
48(2)(iii)	Nov 22/95	Dec 31/95	Housekeeping 12

48(2)(iv)	Nov 22/95	Dec 31/95	Housekeeping 12
48(2)(c)	April 14/08	May 5/08	landscaped open space amendments
48A	Mar 13/80	Apr 25/80	Special Care Homes
48AA-AF	Oct 14/82	Feb 27/83	South End, Peninsula Centre
48AA(1)(b)	Nov 22/95	Dec 31/95	Housekeeping 12
48AA(1)(c)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Feb 25/88	Aug 31/88	Drug Store Floor Area
	Jun 7/95	Jul 5/95	Housekeeping 10
48AF	Feb 25/88	Mar 26/89	RC-1 Lot Coverage
48AG	Jun 7/95	Jul 5/95	Housekeeping 10
48BA-BC	Oct 14/82	Feb 27/83	South End, Peninsula Centre
48BA(1)	Mar 30/96	Jun 19/96	Inns in Residential Neighbourhoods
48BA(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
48BA(1)(b)	Nov 22/95	Dec 31/95	Housekeeping 12
48BA(1)(c)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Jun 7/95	Jul 5/95	Housekeeping 10
48BA(1)(d)	Mar 30/95	Apr 27/95	Spring Garden Road Amendment -RC-2 Zone
	Jun 7/95	Jul 5/95	Housekeeping 10
	Nov 22/95	Dec 31/95	Housekeeping 12
48BA(1)(e)	Jun 7/95	Jul 5/95	Housekeeping 10
	Nov 22/95	Dec 31/95	Housekeeping 12
48BA(1A)	May 30/91	Jul 4/91	Lounges
	Jun 7/95	Jul 5/95	Deleted - Housekeeping 10
48BA(2)	May 30/91	Jul 4/91	Lounges
48BA(3)	May 30/91	Jul 4/91	Lounges
48BB(1)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
48BC	Feb 3/93	Mar 2/93	Housekeeping 3
	Mar 28/96	Apr 23/96	R-2T Amendments
	July 24/99	Sept 19/99	R-2A Zone Amendments
48BD	Jun 7/95	Jul 5/95	Housekeeping 10
48BE	Mar 30/96	Jun 19/96	Inns in Residential Neighbourhoods
48CA-CB	Oct 14/82	Feb 27/83	South End, Peninsula Centre
48CA(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments

48CA(1)(b)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
48CA(1)(c)	Apr 12/84	May 16/84	RC-3 Zone
48CA(1)(ca) &(cb)	June 22/99	Sept 18/99	Peninsula North Area 8
48CA(1A)	May 30/91 Nov 22/95 June 22/99	Jul 4/91 Dec 31/95 Sept 18/99	Lounges Housekeeping 12 Peninsula North Area 8
48CA(2)	May 30/91	Jul 4/91	Lounges
48CA(3)	May 30/91	Jul 4/91	Lounges
48CB(1)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
48CB(2)	June 22/99	Sept 18/99	Peninsula North Area 8
48CB(3)	Nov 17/83 Mar 28/96 July 24/99	Dec 21/83 Apr 23/96 Sept 19/99	South End, Peninsula Centre R-2T Amendments RC-3 Zone Amendment
48CB(4)	Apr 12/84	May 16/84	RC-3 Zone
48CB(4)(h)	Nov 22/95	Dec 31/95	Housekeeping 12
48CC(1)-(5)	June 22/99	Sept 18/99	Peninsula North Area 8
48DA(1)–(3)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DB(1)-(2)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DC(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DD(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DE(1)-(2)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DF(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DG(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DH(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DI(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DJ(1)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DK(1)-(2)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
48DL(1)-(2)	Nov 18/14	Dec 20/14	**Case 18950 – Add** RC-4 Zone
49(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
49(1)(b)	Jun 12/80	Sept 29/80	Adult Entertainment Zone

	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	Dec 8/82[3]	Dec 8/82	Amusement Centre
	Jul 17/86	Aug 19/86	Video Rentals
	Jun 17/93	Jul 17/93	Housekeeping 6
49(1)(c)	Mar 1/79	Apr 11/79	Delete Restaurant C-1 Zone
	Jan 15/87	Feb 17/87	Community Facilities
	May 11/09	May 30/09	Added restaurant
53A	Jan 20/98	Mar 19/98	Peninsula North C-1 Zone
54	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
	Mar 28/96	Apr 23/96	R-2T Amendments
55A	May 11/09	May 30/09	Added section on restaurants
56(1)(a)	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
	Mar 28/96	Apr 23/96	R-2T Amendments
56(1)(b)	Feb 15/79	Apr 16/79	Massage Parlour
	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	Jan 27/83	May 22/83	Amusement Centre
	Apr 14/83	May 22/83	Amusement Centre
	Jan 30/92	Mar 26/92	Junk Yards
56(1)(c)	Aug 30/79	Oct 10/79	Billboards
56(1)(d)	Sept 15/94	Oct 11/94	Housekeeping 8
57(1)	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
57(2)	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
	Mar 12/87	Apr 14/87	Spring Garden Road Heights
	Mar 30/95	Apr 27/95	Deleted - Setbacks Spring Garden Road, South Park Street
57(2)(e)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
57(2)(f)	Mar 2/89	Apr 4/89 C-2	Height
58	Mar 2/89	Apr 4/89 C-2	Height
58A	May 15/86	Jan 6/87	Spring Garden Road Secondary Plan
58A(1)	Mar 28/96	Apr 23/96	R-2T Amendments
58A(2)	Mar 30/95	Apr 27/95	Deleted - Special Uses, Spring Garden Road
58A(1)	Jun 7/95	Jul 5/95	Housekeeping 10
58A(3)	Mar 25/93	Apr 24/93	Housekeeping 4 and 5
	Mar 30/95	Apr 27/95	Deleted - Special Uses, Spring Garden Road
58B(1)	Nov 13/86	May 6/87	Central Business District Requirements

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	Jun 17/93 Nov 22/95	Jul 17/93 Dec 31/95	Housekeeping 6 Housekeeping 12
58B(2)	Nov 13/86 Nov 22/95	May 6/87 Dec 31/95	Central Business District Requirements Housekeeping 12
58C(1)-(6)	June 22/99	Sept 18/99	Peninsula North Area 8
59	May 15/86 Mar 30/95	Jan 6/87 Apr 27/95	Spring Garden Road Secondary Plan Spring Garden Road Amendments C-2D Zone
59A-D	Feb 14/80	Mar 23/80	C-2A Zone
59A(1)	Jul 15/97	Aug 12/97	Child Care Centres
59A(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
59A(1)(b)	Jul 17/86 May 26/88	Aug 19/86 Jun 28/88	Video Rentals Adult Entertainment Uses
59A(1)(e)	Dec 8/82[4]	Dec 8/82	Amusement Centre
59A(1)(la)	Jul 30/81	Sept 30/81	Billboards
59A(1)(1a)	Jan 20/98	Mar 19/98	Billboards - C-2A Zone
59A(1)(lb)	Jun 11/87	Jul 14/87	Commercial Recreation Use
59A(1)(1c)	Mar 3/09	Mar 21/09	Day Care Facility
59B	Jun 17/93 Mar 28/96	Jul 17/93 Apr 23/96	Housekeeping 6 R-2T Amendments
59D(1)	Sept 5/00	Sept 24/00	C-2A sign requirements
59D(3)	Aug 18/93	Sept 16/93	Signs RC-2, RC-3, C-2A Zones
59D(4)	Jan 20/98	Mar 19/98	Peninsula North Area – Signs
59E	Jan 31/85	Jul 5/85	Fairview Secondary Plan
59E(1)	Nov 22/95 Oct 4/16	Dec 31/95 Oct 26/16	Housekeeping 12 **Case Plan Dutch Village Road – Deleted**
59E(2)	Nov 22/95 Oct 4/16	Dec 31/95 Oct 26/16	Housekeeping 12 **Case Plan Dutch Village Road – Deleted**
59F	Jan 31/85 Oct 16/86 Nov 22/95 Oct 4/16	Jul 5/85 Nov 18/86 Dec 31/95 Oct 26/16	Fairview Secondary Plan C-2A Parking Housekeeping 12 **Case Plan Dutch Village Road – Deleted**
59F(1)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
59F(2)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**

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59F(3)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
59F(4)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
59FB	Feb 10/97	Apr 1/97	Motor Vehicle Repair Shops
59FC(1)	Jan 20/98	Mar 19/98	Peninsula North Area - Setbacks
59FC(2)	Jan 20/98	Mar 19/98	Peninsula North Area - Parking
59G-L	Jul 31/86	Dec 22/86	Quinpool Road Secondary Plan
59G(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
59G(1)(g)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
59G(1)(h)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
59G(3)	Jun 17/93	Jul 17/93	Housekeeping 6
59H(1)	Mar 28/96	Apr 23/96	R-2T Amendments
59J(2)	Feb 3/93	Mar 2/93	Deleted - Parking Restrictions C-2C Zone.
59K(1)	Nov 22/95	Dec 31/95	Housekeeping 12
59M(1)-59Q	Mar 30/95	Apr 27/95	C-2D Zone Spring Garden Road
59M(1)(a)	Mar 28/96	Apr 28/96	R-2T Amendments
59J(A)	Feb 3/93	Mar 2/93	Housekeeping 3
59FA	Feb 25/93 Nov 22/95 Jan 10/05	Apr 13/93 Dec 31/95 Jan 30/05	Peninsula North 1 Housekeeping 12 Peninsula North Area
59FB	Feb 10/97	Apr 1/97	Motor Vehicle Repair Shops
59P	Mar 28/96 Mar 28/96	Apr 23/96 Apr 23/96	R-2T Amendments59P(c) and (c)(i) R-2T Amendments
59P(c)	Apr 17/01	June 2/01	RC-2 Zone
59Q	Mar 28/96	Apr 23/96	R-2T Amendments
59R	Oct 21/97	Dec 4/97	C-3A Zone
59R(1)	Feb 9/99	Mar 7/99	C-3A Zone (Business Service) Zone
59R(4)	Feb 9/99	Mar 7/99	C-3A Zone (Business Service) Zone
59R(5)	Feb 9/99	Mar 7/99	C-3A Zone (Business Service) Zone
60(1)(a)	Mar 28/96	Apr 23/96	R-2T Amendments
60(1)(b)	Jan 30/92	Mar 26/92	Junk Yards

62	Jun 7/95	Jul 5/95	Housekeeping 10
	Mar 28/96	Apr 23/96	R-2T Amendments
62A	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 17/83	Dec 21/83	South End, Peninsula Centre
	Nov 22/95	Dec 31/95	Housekeeping 12
62B	Oct 14/82	Feb 27/83	South End, Peninsula Centre
	Nov 22/95	Dec 31/95	Housekeeping 12
62EA	July 2/02	Aug 17/02	ICH Zone
62EB	May 1/07	July 21/07	WA Zone
62EC(1)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
62EC(2)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
62EC(3)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
62EC(4)	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
63-65	Jun 17/93	Jul 17/93	Deleted - C-4 Zone
66(1)(ga)	Jul 30/81	Sept 11/81	Billboards
66A-F	Feb 15/79	Apr 16/79	Massage Parlour
66A(1)(b)	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	May 31/84	Jul 5/85	Adult Cabaret
66A(3)	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
66C	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
	May 31/84	Jul 5/85	Adult Cabaret
66D	Jun 12/80	Sept 29/80	Adult Entertainment Zone
	Jun 26/80	Sept 29/80	Adult Entertainment Zone
67(1)	Jul 15/97	Aug 12/97	Child Care Centres
67(1)(b)	Jan 15/87	Feb 17/87	Community Facilities
67(1)(d)	Mar 14/85	Apr 16/85	Law courts
67(1)(da)	Mar 3/09	Mar 21/09	Day Care Facility
69	Jun 28/94	Jul 27/94	Signs - P Zone
70A	Oct 14/82	Feb 27/83	South End, Peninsula Centre
70A(4)	Nov 22/95	Dec 31/95	Housekeeping 12

70A(5)	Jul 31/86 Nov 22/95	Dec 22/86 Dec 31/95	Quinpool Road Secondary Plan Housekeeping 12 – Deleted
70AA-AB	Oct 14/82	Feb 27/83	South End, Peninsula Centre
79AA(1)(e)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
70AB(4)	Nov 17/83	Dec 21/83	South End, Peninsula Centre
70AB(5)	Nov 22/00 Dec 4/00	Dec 25/00 Dec 25/00	U-1 Zone Amendments U-1 Zone Amendments
70AB(6)	Nov 22/00 Dec 4/00	Dec 25/00 Dec 25/00	U-1 Zone Amendments U-1 Zone Amendments
70AB(7)	Nov 22/00 Dec 4/00	Dec 25/00 Dec 25/00	U-1 Zone Amendments U-1 Zone Amendments
70BA-BC	Oct 14/82	Feb 27/83	South End, Peninsula Centre
70BB(1)	Nov 22/95	Dec 31/95	Housekeeping 12
70BB(2)	Jan 9/12	Jan 28/12	Structure not exceeding 5 ft in height
70BC(1)	Nov 22/95	Dec 31/95	Housekeeping 12
70CA	Oct 14/82	Feb 27/83	South End, Peninsula Centre
70DA(1)	Sept 30/93	Oct 25/93	CFB Zone
70DA(2)	Sept 30/93	Oct 25/93	CFB Zone
70DA(3)	Sept 30/93	Oct 25/93	CFB Zone
70EA(1)	April 14/98	June 23/98	BCDD Zone
70EA(2)	April 14/98	June 23/98	BCDD Zone
70EA(3)	April 14/98	June 23/98	BCDD Zone
70EB(1)	April 14/98	June 23/98	BCDD Zone
70EB(2)	April 14/98	June 23/98	BCDD Zone
70EB(3)	April 14/98	June 23/98	BCDD Zone
70FA(1)	Sept 10/02	Nov 9/02	C&D Materials Transfer Stations Zone
70GA(1)	Sept 10/02	Nov 9/02	C&D Materials Processing Facilities Zone
70HA(1)	Sept 10/02	Nov 9/02	C&D Materials Disposal sites Zone
71	Jun 17/93	Jul 17/93	Housekeeping 6
75(2)	Oct 14/82 Jul 27/95	Feb 27/83 Aug 28/95	South End, Peninsula Centre Deleted - Housekeeping 11

81	Nov 22/95	Dec 31/95	Housekeeping 12 - Deleted
82	Nov 22/95	Dec 31/95	Housekeeping 12 - Deleted
83(b)	Jun 17/93	Jul 17/93	Housekeeping 6
83(c)	Nov 26/81 Apr 25/85 Jul 22/92	Jan 9/82 Apr 14/86 Aug 22/92	Lot to Abut a Street Citadel Heights Housekeeping 1 and 2
83(ba)	Dec 8/82[5]	Dec 8/82	Amusement Centre
83A	Jan 15/81 Jan 31/85	Feb 26/81 Jul 5/85	Schedule E Deleted - Schedule E
83A(c)	Nov 26/81	Jan 9/82	Lot to Abut a Street
83A(ba)	Dec 8/82[6]	Dec 8/82	Amusement Centre
84(b)	Sept 27/79	Nov 8/79	Parking - Schedule F
84(d)	Nov 26/81 Apr 25/85 Jul 22/92	Jan 9/82 Apr 14/86 Aug 22/92	Lot to Abut a Street Citadel Heights Housekeeping 1 and 2
84(ba)	Jan 27/83 Apr 14/83	May 22/83 May 22/83	Amusement Centre Amusement Centre
85(b)	Sept 27/79	Nov 8/79	Parking - Schedule G
85(d)	Apr 25/85 Jul 22/92	Apr 14/86 Aug 22/92	Citadel Heights Housekeeping 1 and 2
85(ba)	Jan 27/83 Apr 14/83	May 22/83 May 22/83	Amusement Centre Amusement Centre
86(b)	Sept 27/79	Nov 8/79	Parking - Schedule J
86(d)	Apr 25/85 Jul 22/92	Apr 14/86 Aug 22/92	Citadel Heights Housekeeping 1 and 2
86(ba)	Jan 27/83 Apr 14/83	May 22/83 May 22/83	Amusement Centre Amusement Centre
87A	Jul 14/83	Aug 17/83	Schedule L
87A(e)	Jul 22/92	Aug 22/92	Housekeeping 1 and 2
88	Dec 28/78 May 15/86 Jul 22/92	Mar 1/79 Jan 6/87 Aug 22/92	Schedule N Deleted - Schedule N Housekeeping 1 and 2
88(a)	Jun 17/93	Jul 17/93	Housekeeping 6

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88(f)	Nov 26/81 Apr 25/85	Jan 9/82 Apr 14/86	Lot to Abut a Street Citadel Heights
88(ba)	Dec 8/82[7]	Dec 8/82	Amusement Centre
89	Apr 30/80 May 15/80	Jun 22/80 Jun 22/80	Schedule M Schedule M
89(1)	May 1/79 June 22/99	Jul 14/79 Sept 18/99	NIP conversions Deleted
89(2)	May 1/79 June 22/99	Jul 14/79 Sept 18/99	NIP Conversions Deleted
89(2)(i)	May 12/94	Jun 22/94	Deleted - N.I.P. III
89(2)(ii)	Mar 30/95 May 11/95	Apr 20/95 Jun 23/95	Peninsula North 7 Peninsula North 6
90	Jan 27/83 Apr 14/83	May 22/83 May 22/83	Amusement Centre Amusement Centre
90(1)	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
90(2)	Jul 27/95	Aug 28/95	Deleted - Housekeeping 11
91	Jun 28/84 Jul 22/92	Apr 13/87 Aug 22/92	Public Service Use Housekeeping 1 and 2
92	Jun 3/93	Jun 24/93	Peninsula North 2
93	Mar 30/95	Apr 20/95	Peninsula North 7
94	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
94(1)	Nov 6/01	Dec 1/01	5515/17/19 & 5523 Inglis Street
94(1)(p)	Feb 11/03 Dec 16/03	March 22/03 January 24/04	1252/54/56 Hollis Street Cathedral Church of All Saints - Tower Road
94(1)(q)	Aug 26/03	Sept 6/03	5251 South Street
94(1)(r)	July 13/04	Aug 7/04	5620 South Street
94(1)(s)	Feb 1/11	Mar 26/11	**Case 15937** - Fenwick Tower, PID 41030735
94(1)(t)	Jan 13/15	Feb 28/15	**Case 19326** – 1034-1056 Wellington Street
94(1)(u)	Mar 31/15	May 16/15	**Case 17174** – 1017 and 1021 Beaufort Avenue
95	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
95(1)(i)	May 27/03	June 21/03	1270 Oxford Street (**Case 00461**)

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	June 28/05	Aug 6/05	6770 Jubilee Road (**Case 00733**)
95(2)	Oct 21/03	Nov 15/03	Cedar Street (**Case 00594**)
95(3)	June 25/13	Aug 17/13	**Case #17195** – 6112 Quinpool Road
95(4)	Apr 5/16	May 21/16	**Case 18322** – 6124 Coburg Road and 1460, 1470 & 474 Seymour Street
95(6)	Jan 24/17	Mar 11/17	**Case 19858** – **Added** Section 95(6) – 6345 Coburg Road, Halifax
96	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(a)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(b)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(c)	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(d)	Aug 10/10	Oct 23/10	**Case #01302** - Dutch Village Road/Andrew Street/Joseph Howe Drive
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(e)	Sep 10/13	Nov 9/13	**Case No. 17759** – Added Section 96(e) for North East corner of Dutch Village Road and Andrew Street, Halifax
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
96(f)	Jun 16/15	Jul 18/15	**Case 18510** – Added Section 96(f) for 3400 Dutch Village Road / 3343 Westerwald Street, Halifax
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road – Deleted**
97	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
97B	June 10/08	Aug 9/08	South Park and Brenton Place
98	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
98(1)	Nov 22/95	Dec 31/95	Housekeeping 12
	Oct 9/01	Nov 3/01	Robie/West/Cunard Streets
98(1)(c)	Sep 14/10	Nov 13/10	**Case # 01356** - 2571 Windsor Street
98(1)(d)&(e)	June 22/99	Sept 18/99	Peninsula north Area 8
98(1)(g)	July 13/04	Aug 7/04	Cunard/June Streets
98(1)(h)	June 14/07	June 23/07	2594 Agricola St - **Case 00895**
98(1)(i)	Nov 13/07	Dec 15/07	**Case # 00870** - 5784 Charles Street.
98(2)	Nov 22/95	Dec 31/95	Housekeeping 12
	Oct 19/10	Oct 19/10	**Case# 16038** - Lounges on Quinpool

98(3)	Sep 27/11	Dec 10/11	**Case No. 01325 (16028)** – Add Eastern Side of Gottingen Street between Russell Street and Kaye Street
98A	Aug 1/06 Oct 19/10	Aug 12/06 Dec 11/10	**Case 00839** - DA - 6273 Quinpool Road **Case 16038** - Quinpool Road – DA
98B	June 25/13	Aug 17/13	**Case #17195** – 6112 Quinpool Road
99	Jul 27/95	Aug 28/95	Condensed Development Agreement Provisions - Housekeeping 11
	Jul 27/95	Sept 5/95	Harbour-Related Development Agreement Provision
99(9)	Jun 17/97 Aug 26/08	Aug 12/97 Oct 11/08	St. Andrews Centre Site 6955 Bayers Road
99(10)	Jul 15/97 Mar 3/09	Aug 12/97 Mar 21/09	Child Care Centres Day Care Facility
99(11)	July 17/01	Sept 15/01	Petro Canada Lands (**Case 00213**)
99(12)	July 2/02	Aug 17/02	Capital Cost Contribution
99(13)	April 21/09	June 20/09	Residential Pet Care Facility
100(1)	June 24/08	August 16/08	**Case # 00971**-Keith's Brewery Amendments
100(2)	April 5/16	May 14/16	**Case 18464** – Bright Place, Normandy Drive
100(3)	Jan 10/17	Mar 4/17	**Case 19531** – North corner of Young and Windsor Streets (former CFB Halifax Willow Park lands)
Various	June 27/06	Aug 26/06	Regional Plan - Add new RPK zone; new definitions for bicycle parking, conservation use, recreation use, areas of elevated archaeological potential and watercourse; new watercourse setbacks and buffers & coastal areas sections, new bicycle parking requirements.
Map ZM-1	Sept 14/09	Oct 3/09	**Case # 01252** - Schedule A - rezone 6581 & 6589 Chebucto Rd, Halifax from R-2 to C-1.
	Oct 20/09	Dec 5/09	**Case # 01240**-Map 3-Gladstone Ridge DA to allow mixed use development
	Dec 14/09	Jan 2/10	**Case # 01309** - Schedule A - Rezone from R-3 to U-2 at 5247 Morris Street.
	March 3/10	March 22/10	**Case # 01295** - Schedule A - Rezone 2692 Connaught Ave, Halifax, from R-1 to R-2.
	Feb 1/11	March 26/11	**Case # 15937** - PID 41030735 included within the R-3 Zone and R-3-V Zone (within view zone)
	Sep 26/12	Nov 26/11	**Case 16376** – Rezone R-1 to R-1A Zone
	Jan 9/12	Jan 28/12	Rezone PIDs 40088767, 40088775, 40048506 and 00031146 from U-1 Zone to U-2.
	Mar 5/12	Mar 24/12	Rezone Lot H-1 located on Windsor Street in Halifax, identified by PID No. 41118258, from the R-2 Zone to the R-3 Zone.
	Apr 22/13	May 11/13	**Case#16958**: Rezone 2100-2102 Oxford St., Halifax from R-2 Zone to the C-1 Zone.
	June 10/13	June 29/13	**Case #18017**: Rezone the northeast corner of

			Connolly and Dudley Streets, Halifax, from R-2 Zone to R-2T Zone.
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt – Amend**
	Nov 18/14	Dec 20/14	**Case 18950 – Amended** to rezone 1057-1065 Barrington Street to RC-4 Zone
	Oct 4/16	Oct 26/16	**Case Plan Dutch Village Road** – **Amend** by removing Plan Dutch Village Road Lands
	Mar 28/17	May 6/17	**Case 20405 – Amend** Map ZM-1 to rezone 915, 921, 967 and a Portion of 945 Tower Road from R-1 to P Zone.
	May 15/18	Jun 2/18	**Case 21076 – Amend** Map ZM-1 to rezone 3834 Robie Street from R-2 to R-2A Zone.
Map ZM-2	Oct 20/09	Dec 5/09	**Case # 01240**-Map 3-Gladstone Ridge DA to allow mixed use development
	Sep 10/12	Sep 29/12	**Case 17256** – Map 1 – 6100 Young Street – Include into Schedule Q
	Jan 21/13	Feb 9/13	**Case 17511** – 5534-5558 Bilby Street and 2819-2827 Isleville Street, Halifax
	Aug 7/13	Aug 24/13	**Case 17456** – Add 3065 Robie Street, Halifax to Schedule Q
	Aug 7/13	Aug 24/13	**Case 17756** – Add 5659 Almon Street and 2814 Isleville Street, Halifax to Schedule Q
	Aug 7/13	Aug 24/13	**Case 18254** – Add 2776-2778 Gottingen Street and 5509 Bloomfield Street, Halifax to Schedule Q
	Oct 28/13	Nov 16/13	**Case 18149** –including PIDs 00127530, 0012548 and 00127555 located at the north-west corner of Gottingen Street and Bilby Street, Halifax in Schedule Q
	May 6/14	May 24/14	**Case 18555** – include 2857-2863 Isleville Street and 5559 Bilby Street within Schedule Q
	May 6/14	May 24/14	**Case 18591** – include 5530-5532 Bilby Street and abutting vacant property to the west within Schedule Q
	Jun 17/14	Dec 12/14	**Case 18547** – include 2183 Gottingen Street, Halifax within Schedule Q
	Jun 17/14	Dec 12/14	**Case 18548** – include 2215 Gottingen Street, Halifax within Schedule Q
	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to remove 1057-1065 Barrington Street from map
	Jan 19/16	Feb 6/16	**Case 19857 – Amend** to apply Schedule L to 3085-3077 Oxford Street and 6393 to 6387 Young Street, Halifax.
	Feb 17/16	Mar 5/16	**Case 19862 – Amend** to apply Schedule "Q" to properties at PID 00161398 on Isleville Street and 5555, 5549, 5549 Almon Street, Halifax.
	May 30/17	Jun 17/17	**Case 20149 – Amend** to apply Schedule Q to properties located at 2858/2860 and 2866 Gottingen Street and 5516/5518 Macara Street, Halifax.
	Jul 25/17	Aug 12/17	**Case 20183 – Amend** to apply Schedule Q to apply PID 40346363 on Fern Lane, 2710 and 2712 Agricola Street, Halifax.
Map ZM-17	Sep 27/11	Nov 26/11	**Case 16376** – Amend Height Precinct
	Jan 9/12	Jan 28/12	Realign the precinct lines along South Street, Oxford Street and Coburg Road and include PIDs 40088767,

			40088775, 40048506 and 00031146 in the 55 foot precinct.
	Nov 18/14	Dec 20/14	**Case 18950 – Amend** to change max permitted height at 1057-1065 Barrington Street
	Mar 28/17	May 6/17	**Case 20405 – Amend** Map ZM-17 – height precinct for 915, 921, 967 and a Portion of 945 Tower Road.
Map ZM-20	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt - Replace**
Map ZM-22	Aug 16/11	Oct 29/11	**Case #00953** – Wind Energy Zoning Map
	Sep 27/11	Nov 26/11	**Case 16376** – Front yard setbacks on existing streets
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt**
	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt - Deleted**
Map ZM-23	Jun 25/14	Oct 18/14	**RP+5 - Repeal/Readopt - Add**
Various	Nov 8/10	Nov 27/10	**Case #01214** - Accessory Buildings